



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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EXECUTIVE DIRECTOR

PLANNING DIVISION

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MICHAEL A. CAPUANO, ESQ.
ELIZABETH MORONEY

Case #: PB 2013-08
Site: 181 & 197 Washington Street
Date of Decision: July 18, 2013
Decision: *Petition Approved with Conditions*
Date Filed with City Clerk: July 23, 2013

PLANNING BOARD DECISION

Applicant Name:	CPI-SCC, LLC
Applicant Address:	337 Somerville Avenue, 2 nd Floor, Somerville, MA 02143
Property Owner Name:	The Somerville Community Corporation, Inc & A&M Realty Trust
Property Owner Address:	377 Somerville Avenue, 2 nd Floor, Somerville MA 02143 & 197 Washington Street Somerville, MA 02143
Agent Name:	Adam Dash, Esq.
Agent Address:	48 Grove Street, Suite 304, Somerville, MA 02144

<u>Legal Notice:</u>	Applicant CPI-SCC, LLC and Owners The Somerville Community Corporation, Inc and A&M Realty Trust seek a Special Permit with Site Review (SZO §5.2) to construct two mixed use buildings of approx 34,696 nsf and approx 32,466 nsf under §6.1.22.D.1 and §6.1.22.D.2. The uses include small and medium retail of approx 6,500 84 residential units per SZO §7.13.B, §7.13.C, & §7.13.E and a by-right office use of approx 2,770 sf per §7.13.A. The applicant seeks a Special Permit under SZO §5.1 to reduce the number of parking spaces SZO 9.13.F and 9.17.2.A, to share a driveway and access per SZO §9.17.2.B and shared parking and loading per SZO §9.17.2.B. Article 13 Inclusionary Housing will apply. CCD55 zone. Ward 3.
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<u>Zoning District/Ward:</u>	CCD 55 zone/Ward 3
<u>Zoning Approval Sought:</u>	§5.2, §6.1.22.D.1, §6.1.22.D.2, §7.13.B, §7.13.C, §7.13.E, §7.13.A, §5.1, §9.13.F & §9.17.2.A, §9.17.2.B, §9.17.2.B
<u>Date of Application:</u>	
<u>Date(s) of Public Hearing:</u>	6/6, 6/20 & 7/11 & 7/18/13



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Date of Decision: July 18, 2013
Vote: 4-1

Appeal #PB 2013-11 was opened before the Planning Board at the Visiting Nurses Association on June 6, 2013. 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 three hearings of deliberation, the Planning Board took a vote.

DESCRIPTION:

The proposal is to demolish the existing structures for new development. Each of these structures has been reviewed by the Historic Preservation Commission under the demolition delay ordinance. The Boys and Girls Club was not found to be "Significant", as the architectural integrity of the building had been degraded by significant inconsistent renovations over many years. Therefore, the HPC has no demolition delay on this structure.

The staff completed an extensive review of the Funeral Home building. In a Staff Report, the staff identified the alterations and the removal of significant features that have modified the exterior appearance of the funeral home over the years. Staff determined that the building is still representative of a previous era of Union Square but the extent of the alterations devalue the historic integrity. The center gable, cupola, and brackets remain as original architectural features. But with changes in use, structural elements, windows and context, the building has changed. The HPC disagreed, and determined that the structure is historically significant due to retention of the side-gable form, Italianate details, original site plan with semi-circular drive, and since 1933, use of the building as a funeral parlor. Therefore, the Cota-Struzziero Funeral Home was found "Significant" and "Preferably Preserved." The Cota-Struzziero Funeral Home is currently in the 9 month demo delay process which ends on November 19, 2013. During this time, the Applicant has participated in meeting with the Historic Commission on whether alternatives to demolition are possible.

Two mix-use buildings are proposed for 181 & 197 Washington Street. The lots will have one owner upon execution of the Purchase and Sale. Planning Staff determined that this should be one application because of the future ownership of the property as well as the shared driveway and parking. The properties are also able to exist independently in terms of meeting zoning dimensional requirements and parking, with the special permit approval for the parking arrangement that is part of this application.

The property at 181 Washington Street, also referred to as the SCC building, will be 51,473 gross square feet. It is five stories tall and 52' high. There will be 2,841 square feet of retail and 2,770 square feet of office space on the ground floor. There will be 35 affordable rental units ranging from studios to 3 bedroom units on floors 2-5.

The proposed building at 197 Washington Street, also referred to as the CPI building, will be 43,886 gross square feet. It is five stories tall and 54' high. There will be 3,725 square feet of commercial/retail on the first floor and 39 rental units, of which 5 will be affordable, on floors 2-5.

The Applicant has submitted a phasing plan. Ideally both buildings will be constructed at the same time. However, one building could be constructed before the other due to unforeseen circumstances. If the SCC building was built first, the Cota-Struzziero Funeral Home, circular driveway, and ancillary parking would remain. The SCC building would use the existing curbcut on Washington Street to access their surface parking lot. If the CPI building was built first, the existing Boys and Girls Club would be demolished. There would be surface parking accessible from Washington Street and landscaping in the location of the proposed new structure.

Commercial Space

One to three tenants will occupy the 2,841 square feet of retail in the SCC building and the 3,725 square feet of retail in the CPI building. The Applicant's market research suggests that there is an absence of mid-size commercial



space available in Union Square. They are applying for small and medium retail uses and satisfying the parking requirement for the larger requirement, medium retail. All of the commercial entrances are along Washington Street.

Somerville Community Corporation will occupy 2,770 square feet of ground level space in their building. The entrance to their space is off of the courtyard on the east end of the building.

Residential Units

The residential units will be on Levels 2-5 of the buildings. There will be 35 affordable rental units ranging from 1 to 3 bedroom units in the SCC building. The CPI building will have 39 rental units ranging from studios to 2 bedroom units. Five of the units will be designated with an affordability restriction in perpetuity as required by Somerville Zoning Ordinance Article 13, Inclusionary Housing. The buildings are accessible off of their respective courtyards and from the parking area. Both buildings have roof terraces accessible by all of the occupants in the building.

Sidewalk Depth

At the Planning Staff's request, a site plan was submitted that includes Washington Street sidewalk improvements such as an increased depth in the sidewalk, street trees, metered parking spaces in front of the building, and a bike lane on Washington Street. Planning staff has proposed a condition to ensure that this increased depth sidewalk is constructed as a part of the development, or, if necessary, funds are set aside to do so in conjunction with other nearby public construction.

Site & Landscaping

The site will have two courtyards, at the eastern and western edges of the site. There will be a mix of landscaping and paver area. The historical marker will be moved to the CPI building's courtyard. The Boston Street edge will have four new trees and shrub and groundcover. There will be the required landscaping buffer on the rear lot line. The new sidewalk depth accommodates eleven street trees. There is an opportunity for public art at an inset on the western side of the CPI building.

Parking & Traffic

The buildings will share driveways off of Washington and Boston Streets and a loading area off of Washington Street. There will be a total of 86 parking spaces. Sixty-three will be accessible on the ground level via Washington Street that will be used by both the SCC and CPI buildings. Twenty-three will be available in a structure upper level parking deck accessible via Boston Street. Those spaces will be assigned to SCC residents because of the direct access to the building.

The assignment of these 23 spaces will ensure that only those 23 cars would be travelling through the existing neighborhood to access their assigned space off of Boston Street. Boston Street can be accessed several ways: Warren or Stone Ave to Prospect Hill Avenue to Munroe or Hamlet Street or Propect Hill Ave to Boston Street. There can be an assumption that these trips will be split between access routes. During the evening peak hour, this additional traffic will average one car per six minutes. During other times, there will be less traffic.

There will also be 3 shared spaces in the at grade parking lot for a car sharing service. Trips associated with these uses would be accessed via Washington Street because they are in the at grade level of parking.

The traffic and parking assessment for the project estimates that there will be 788 trips on a daily basis, 47 trips in the AM peak hour (7-9 am) and 67 trips in the PM (4-6 pm) peak hour. The previous use, the Boys and Girls Club, had an estimated 550 vehicle trips per day. The traffic assessment of nearby intersections, including McGrath Highway and Washington, shows that the Level of Service will be maintained at the current level. There has not been a mode split conducted for the site. There was a 10% reduction for public transportation; however, a further reduction was not taken into account for the walking and bicycle trips that are typical in an urban area. This reduction will be further relevant when the Green Line Extension opens. The study notes that, "...additional reductions in peak hour vehicle-trips will most likely occur [because of GLX], and the vehicle-trips shown on the



following figures represent a conservatively high estimate.” The PM peak of 67 trips will translate to 1 car every minute entering or exiting the site.

The parking portion of the study confirmed that there is a range of 31-36 parking spaces available within 500 feet of the site: 36 spaces at 7am and 7pm on a weekday and 31 parking spaces at 7am and 7pm on a Saturday. As part of the additional site plan submitted, 12 metered spaces will be added as part of the project. However, no parking relief is being sought.

The Applicants are also applying for parking on a separate lot so that the required parking for each building can be located on the abutting parcel.

Building Design

The buildings are aligned with the curvature of Washington Street and have a base, middle, and top. The building will be primarily the Hardie ‘Artisan’ fiber cement plank as well as metal and precast panels. The top floor of the building, along Washington and Boston Street, is slightly set back and metal panel to add variety to the façade and make it recede from view. The Hardie plank will be a variety of colors to break up the mass of the building.

Lighting and Signage

There is an up/down accent light proposed for the building. This is appropriate for a commercial corridor district. Signage locations are shown above the doors of the retail spaces and will be reviewed when a tenant is secured. Materials of the signage will be a condition of approval and if additional signage locations are desired, a new special permit will be required.

Trash/Utilities

There is a room for trash and recycling that is accessed from the rear of each building from the parking area for all of the uses on-site.

The mechanical equipment for the building will be located on the roof of the 4th floor of the CPI building and the lower roofs of the SCC building. Both areas will be screened from view.

Since the July 11, 2013 public hearing the Applicants have submitted a redesign making the 5th floor or each building a partial floor. The mechanical units of the CPI building will be on the roof of the 4th floor.

The transformer will be located at grade off of Washington Terrace. There is also an emergency generator that is accessible from the parking area.

FINDINGS FOR SPECIAL PERMIT WITH SITE PLAN REVIEW (SZO §5.2):

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. 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.”

The development standards for the CCD (SZO §6.1.22.G) are met.

6.1.22.G CCD. All new developments shall meet the following standards:



1. Penthouses and Mechanical Equipment. The applicant has been sensitive to neighborhood concerns regarding views. The SCC and CPI building will have no equipment on the 5th floor roof. The elevator and stairwell penthouses are shown on the roof plan and will be setback from the street edge and rear edge of the building by more than a 45 degree angle.
2. Service Areas and Loading Spaces. The loading area is between the two buildings and provides turn around space so that delivery vehicles can enter and exit the site forward facing. The mechanical spaces and trash room are accessible from the rear of the property.
3. Pedestrian Oriented Requirements. The building has separate pedestrian entrances for the residential use and retail spaces. There will be up to six (depending on tenants secured) entrances along Washington Street from a comfortable and variable-width new, updated wide sidewalk. The entrances to the SCC office space and residences are off of the courtyards.
4. Lighting. There are two light fixtures proposed on the site, a pole mounted parking deck fixture and an up/down accent fixture for use on the building. A standard condition is part of this report that exterior lighting should not trespass onto adjacent properties. The accent fixture is appropriate for the CCD district.
5. Transition to Abutting Residential Districts. The applicant has been responsive to neighborhood concerned about the large development and complying with CCD-55 regulations by placing the building along Washington Street. The site plan complies with the setbacks for CCD districts abutting a residential zones. There is a 31-foot setback from the rear lot line, the outermost 10 feet will be landscaped.
6. Parking Design. Parking will be accessible from Washington and Boston Street and be hidden from view by the buildings. Views of the parking from Washington Street will be limited to the extent between the buildings which serves as the drive aisle for the parking area. Views of the parking from Boston Street will be relieved by plantings at the lot line and a resident recreation area.

All new development must undergo design review under Section 5.6 of this Ordinance, with findings giving consideration to the Design Guidelines of Section 6.1.22.H.

- i. The building will fill in approximately 270 feet of streetwall along Washington Street.
- ii. The massing and the height of the building are articulated in a manner that is compatible with the physical character of the mixed use buildings in the surrounding area. A rhythm to the building is established with a base, middle and top, with cornice lines and vertical accents to break up the building's massing.
- iii. The mass of the structure is proposed along Washington Street, away from the residential neighborhood to the north.
- iv. The retail portions of the building have storefront systems and are shown with 3 individual entrances each, which are typical elements for Somerville storefronts. However, there is potential that a single tenant would occupy more than one bay. The retail portions of the façade meet the guideline for having 75 percent transparent material on the ground floor. The windows will be conditioned to maintain the ability for pedestrians to view the interior of the space as specified in this guideline. The residential upper floors will have sufficient, typical residential windows.



Flat facades have been avoided in a variety of ways. There are vertical accent bands to break up the length of the buildings. The 5th floors are slightly setback and use an accent material to create a 'top' to the building. There is a variety of materials including hardie plank, metal panel, and storefront systems.

- v. The exterior building materials will be high quality, durable materials including the Artisan line by Hardie in more than one color, metal panel, and precast.
- vi. The Washington Street and Boston Street elevations have the same materials and a base, middle, and top. The other elevations are the Artisan product line by Hardie. The windows on both buildings will be the same quality and pattern as the Washington and Boston Street elevations.
- vii. A signage band has been provided on the building but there are no additional details about signage at this time. Review and approval of the specifications of the lighting scheme and materials of the signage will be a condition of approval and if additional signage locations are desired, a new special permit will be required.
- viii. The uses on the ground floor will be pedestrian-oriented as they are proposed to be in the retail and service cluster. The Somerville Zoning Ordinance classifies these uses to be pedestrian-oriented uses because they are typically uses that people frequent and are open to passersby.
- ix. The proposal does not include artist live/work spaces.
- x. Units in the CPI building range from 470 to 908 square feet. There are studios, one, and two bedroom units. SCC's building has units that range from 627 to 1,214 square feet. There are one, two, and three bedroom units proposed. The affordable rental units will accommodate a variety of family sizes. The CPI building does not provide family housing but does provide a variety of unit types.
- xi. The existing sidewalks in front of the site are roughly 6' wide. The Site Layout Plan proposes a new sidewalk ranging from 9.5' wide at Washington Terrace to 21.5 feet wide at Boston Avenue. The changes in width are due to the curvature of the street. This satisfied the requirements of the SZO. However, the design also includes a bike lane in each direction, 12 parking spaces, and the incorporation of the existing bus stop. The sidewalk extension and striping would be an improvement for Washington Street since the current striping is vague for vehicles, pedestrians, and cyclists.

There are several transportation planning initiatives affecting this area of Washington Street. Due to this, Planning Staff has suggested an and/or condition (A+B or C below).

A. Build the sidewalk and related street trees, etc. from the corner of Boston Ave to the Corner of Washington Terrace

B. Install pavement markings from Boston Ave to the Post Office, including the crosswalks, bike lanes, etc. with thermoplastic in a format acceptable to the city

OR:

C. If, in the sole discretion of the City of Somerville, the City determines that adjacent work and forthcoming projects on Washington Street deem it necessary to delay a portion of or all of this work, then the applicant will pay the City the cost of having the City complete this work, based upon a construction estimate provided to the City by the City's own consultant team.

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".

The proposal is consistent with the purpose of the CCD district and the Arts Overlay district. The purpose of a CCD district is, "to promote appropriate infill development along heavily traveled transportation corridors." The proposal will increase investment in the neighborhood in the heavily travelled Washington Street corridor. There is a mix of



commercial space and residential units that will contribute to the active mix of uses. Parking behind the building will improve pedestrian safety on the block. Cyclist access will improve with the bike lane along Washington Street. The entrances along the sidewalk promote pedestrian activity.

4. Site and Area Compatibility: The Applicant has to ensure that the project “(i)s 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 the buildings are compatible with those prevalent in the surrounding area”.

The building form is appropriate for the site because the massing is along the Washington Street corridor and completes the streetwall. This building will be a new landmark for the area. The proposed building includes detailing to break up the façade including vertical bays, a top story setback, cornice lines, and a variety of materials that creates a modern looking building that relates to the surrounding area. Although the current site has a front lawn, it is underutilized and not used as a civic space. The courtyards in the current proposal are more likely to be used by the public. The land uses of retail and service tenants with residential units above are compatible with the uses in the surrounding area.

5. Functional Design: The project must meet “accepted standards and criteria for the functional design of facilities, structures, and site construction.”

The buildings will function well as a mixed-use building. The retail spaces and residential lobby are accessible from the street and courtyards. The parking behind the building provides spaces for the residential units and retail uses of the project.

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 Drainage Report submitted with the application confirms that this project adheres to the City storm water management policy. The design includes collection, detention, and infiltration of storm water to achieve reduction of offsite flows. As conditioned, the Applicant will work with City Engineering Staff to comply with all regulatory requirements.

7. 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.”

The proposed primarily residential building will not result in any environmental impacts beyond activities that are typically associated with residential units.

8. Consistency with Purposes: “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 encourage housing for persons of all income levels; and to preserve and increase the amenities of the municipality. The proposal fills two underutilized parcels with development that’s appropriate for Commercial Corridor Districts. The development provides new options for housing including 40 affordable rental units.



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.”

Due to the existing funeral home lawn the site will be less pervious post construction. However, developing around the hill is not practical and does not comply with the street wall requirements of the CCD districts. Landscaping will be added to the site to buffer the residential neighbors to the north and some landscaping will be added to the courtyards. Landscaped areas in this infill districts are encouraged to be along residential abutters.

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.”

There are no natural features that remain on the eastern portion of the site where the Boys and Girls Club building is located. The hill that leads to the Cota-Struzziero Funeral Home will be removed. The existing retaining wall at the back of the property will be maintained. The building design visually relates to the development site as detailed in the design guidelines in finding 2. The building is oriented to the street and the massing is shifted away from the residential abutters.

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 powered 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 project meets the stormwater and sanitary sewer requirements. The Engineering Department will contact the Applicant’s engineer to obtain this information and it is a condition of approval.

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.”

Against Staff recommendation, the Somerville Historic Preservation Commission deemed the Cota-Struzziero Funeral Home significant. The building was then deemed preferably preserved. The HPC did not find the Boys and Girls Club preferably preserved. See the Historic Preservation comments section above for more detail.

13. Enhancement of Appearance: The Applicant must demonstrate that “the natural character and appearance of the City is enhanced. Awareness of the existence of a development, particularly a non residential development or



a higher density residential development, should be minimized by screening views of the development from nearby streets, residential neighborhoods of City property by the effective use of existing land forms, or alteration thereto, such as berms, and by existing vegetation or supplemental planting.”

The proposal replaces two underutilized buildings with two mixed use buildings. The proposal includes landscaped buffers along the residential district and courtyards accessible to the public.

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.”

All site lighting will be directed downward without spilling onto adjacent properties and the night sky.

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.”

The building will be accessible from Washington and Boston Streets and between the two buildings.

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.”

One existing curbcut will be maintained on Washington Street as well as the existing curbcut on Boston Street. Two curb cuts on Washington Street will be closed.

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.”

All utilities will be located underground. The HVAC units will be located on the lower portions of the roof of the SCC building and the 4th floor of the CPI roof. They will be screened with by a perforated metal.

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;”

The proposal will maintain the minimum amount of landscaping required on the site. The proposed residential building will not result in any adverse impacts beyond activities that are typically associated with residential units. The trash room is in the building and not visible from a public view.

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.”

A signage band has been provided on the building but there are no additional details about signage at this time. Review and approval of the specifications of the lighting scheme and materials of the signage will be a condition of approval and if additional signage locations are desired, a new special permit will be required. The CPI building has an area for public art or graphics. A condition of this report is that the Applicant will submit the public art/graphics on the CPI building for review and approval.

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.”

There is a transformer located in the landscaped area behind the CPI building and an emergency generator in the parking area. There are evergreen proposed between the transformer and Washington Terrace. The other utility rooms are accessed from the rear of the building.

21. Screening of Parking:

The parking spaces will be located behind the building. The rear lot line will be landscaped.

DECISION:

Present and sitting were Members Kevin Prior, Elizabeth Moroney, Joseph Favaloro, James Kirylo and Michael Capuano. Upon making the above findings, Kevin Prior made a motion to approve the request for a Special Permit with Site Plan Review. Elizabeth Moroney seconded the motion. Wherefore the Planning Board voted **4-1** to **APPROVE** the request. In addition the following conditions were attached:

#	Condition	Timeframe for Compliance	Verified (initial)	Notes
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1

Approval is for a Special Permit with Site Review (SZO §5.2) to construct two mixed use buildings of approx 43,886 gsf and approx 51,473 gsf under §6.1.22.D.1 and §6.1.22.D.2. The uses include small and medium retail of approx 6,500 and 74 residential units per SZO §7.13.B, §7.13.C, & §7.13.E and a by-right office use of approx 2,770 sf per §7.13.A. The applicant seeks a Special Permit to share a driveway and access per SZO §9.17.2.B and shared parking and loading, and parking on a separate lot per SZO §9.17.2.B. Article 13 Inclusionary Housing will apply. This approval is based upon the following application materials and the plans submitted by the Applicant:

Date (Stamp Date)	Submission
April 16, 2013	Initial application submitted to the City Clerk's Office
Dates Vary (June 11, 2013)	Modified plans submitted to OSPCD (A0.01-Project Summary, C1.00-Existing Conditions, C2.00-Certified Plot Plan, C3.00-Site Layout Plan, C4.00-Site Grading and Utilities Plan, C5.00-Site Sections and Construction Details, A3.01-Shadow Study 2 pm, A3.02-Shadow Study 9am, A3.03-3D Views, A3.04-3D Views, A3.05-3D views, A7.10-SCC Bldg Unit Plans, A7.11-CPI Bldg Unit Plans)
July 18, 2013	L1.00-Landscape Plan, A1.00-First Floor Plan, A1.01-Second Floor Plan, A1.02-Third Floor Plan, A1.03-Fourth Floor Plan, A1.04-Fifth Floor Plan, A3.00-Exterior Elevations, A1.05 Roof Plan

CO / BP

ISD/Plng.

	Date (Stamp Date)	Submission			
	Dates Vary (July 3, 2013)	Modified plans submitted to OSPCD (Site Phasing – East and West Buildings, Site Phasing – East Building Only, Site Phasing – West Building Only, 3D View Before 1, 3D View After 1, 3D View Before 2, 3D View After 2)			
Any changes to the approved site plan, elevations, or use that are not <i>de minimis</i> must receive SPGA approval.					
Affordable Housing/Linkage					
2	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.). No C.O. shall be issued until OSPCD Housing Staff has confirmed that the affordable housing approved and recorded and the developer has provided the promised affordable units on-site.		CO	Housing	
3	Affordable Housing Implementation Plan (AHIP) should be executed prior to issuance of Building Permit.		BP	SPGA/ Housing	
4	For housing units at 197 Washington Street (CPI) the AHIP will apply. The housing units at 181 Washington Street (SCC) are proposed as all affordable. If this changes no less than 5 units will be affordable.		CO	Housing	
Pre-Construction					
5	The Applicant will be required to demonstrate that the updated project plans meet the current City of Somerville Sewer Policy as it relates to wastewater generation and an increase greater than 2,000 GPD.		BP	Eng.	
6	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					
7	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.	

8	The Applicant shall at his expense replace any existing equipment (including, but not limited to street sign poles, signs, traffic signal poles, traffic signal equipment, wheel chair ramps, granite curbing, etc) and the entire sidewalk immediately abutting the subject property if damaged as a result of construction activity. All new sidewalks and driveways must be constructed to DPW standard.	CO	DPW	
9	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				
10	The vertical expression of metal panels on the SCC building should be connected. The Applicant will resubmit the elevations for final approval.	BP	PIng/ ISD	
Site				
11	Landscaping should be installed and maintained in compliance with the American Nurserymen's Association Standards;	Perpetual	PIng. / ISD	
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.	Installation of Utilities	Wiring Inspector	
14	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	PIng.	
15	The Applicant will A. Build the sidewalk and related street trees, etc. from the corner of Boston Ave to the Corner of Washington Terrace B. Install pavement markings from Boston St to the Post Office, including the crosswalks, bike lanes, etc. in a format acceptable to the city OR: C. If, in the sole discretion of the City of Somerville, the City determines that adjacent work and forthcoming projects on Washington Street deem it necessary to delay a portion of or all of this work, then the applicant will pay the City the cost of having the City complete this work, based upon a construction estimate provided to the City by the City's own consultant team.	CO	PIng.	
Traffic & Parking				
16	Parking spaces off of Boston Street will be marked to ensure that they are dedicated to the tenants of the SCC residences.	CO	PIng	

17	<p>At the time of project approval and during construction, Boston Street will remain a one-way street. Six months after project build-out, the applicant will measure trip data on Boston Street, and compare to the existing conditions in the Traffic Report submitted with the Application and dated Revised April 2013.</p> <p>The applicant will also measure and compare intersection delay for vehicles exiting Boston Street and Washington Terrace prior to construction and six months after completion of the project.</p> <p>The applicant and Planning Staff will present this data to the neighborhood, along with any suggestions to address the volume of this cut-through traffic, if necessary, including but not limited to changing the end of the street to two-way traffic.</p>	CO	Plng. / T&P	
18	The applicant will offer 3 parking spaces to car-sharing companies. These spaces should be accessed via Washington Street. The spaces shall be maintained for a car sharing company unless the applicant can prove to the Planning Staff that no car share company is willing to use the spaces.	CO	Plng	
Miscellaneous				
19	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	
20	In the case of a phased project, no Certificate of Occupancy shall be issued for the constructed building unless the other building is under construction OR until the project complies with the phasing Site Phasing Drawings dated July 3, 2013 showing the completed state of the un-built site.	CO	Plng/ISD	
21	Rooftop structures and equipment shall be limited as follows: Each building will have an elevator penthouse as shown on the plans. Each building will have mechanical HVAC equipment limited to the locations shown in the current plan. The HVAC equipment and enclosure on the CPI roof shall not exceed four feet above the roof height. HVAC equipment specs, including noise specs, shall be provided to Planning Division staff for review and approval. Each building shall have plumbing stack vents for a vertical stack of units, and these stack vents shall not exceed 18 inches in height above the roof. No other structures or equipment, including but not limited to antennas, satellite dishes, outdoor decks and/or mechanical equipment shall be allowed on the roof of either structure.	Cont.	ISD	
22	The CPI and SCC buildings and their shared open space and parking shall be maintained by one management company	Cont.	ISD	

Public Safety				
24	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP	
25	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.	
Signage				
26	Signage will be limited to the signage band on the elevations. Signage plans shall be submitted to Planning Staff for review and approval when a tenant is secured. Signage lighting after 10p.m. facing residential property will be turned down or off.	CO/Cont.	Plng.	
27	The Applicant will submit the design for the public art/graphics area to Planning Staff for review and approval.	<u>CO</u>	<u>Plng.</u>	
Final Sign-Off				
28	The Applicant shall contact Planning Staff at least five working days in advance of a request for a final inspection by Inspectional Services to ensure the proposal was constructed in accordance with the plans and information submitted and the conditions attached to this approval.	Final sign off	Plng.	

Attest, by the Planning Board:



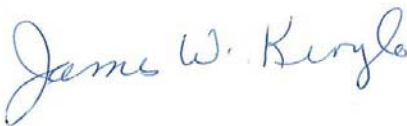
Kevin Prior, Chairman



Elizabeth Moroney



Joseph Favaloro



James Kirylo



Michael A. Capuano, Esq.

Copies of this decision are filed in the Somerville City Clerk's office.
Copies of all plans referred to in this decision and a detailed record of the
SPGA proceedings are filed in the Somerville Planning Dept.

CLERK'S CERTIFICATE

Any appeal of this decision must be filed within twenty days after the date this notice is filed in the Office of the City Clerk, and must be filed in accordance with M.G.L. c. 40A, sec. 17 and SZO sec. 3.2.10.

In accordance with M.G.L. c. 40 A, sec. 11, no variance shall take effect until a copy of the decision bearing the certification of the City Clerk that twenty days have elapsed after the decision has been filed in the Office of the City Clerk and no appeal has been filed, or that if such appeal has been filed, that it has been dismissed or denied, is recorded in the Middlesex County Registry of Deeds and indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner's certificate of title.

Also in accordance with M.G.L. c. 40 A, sec. 11, a special permit shall not take effect until a copy of the decision bearing the certification of the City Clerk that twenty days have elapsed after the decision has been filed in the Office of the City Clerk and either that no appeal has been filed or the appeal has been filed within such time, is recorded in the Middlesex County Registry of Deeds and indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner's certificate of title. The person exercising rights under a duly appealed Special Permit does so at risk that a court will reverse the permit and that any construction performed under the permit may be ordered undone.

The owner or applicant shall pay the fee for recording or registering. Furthermore, a permit from the Division of Inspectional Services shall be required in order to proceed with any project favorably decided upon by this decision, and upon request, the Applicant shall present evidence to the Building Official that this decision is properly recorded.

This is a true and correct copy of the decision filed on _____ in the Office of the City Clerk, and twenty days have elapsed, and

FOR VARIANCE(S) WITHIN

_____ there have been no appeals filed in the Office of the City Clerk, or

_____ any appeals that were filed have been finally dismissed or denied.

FOR SPECIAL PERMIT(S) WITHIN

_____ there have been no appeals filed in the Office of the City Clerk, or

_____ there has been an appeal filed.

Signed _____ City Clerk Date _____

