



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: ZBA 2013-41-E1(6/2015)
Date: July 9, 2015
Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: 90 Washington Street

Applicant & Owner Name: Cobble Hill Center, LLC
Applicant & Owner Address: 150 Mount Vernon Street Suite 520 Boston, MA 02125
Agent Name: Rich Di Girolamo
Agent Address: 424 Broadway Somerville, MA 02145
Alderman: Matt McLaughlin

Legal Notice: Applicant and Owner, Cobble Hill Center LLC, seeks a time extension SZO §5.3.10 for Variances under SZO §8.5.F for height and for parking relief SZO §9.5.1.a. This is part of a previous Special Permit approval for a 159 unit building with first floor retail. BB zone. Ward 1.

Dates of Public Hearing: Zoning Board of Appeal – July 15, 2015

I. PROJECT DESCRIPTION

1. Subject Property: The subject property is a 173,748 square foot parcel with a strip mall. The strip mall is vacant. The mall and parking lot are currently fenced. The land is located south of East Somerville on the edge of the Inner Belt neighborhood with immediate adjacency to the Washington Street GLX station.

The existing commercial strip mall is 12,500 gross square feet with a 0.07 floor area ratio. The landscape and pervious areas compose 60% of the lot while the ground coverage is 7.2%. The existing structure is setback 32 feet from Washington Street and 29 feet from New Washington Street. The parking lot is accessible by two curb cuts along Washington Street with approximately 57 parking stalls, which includes three handicap accessible spaces.





84-90 Washington Street, aerial view

According to the soil survey, the site is classified as Urban Land, which refers to land which has been previously excavated and filled. Borings illustrate that subsurface soils consist of sand with gravel, clays, brick, concrete and coal/coal ash while groundwater is located approximately 8-10 feet below grade. The stormwater runoff for this site, which has a general rolling topography, either flows offsite or is captured in a series of catch basins and routed to the City's closed drainage system. None of the current runoff is treated or detained prior to discharge offsite.

This site, as part of the Washington Street corridor, has been identified in the City's Comprehensive Plan and the Inner Belt/Brickbottom neighborhood plan as an area that should be redeveloped with the coming Green Line station. In the SomerVision Comprehensive Plan the site is labeled as a transformational area.

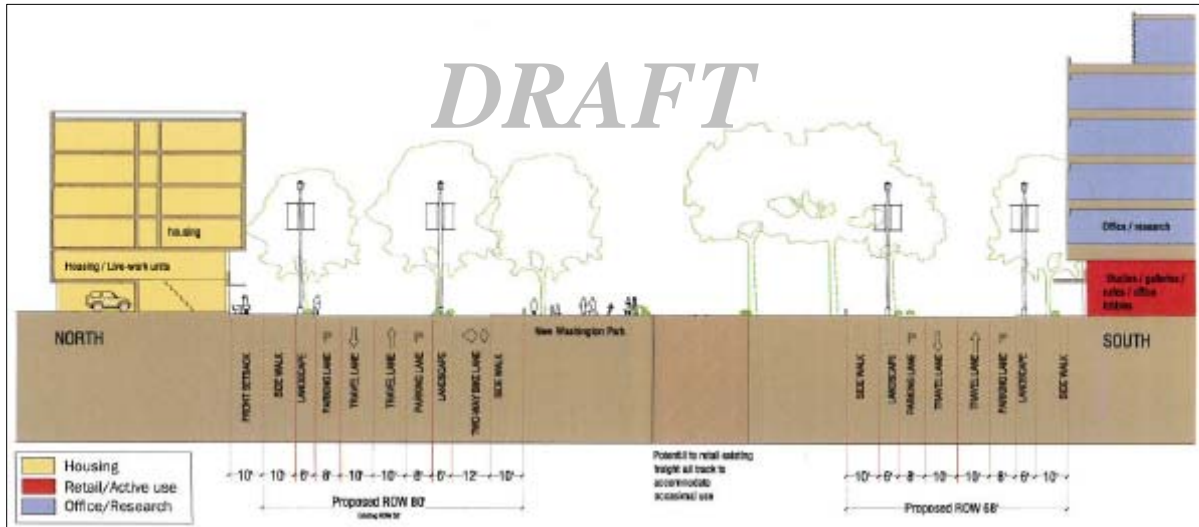
2. Proposal: The proposal is to demolish the existing single-story strip mall and to construct 157 dwelling units with a ground floor commercial component of approximately 13,000 square feet. The building would have six stories and be approximately 177,580 gross square feet. In addition, a new shared private street would be constructed at the east end of the development to divide this large block and to connect Washington Street with New Washington Street.

Site Design

The site design locates a building with a footprint that is 28,790 square feet along the street front of the Washington Street corridor. A 7,750 pedestrian plaza is located at the intersection of Washington Street and New Washington Street. Parking is predominantly located behind the proposed structure, though a parking lot that can accommodate 44 cars is located east of the proposed building. Additionally, a new accessway for pedestrians and emergency vehicles would be constructed to dissect this large parcel.

The sidewalk along Washington Street would be 25.8 feet in total width (15 feet on private property and 10.8 feet on the public right of way), composed of concrete pavers, and incorporate ground cover plantings, trees, ornamental benches, bike parking and streetlights. The pedestrian plaza, to be located on the corner closest to the future Green Line Station, would be approximately 7,750 square feet and would incorporate bollards, 18" high seat walls, raised planters of varying heights, ground cover plantings, trees, and ornamental benches. The area that constitutes the plaza will be articulated through the proposed pavers and the circular geometric shape these pavers will create. Throughout the site, there will be 11 single loop bicycle racks to accommodate 22 bicycles. The sidewalk along New Washington Street is typically 12 feet in width but is approximately 6 feet at its narrowest section. Along the narrow sidewalk the building is 22 feet away and the use of the space between the sidewalk and building will be dependent upon what type of use is to locate within the corner retail space. A 5.5 foot wide sidewalk is illustrated on

the plans to continue after the curb cut, to the intersection of New Washington Street and the new road, with a planter bed located between the sidewalk and the parking lot. However, Staff has conditioned that this sidewalk be constructed according to the nearly complete IBB Plan (see illustration), which calls for a 6 foot landscape buffer between the street and the sidewalk, street trees located 20-30 feet apart on center, and ADA accessibility. The remainder of the area, prior to the construction of a Phase II, would likely be seeded with grass and, in accordance with the City standards, the curbing will be granite.



Recent draft of IBB Plan which calls for a landscape buffer and street trees along New Washington Street.

In an effort to create more public open space, a 1,100 square foot piazza would be located along the east side of this shared accessway. Staff has conditioned that details regarding this shared space be submitted and approved by Staff prior to receiving a building permit. Details to submit include, but are not limited to materials, plantings, lighting, bollards, seating, artwork and/or interactive components as well as a programmatic plan for the piazza. Due to reprogramming this new road to be more pedestrian centric, there will no longer be a curb cut to access the parking lot along Washington Street in the plan; the curb cut to access this parking lot will be relocated to the east end of Washington Street. The vehicular access on the road will be limited to such uses as residential moving trucks or deliveries to businesses.

One pedestrian path will be created to lead from the parking lot along Washington Street to the sidewalk for easy access to the proposed development. This path will lead from the northwest corner of this lot to the north corner of Washington Street and the new shared road. This landscape area, approximately 416 square feet, will incorporate ornamental benches and a 5' wide pedestrian cut-through as well as shrubs, trees, and grass. While the remaining evergreen trees would be removed, the proposed landscaping is more appropriate for an urban corridor and would encourage pedestrian use of this space.

Residential Units

The development will be composed of 157 residential units that would be located on floors one through six. Of the total units, studio units will compose 16%, or 25 units; one-bedroom units will compose 43%, or 69 units; one-bedroom with study units will compose 13%, or 20 units; and two-bedroom units will compose 28%, or 45 units. Studio units are approximately 500 square feet; one bedroom units are 690 square feet; one bedroom with study units are 800-830 square feet; and two bedroom units are either approximately 950 square feet. While the unit types are dispersed throughout each floor, the one-bedroom with study units composes the west end corner units and interior southeast corner units while the two-bedroom units compose the northeast corner units as well as the exterior southeast corner units. There are two 3-bedroom residential units located along the private street . The units are on the ground floor and

are directly accessible to pedestrian, but not directly located on the main street. The primary residential entrance would be on Washington Street, located adjacent to the east end balconies, at the west end of the lobby. The interior plan would locate a stair well near either end of the building and at the interior corner middle at the back of the lounge. Common areas for the residential component of the project consist of the lobby, a lounge, fitness room, mail room, and bike room with a capacity for 80 bikes. Combined, these common areas compose approximately 5,000 square feet of the ground floor.

The Applicant looked into adding three-bedroom, or family units into the type of units to be offered at this site; however, the options by which to add this type of unit into the development plan significantly escalated the cost of construction due to the potential locations of the three-bedroom units within this particular type of construction. Also, the addition of three-bedroom units significantly increases the number of studios and reduces the number of two-bedroom units. Furthermore, while the Applicant does not anticipate that there is a strong demand in the market for families to locate in this building type, families will occupy some of the units and they would be designed to be appropriate for a diverse population. Therefore, the existing one-bedroom with study and two-bedroom units, which constitute 28% of the proposed units, have been designed to be friendly to families in that these units offer bathrooms with tubs, as opposed to shower stalls, a variety of storage, and washers/dryers within each unit. In addition, a larger space has been designed for bike storage, to accommodate bike trailers, and the building rear has a ramp that leads from the residential entrance down to the parking lot, for stroller access as well as ADA accessibility.

Commercial Space

The proposed project would be comprised of five ground level retail spaces that range from 2,052 square feet to 3,154 square feet, for a total of 12,976 square feet. These retail spaces would be primarily accessible from Washington Street; though, depending upon how these spaces are divided, access to corner units could also be provided from New Washington Street and/or the new private street at the east end of the development. The retail entrances would be interspersed throughout the façade depending upon the length of storefront and amount of retail space.

Landscaping

Landscaping would include a variety of trees, shrubs and plantings located along the sidewalks, within the plaza, adjacent to the rear façade of the structure and within the parking lot. The pedestrian plaza, to be located on the corner near the future MBTA Green Line Station, would be approximately 7,750 square feet and would incorporate bollards, 18" high seat walls, raised planters of varying heights, ground cover plantings, trees, and ornamental benches. The area that constitutes the plaza will be articulated through the proposed pavers and the circular geometric shape these pavers will create. The raised planters with seating would serve to give the plaza definition. Staff has conditioned that the final materials to be used in the plaza shall be reviewed by the Design Review Committee and approved by Staff. The final planting selections shall also be approved by Planning Staff, prior to construction of the plaza.

The new piazza, to be located along the east side of the new shared road, would be composed of pervious pavers and offer additional public open space. Staff has conditioned that details regarding this shared space be submitted and approved by Staff prior to receiving a building permit. Details to submit include, but are not limited to materials, plantings, lighting, bollards, seating, artwork and/or interactive components as well as a programmatic plan for the piazza.

Parking & Traffic

The project proposes a parking lot behind the structure comprised of 131 spaces. This includes 4 handicap accessible parking spaces, 15 compact parking spaces measuring 8'x16' (numbered 85-99 and 104-108), and an 18 foot fire lane located along the interior of the building at the western end. The fire lane will be

clearly marked but not striped as this is also a driving lane for use within the parking lot. A pedestrian path would be located near the center of the lot and landscaping, which includes deciduous and evergreen trees, shrubs, and groundcover as well as streetlights, would be located in multiple islands throughout the lot to break up the visual impact and to add green space. These spaces would be not be assigned spaces, so as to be available on a first come-first serve basis to residents of the development.

The Applicant did a feasibility assessment regarding the creation of underground parking at this site. For 76 spaces of parking, or one level of structured parking underground, an additional three million dollars would be necessary, making Phase 1 of the project no longer feasible. As the current surface parking proposes 131 spaces, the creation of 76 underground parking spaces does not totally alleviate the need for surface parking. While the Applicant continues to propose the surface parking lot, Staff has created a condition to address visibility of the parking lot. This condition specifies that once parcels on the south side of New Washington Street and/or within the Inner Belt area south of the railroad tracks exceed 200,000 square feet of new development, the Green Line has opened, and Phase II of this development has not been built and is not intended to be built in the near future, a landscape buffer shall be constructed to obstruct views of this surface parking lot.

A parking lot east of the development, located along Washington Street, would provide parking for 44 vehicles. This entire parking lot will be shared between the residential and commercial uses of the proposed development. However, the logistics for how this shared parking lot will operate has been conditioned by Staff to be determined prior to receiving a building permit. One pedestrian path will be created to lead from the parking lot along Washington Street to the sidewalk for easy access to the proposed development. This path will lead from the northwest corner of this lot to the north corner of Washington Street and the new shared road. This landscape area, approximately 416 square feet, will incorporate ornamental benches and a 5' wide pedestrian cut-through as well as shrubs, trees, and grass.

There is also land located at the southeast portion of the development site which has been designated as a potential future parking lot for 55 additional parking spaces. A condition requires that a parking study is conducted one year after full occupancy of the proposed project to determine if the overflow parking is constructed to provide an additional 55 parking spaces. Furthermore, this parking lot will incorporate 11 compact parking stalls and also extends onto the Cobble Hill Apartments parcel and requires Special Permit approval to park on a separate lot, which is included within this proposal.

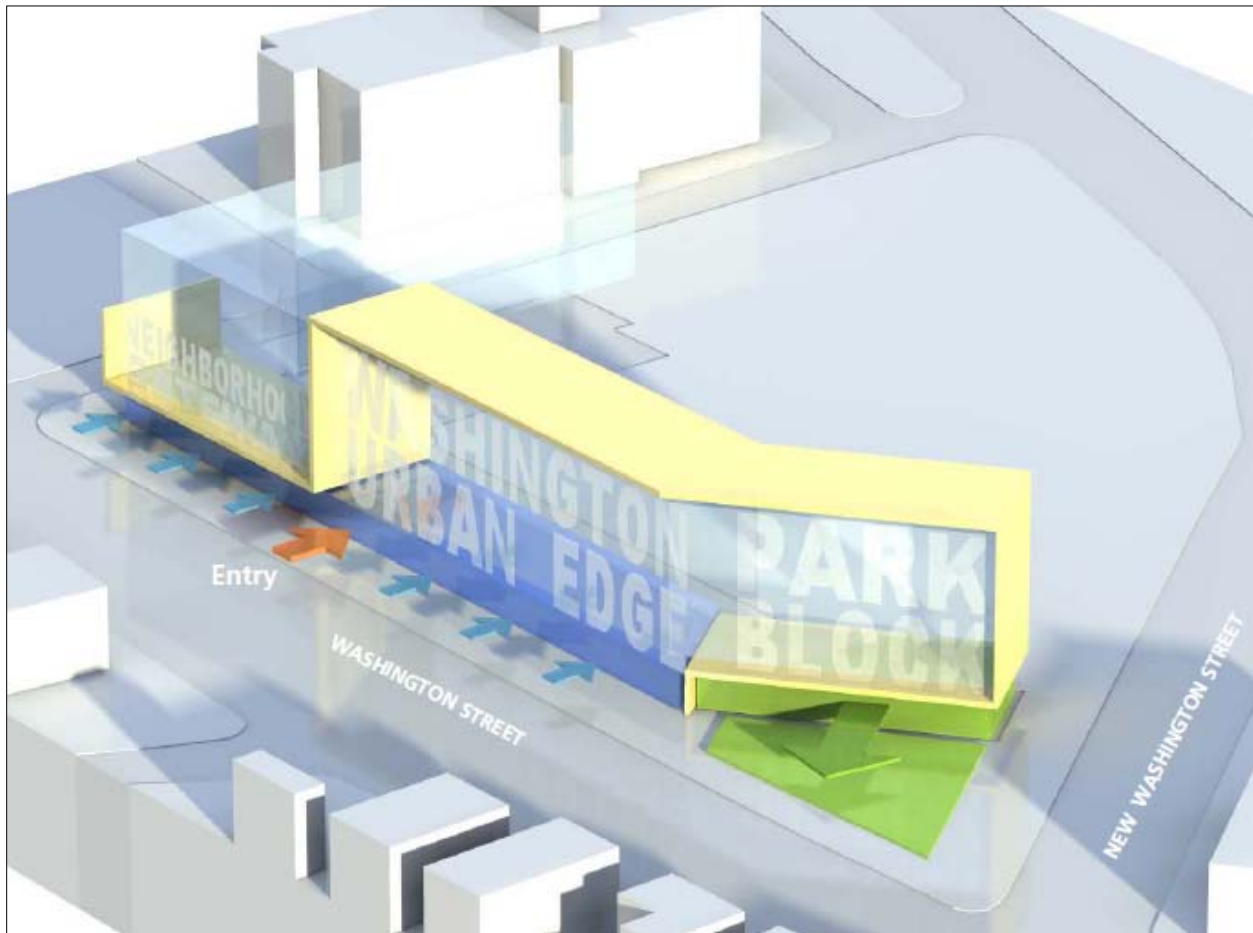
Currently, Cobble Hill Apartments has 92 standard parking spaces and 30 handicap accessible spaces for a total of 122 parking spaces. Due to the proposed development project, which necessitates a Special Permit for parking on a separate lot, the parking plan for the Cobble Hill Apartments has been modified. The new parking plan relocates all 122 parking spaces within the parcel and includes two additional parking spaces.

Building Design & Materials

The building is proposed to be a wood frame construction that is six stories in height. The materials that would compose this structure are Hardie Artisan (fiber cement) lap siding, a fiber cement panel, a metal panel system, lapped metal siding, Trespa (high pressure compact laminate) and brick. The windows are composed of a metal frame with operable glass openings. Final materials are conditioned to be reviewed by the Design Review Committee and approved by Planning Staff. The structure would be divided into three main massing components: the East Block, the Middle Block, and the West Block. The use of a single "ribbon" element, which is a flush laid metal panel, unifies the individual massings into one building expression (see rendering below). This ribbon serves to define the scale and purpose of each of the three masses. The ribbon reduces the scale of the "Neighborhood Gateway" block, located farthest from the transit station, as the character of the building is related more directly to the scale of the

neighborhood. The ribbon anchors the “Washington Urban Edge” block, located in the center, as an active urban edge which introduces a new scale with retail and the main residential entrance. The Middle Block is also highly visible from the new transit station; therefore, this Block will begin to establish a sense of place through association of the architecture with accessibility to the transit station. Last, the ribbon shelters the commercial component of the “Park Block,” located nearest the Green Line Station in front of the plaza, and is configured to encourage views of the plaza and open space.

The East Block, or “Neighborhood Gateway,” is primarily composed of Hardie Artisan lap siding with a complex yet consistent rhythm of windows and a Trespa panel on the residential floors (2-6). The first floor has a glass and metal retail storefront system that extends around the corner to the new road. The ribbon element also extends around the corner, extending up through the third floor. To focus the eye lower than the full six stories of height, the ribbon projects over the sidewalk, and to create shadow and texture, the projection is composed of a flush metal panel system and incorporates two balconies.



Rendering by DiMella Shaffer Architecture illustrating three individual massings and the ribbon component.

The Middle Block, or “Washington Urban Edge,” is also composed of a lapped metal siding with a central projecting component, which extends from the second through the five floors. Both ends of this massing are predominantly composed of glazed curtain wall with balconies. This glazing serves to articulate the residential entry at the east end and views of the park and transit station at the west end. The

rhythm of the windows and wood grain resin panel are similar to the East Block in that the rhythm is complex yet consistent; however, the rhythm highlights the vertical expression on this massing due to the two story height of the lapped metal siding and wood grain resin panels.

The West Block, or “Park Block,” continues the rhythm of windows and materials as well as vertical expression, but is oriented to encourage views of the plaza and, therefore, is recessed from the street front. This Block also offers triangular balconies that are oriented to follow the Washington streetscape.

The left massing component of the east elevation, fronting the new shared laneway, is primarily composed of brick and fiber cement panels. Floors one through five are composed of brick while the top floor is recessed slightly and composed of fiber cement panels, which creates a “top” for this component of the building. The window system is consistent with the Washington Street façades, but the rhythm is more clear and recognizable. The two 3-bedroom residential units are accessible from the area way on this elevation

The interior, or rear elevation, is predominantly fiber cement lap siding with fiber cement panels used for the sixth floor, which is also slightly recessed. The window system and inset colored panels create a consistently complex rhythm that continues to unify and create regularity for the building expression as a whole. The residential components of the first floor have been articulated with glass, which articulates the entrance and lobby, fitness room, and stairwell.

Lighting and Signage

The building will have wall-mounted fixtures located on each façade of the development for safety and security purposes as well as the highlight the building itself. The actual fixtures will be subject to review by the Design Review Committee and approval by Planning Staff. The address for the development, 90 Washington Street, will be articulated on the primary façade, located on the vertical portion of the ribbon element that faces east. Signage for the retail units will be located on the sign band above each individual storefront.

Trash & Utilities

Four of five commercial spaces would have access to a rear corridor which would access a trash and loading area on the west end of the building while the fifth space would have access to a trash loading area on the east end of the building. The interior corner of the building would also house two additional trash/loading areas, one for the commercial unit and the other for residents. Mechanicals would be located on the ground floor in the southeast corner of the building as well as on the rooftop.

II. EVALUATION & FINDINGS FOR EXTENSION

Massachusetts General Law Cpt 40A states:

“If the rights authorized by a variance are not exercised within one year of the date of grant of such variance such rights shall lapse; provided, however, that the permit granting authority in its discretion and upon written application by the grantee of such rights may extend the time for exercise of such rights for a period not to exceed six months; and provided, further, that the application for such extension is filed with such permit granting authority prior to the expiration of such one year period”

The original variance was approved on July 28, 2014. If approved, the extension will last until January 28, 2016.

Demonstration of Hardship

SZO §5.3.10 cites four examples of “hardship”: financing problems, labor strike, bad weather conditions, and act of God.

As with any project, there are always hurdles in getting to the construction phase. The first is the ability to meet conditions of approval. The initial materials presented to the DRC and Planning Staff did not meet quality expectations presented in the approved plans. Planning Staff has since worked collaboratively with the Applicant to remedy these issues. The Applicant must also meet the city stormwater and sewer policies – this includes runoff and mitigation for infiltration and inflow in the city sewer. Lastly, committing to the affordable housing required necessitates a signed AHIP. This item is yet to be executed. Each refinement requires adjustments in the project financing. A detailed letter from the Applicant is attached.

Planning Staff finds that the Applicant encountered issues that constitute hardship which prevented the commencement of construction under the permit.

Good Faith Effort to Overcome Hardship and Expedite Progress

The Applicant submitted a timeline of the action taken to move forward with the construction of this project. This timeline is attached to support this request. The timeline includes the following:

- Financing finalized by October 2015
- Noticing abutters of demolition by the end of August
- Cutting and capping utilities in September
- Demolition starting in October
- Foundation starting in December

Based on the above, Planning Staff finds that the Applicant is making good faith efforts to overcome the demonstrated hardships and move forward with the project.

III. RECOMMENDATION

Planning Staff recommends that the Board grant conditional approval of the extension of the variance until January 28, 2016.

#	Condition	Timeframe for Compliance	Verified (initial)	Notes														
1	Approval is for a Special Permit with Site Plan Review to construct 159 dwelling units with a ground floor commercial component, a Special Permit to park on a separate lot, a Special Permit for shared parking, a Variance for height, and a Variance for parking relief. This approval is based upon the following application materials and the plans submitted by the Applicant:	CO / BP	ISD/Plng.															
	<table border="1"> <thead> <tr> <th>Date (Stamp Date)</th> <th>Submission</th> </tr> </thead> <tbody> <tr> <td>(June 11, 2013)</td> <td>Initial application submitted to the City Clerk's Office</td> </tr> <tr> <td>January 31, 2013 (September 12, 2013)</td> <td>Subdivision plan submitted to OSPCD</td> </tr> <tr> <td>September 11, 2013 (September 12, 2013)</td> <td>Plans submitted to OSPCD (T, A0.1, C-1, C-2, C-3, C-4, C-5, C-6, C-7, Ex-1, L-1, L-2, A1.00, A1.01, A3.01, A3.02, A3.03, A3.04, & A3.05)</td> </tr> <tr> <td>September 4, 2013 (September 12, 2013)</td> <td>Balcony Study</td> </tr> <tr> <td>September 24, 2013 (September 25, 2013)</td> <td>Alternative 2 Proposed Parking Design</td> </tr> <tr> <td>September 11, 2013 (September 25, 2013)</td> <td>Roof Plan & Unit Types (Sheets A1.02 & A1.03)</td> </tr> </tbody> </table>				Date (Stamp Date)	Submission	(June 11, 2013)	Initial application submitted to the City Clerk's Office	January 31, 2013 (September 12, 2013)	Subdivision plan submitted to OSPCD	September 11, 2013 (September 12, 2013)	Plans submitted to OSPCD (T, A0.1, C-1, C-2, C-3, C-4, C-5, C-6, C-7, Ex-1, L-1, L-2, A1.00, A1.01, A3.01, A3.02, A3.03, A3.04, & A3.05)	September 4, 2013 (September 12, 2013)	Balcony Study	September 24, 2013 (September 25, 2013)	Alternative 2 Proposed Parking Design	September 11, 2013 (September 25, 2013)	Roof Plan & Unit Types (Sheets A1.02 & A1.03)
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Any changes to the approved site plan or elevations that are not <i>de minimis</i> must receive SPGA approval.																		
Affordable Housing/Linkage																		
2	Affordable Housing Implementation Plan (AHIP) should be approved by the OSPCD Housing Division and executed prior to issuance of Building Permit. Affordable units shall be provided on-site.	BP	Housing															
3	Written certification of the creation of affordable housing units, any fractional payment required, or alternative methods of compliance, must be obtained from the OSPCD Housing Division before the issuance of a Certificate of Occupancy (C.O.). No C.O. shall be issued until the OSPCD Housing Division has confirmed that the Affordable Housing Restriction has been approved and recorded and the developer has provided the promised affordable units on-site.	CO	Housing															
Pre-Construction																		

4	The Applicant must contact the Engineering Department to obtain a street address prior to a building permit being issued.	BP	Eng	
5	The Applicant shall work with the Engineering Department to determine the street name should be for the private road.	BP	Eng.	
6	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	Eng.	
7	The Applicant shall submit a proposed grading and drainage plan, stamped by a registered PE in Massachusetts that demonstrates compliance with the City's stormwater policy.	BP	Eng.	
8	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	
Construction Impacts				
9	The applicant shall post the name and phone number of the general contractor at the site entrance where it is visible to people passing by.	During Construction	Plng.	
10	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	
11	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	
Design				
12	The Applicant shall provide final material samples for siding, trim, windows, doors, and light fixtures (to the Design Review Committee for review and comment) and to Planning Staff for review and approval prior to construction.	BP	Plng.	Applicant will submit final materials for documentation
13	Each balcony shall be sized to accommodate a circle with a diameter of five feet.	BP	Plng.	
14	The address, 90 Washington, illustrated on the east facing ribbon element between the East and Middle blocks shall be written vertically, so as to read from top to bottom.	BP	Plng.	
15	The Applicant shall continue to work with Planning Staff on the square projecting element of the east elevation of the East Block. Staff shall approve this component prior to a building permit being issued.	Prior to BP	Plng.	Approved

16	The fiber cement paneling located on the top floor of the rear façade shall extend the length of this floor to the glazed window bay located in the corner, and continue after this bay across the top floor of the west facing building component.	Prior to BP	Plng.	
Site				
17	Landscaping should be installed and maintained in compliance with the American Nurserymen's Association Standards;	Perpetual	Plng. / ISD	
18	There shall be a 6 foot deep landscape buffer between the road and sidewalk along New Washington Street. This landscaped buffer shall have street trees placed between 20 to 30 feet apart on center. This sidewalk shall be at least 5 feet wide and constructed in accordance with City standards.	BP	Plng./ISD	Approved Plan dated 8-8-2015.
19	There shall be a minimum of one tree for each 1,000 sf of required landscaped area under SZO §10.3.	BP	Plng./ISD	
20	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	
21	The small landscape area adjacent the Washington St parking lot shall have a 5' diagonal pedestrian path with no less than 2 benches, facing the path. The remainder of this area shall be grass, shrubs, and trees. The Applicant shall submit a plan and receive Staff approval regarding this space prior to receiving a building permit.	BP	Plng.	Approved Plan dated 8-8-2015.
22	All new sidewalks will be installed by the Applicant in accordance with the specifications of the Highway Superintendent. Specifically, all driveway aprons shall be concrete.	CO	Plng.	
23	Evergreen trees and shrubs, similar to those that surround the transformer, shall be added throughout the rest of the rear parking lot area. There shall be a minimum of 75 evergreen trees/shrubs added to this lot beyond what is illustrated and does not include the proposed deciduous trees.	CO	Plng.	
24	Applicant will supply 11 bicycle racks, as specified on the plans, for public use, to be located along sidewalks throughout the site.	CO	Plng.	
25	All new streets shall be constructed by the Applicant in accordance with the specifications of the Highway Superintendent and in accordance with City standards.	CO	ISD	
26	If not taken off-site, snow plowed from the development can only be stored in the landscaped area in the back of the site.	Cont.	ISD	
27	The new shared street shall include but is not limited to including pavers, plantings, seating, interactive components or artwork, bollards, signage, and lighting as well as a programmatic plan for the piazza located along the east side. The plans shall be reviewed and approved by Planning Staff prior to being issued a Building Permit.	Prior to BP	Plng.	In develop- ment 9-18-2014

28	A landscape buffer shall be constructed to obstruct views from the abutting sidewalk of the rear surface parking lot once parcels on the south side of New Washington Street and/or within the Inner Belt area south of the railroad tracks exceed 200,000 square feet of new development, the Green Line has opened, and Phase II of the proposed development has not been built and is not intended to be built in the near future.	Perpetual	Plng.	
Plaza Design				
29	To create seating immediately accessible from the sidewalk, the planters along the Washington Street and New Washington Street in the plaza shall provide additional seating ledges adjacent to the sidewalk at a minimum depth of 22 inches.	CO	Plng.	
30	All seating in the plaza is required to be a height between 16 and 30 inches above grade (adjacent walking surfaces). Deterrents to seating, such as spikes, rails, or deliberately uncomfortable materials or shapes, placed on surfaces that would otherwise be suitable for seating are prohibited. Deterrents to skateboards, rollerblades and other wheeled devices are permitted on seating surfaces if they do not inhibit seating, maintain a minimum distance of five feet between deterrents, and are integrated into the seating surface at the time of manufacture or construction.	CO	Plng.	
31	A minimum of 50% of the seats in the plaza shall have seat backs that are a minimum of 14 inches high and either contoured in form for comfort or reclined between 10 to 15 degrees from vertical. Walls located adjacent to a seating surface shall not count as seat backs.	CO	Plng.	
32	Movable chairs shall not be chained, fixed, or otherwise secured while a civic space is open to the public, however may be removed during the hours of 9:00pm to 7:00am.	CO	Plng.	
33	Four litter receptacles shall be provided in the plaza that are 30 to 50 gallon containers with an opening no more than 36 inches above grade and designed in such a manner that users do not have to touch the receptacle or push open a door in order to dispose of litter. Litter receptacles shall be constructed of durable materials that are graffiti-, fire-, rust-, and stain-resistant and function to permit emptying from the top. Litter receptacles should be located near entrances to civic spaces and within reasonable proximity to seating areas. Plazas that contain open air cafes or kiosks providing food service shall provide one additional litter receptacle for each 1,500 square feet of plaza area occupied by such outdoor eating area.	CO	Plng.	
34	Final materials for the plaza shall be reviewed by the Design Review Committee and approved by Planning Staff.	Prior to CO	Plng.	
35	Final plant selections for the plaza and the overall site shall be reviewed and approved by Planning Staff	Prior to CO	Plng.	
Traffic & Parking				
36	A state of the art traffic controller (a TS 2, Type 2 traffic controller) shall be purchased by the developer and then installed by a contractor suitable and approved by the City.	CO	Traffic/ Pkg	

37	The developer shall have a contractor, approved by Traffic and Parking, repaint all the pavement markings on Washington St, from New Washington St to the Boston city/line, as well as inventory and replace all signs along the above described corridor.	CO	Traffic/ Pkg	
38	Not before one year after full occupancy of the building and during the school year, the owner shall submit a parking study to the City that includes parking counts of the parking lot in the evening for weekday 8 nights and parking counts of the area surrounding the subject site as defined in the baseline parking study dated August 7, 2013. Only if the parking lot is 95% occupied for 7 of the 8 nights and overflow parking has extended into the surrounding area as compared to the baseline parking study, the owner shall construct the 55 space overflow parking lot.	One year after full occupancy	Plng.	
39	Documentation detailing how 34 spaces of parking will be shared between the residential and retail components shall be submitted to Planning Staff.	CO	Plng.	
40	Until a future road design dictates otherwise, movement into the parking lot off of the Washington Street shall be "Right turn in, Right turn out". The curb cut design and signage shall be reviewed and approved by Traffic and Parking Staff.	CO	Traffic/ Pkg	
Miscellaneous				
41	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.	Cont.	ISD	
42	The Applicant, its successors and/or assigns, shall be responsible for maintenance of new private access located between Cobble Hill Apartments and the proposed development. This includes but is not limited to general maintenance, snow plowing, sweeping etc.	Cont.	ISD	
Public Safety				
43	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP	
44	The fire lane shall be clearly marked and no less than 18 feet in width.	CO	FP	
45	Any transformers should be located as not to impact the building or landscaped area.	Elec.permits & CO	ISD	
46	Notification must be made, within the time period required under applicable regulations, to the Massachusetts Department of Environmental Protection (DEP) if there is any release of oil, hazardous materials, or regulated hazardous substances at the site. The City's OSE office, Fire Department and the Board of Health shall also be notified.	CO	OSE/FP/ BOH	
47	If there unknown underground fuel tanks on this site, these are to be removed under the supervision of the Fire Prevention Bureau. Permits will be required for these removals.	CO	FP	

48	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.	
49	The Applicant shall provide notice of intent to strictly comply with applicable State and Federal regulations regarding air quality including without limitation continuous dust control during demolition and construction.	CO	Plng/OSE	
Signage				
50	Signage will be limited in size and location to that shown in the elevation diagrams. Applicant shall provide signage, including lighting and material, (to the Design Review Committee for review and comment and) to Planning Staff for review and approval prior to Installation.	BP For signage	Plng.	
51	Signage may remain lit until the last business establishment has closes operations for the day, this includes both retail and residential signage and will likely be different between weekday and weekend.	Perpetual	ISD	
Final Sign-Off				
52	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.	