



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: ZBA 2016-94

Site: 163 Glen Street

Date of Decision: September 7, 2016

Decision: Petition Approved with Conditions

Date Filed with City Clerk: September 21, 2016

ZBA DECISION

Applicant Name:	163 Glen Street, LLC, c/o The Somerville Community Corporation, Inc.
Applicant Address:	337 Somerville Avenue, Somerville, MA 02143
Property Owner Name:	163 Glen Street, LLC, c/o The Somerville Community Corporation, Inc.
Property Owner Address:	337 Somerville Avenue, Somerville, MA 02143
Agent Name:	Adam Dash, Esq.
Agent Address:	48 Grove Street, Suite 304, Somerville, MA 02144

<u>Legal Notice:</u>	Applicant and Owners, 163 Glen Street LLC, seek a Special Permit with Site Plan Review under SZO §7.11.1.c for 11 residential units and a Special Permit under SZO §7.3 for maximum dwelling units per lot. The Applicant also seeks Special Permits under SZO §4.4.1 to alter a nonconforming structure, which includes alterations to window and door openings, SZO §9.13.b to modify the dimensions of the maneuvering aisle and for compact spaces, and SZO §9.13.f to reduce the parking requirement due to the proposed use.
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<u>Zoning District/Ward:</u>	RB & RC zones/Ward 1
<u>Zoning Approval Sought:</u>	§7.11.1.c, §7.3, §4.4.1, §9.13.b & §9.13.f
<u>Date of Application:</u>	June 12, 2014
<u>Date(s) of Public Hearing:</u>	July 16, 2014
<u>Date of Decision:</u>	July 16, 2014
<u>Vote:</u>	5-0



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Appeal #ZBA 2016-94 was opened before the Zoning Board of Appeals at Somerville City Hall on September 7, 2016. Notice of the Public Hearing was given to persons affected and was published and posted, all as required by M.G.L. c. 40A, sec. 11 and the Somerville Zoning Ordinance. After one hearing of deliberation, the Zoning Board of Appeals took a vote.

DESCRIPTION:

The proposal is to add two floors to the existing structure, demolish the later additions, and construct 11 residential units, 8 of which are proposed to be affordable units. The project would have a reduced foot print of 4,725 square feet and 9,950 square feet of habitable space. Landscape and pervious area would increase to 31% (5250 sf). The project also proposes a total of 16 parking spaces, all to be located within the parking lot, 12 of which will be compact and one ADA space will be provided. The curb cut along Glen Street will be closed and the curb cut along Tufts street will access the parking.

The two additional floors would be wood frame construction above the existing steel frame of the masonry building. The proposed materials are fiber cement panels and zinc with black aluminum clad wood windows and aluminum and zinc trim. The existing infilled window locations would be re-opened with double-hung windows that have a transom above and the front entrance would be altered to include two smaller windows and a transom. Each unit would have some form of private outdoor space, either a balcony or a patio. The project will require some excavation to create the first floor unit patios. Mechanicals, including pipes and exhaust vents, as well as solar panels will be located on the rooftop. All mechanicals will be screened from view.

The site will include a walkway from the parking lot on Tufts Street, around the building to the side entry as well as to Glen Street, to access the front entrance. Fencing will enclose the area and differentiate the space from the parking lot located on the corner. Lighting will be located along the walkway to guide and light the path. The transformer is proposed to be located at the rear of the parking lot, within the landscaping, and has been conditioned by Staff to be accessed from the parking lot. The snow removal area is located at the far north corner of the site while the dumpster would be located along the walkway at the rear of the building, near the parking lot for easy maneuverability. Bike parking will also be located at the rear of the building, two racks will be provided to accommodate 8 bikes.

A monument dedicated to the American Legion Post is located in front, to the right side of the building. If moved, this would be re-located more appropriately on-site. Currently, three street trees are located along Glen Street, in front of the Legion Post. The front yard of the structure would be landscaped with trees, shrubs, and mulch.

The parking lot would be composed of 16 spaces, all accessible from Tufts Street. Twelve compact spaces will be located here as well as one ADA accessible space would be located at the rear of the parking lot, near the walkway to the side and front entrance. A concrete retaining wall with 4' cedar fencing will be located on the north and south sides of the parking lot and is proposed to extend south toward Glen Street, along the walkway. This type of fencing will also extend from the curb cut on the east side of the property along the rear property line. Steel fencing is proposed in front of the site and a new chain link fence is proposed along the angled lot line that parallels Dell Street. Staff has conditioned that the wood fencing be used for the parking lot; the steel fencing be used to enclose the structure and the applicant may choose to use either the same steel or wood fencing along the angled lot line that parallels Dell Street.



FINDINGS FOR SPECIAL PERMIT with SITE PLAN REVIEW (SZO §7.11.1.c & §7.3) & SPECIAL PERMITS (§4.4.1, §9.13.b, & §9.13.f)

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 Board 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.”*

Under SZO §7.3, *Maximum Dwelling Units Per Lot*, more than three units may be constructed in a Residence B zoning district through Special Permit with Site Plan Review and under SZO §7.11.1.c, more than 7 units may be constructed in a Residence C zoning district through Special Permit with Site Plan Review. The Applicant has taken a conservative approach and applied the dimensions of the more restrictive zoning district, Residence B, to the entire site.

Under SZO §4.4.1, an existing nonconforming structure may be enlarged, extended, renovated or altered by special permit. Therefore, due to additional floors, as well as alterations to windows and doors, a Special Permit is required.

Under SZO §9.13.b, a Special Permit is required to modify dimensions of parking spaces to create compact spaces and to alter the dimensions of the maneuvering aisle. Under SZO §9.13.f, a Special Permit is required to Reduce the parking requirement for a specific use by 20%. The Applicant proposes to reduce the parking requirement due to the number of affordable units proposed on this site. The Applicant has submitted data to demonstrate the rate of car ownership is significantly lower for affordable developments. The parking requirement is 18 parking spaces; applying the 20% discount to the affordable units’ parking requirement only, the parking requirement then becomes 16 spaces. The project proposes 16 spaces within the parking lot. A special permit granted under this authority shall lapse upon change to a different type of use and shall not be considered to constitute a legal nonconformity with respect to parking for any new use.

In considering a Special Permit under §4.4 of the SZO, the Board finds that the alterations proposed would not be substantially more detrimental to the neighborhood than the existing structure. The proposal removes a private club use and replaces this with a more appropriate residential use, which will include several affordable units. The proposal retains the existing structure by building two additional stories and reduces the existing footprint, which will provide some additional relief to the adjacent properties along Dell Street. The proposal will enhance the overall streetscape, reorganize a portion of the expansive asphalt parking area near the corner, and rejuvenate this vacant building.

In considering a special permit under §9.13 of the SZO “the SPGA may grant such a special permit only when consistent with the purposes set forth in Section 9.1, and upon reaching the findings and determinations set forth in Section 5.1.4”. The Applicant must be able to demonstrate that granting the requested special permit would not cause detriment to the surrounding neighborhood through any of the criteria as set forth under SZO §9.13, which are as follows:

- 1) increase in traffic volumes;
- 2) increased traffic congestion or queuing of vehicles;
- 3) change in the type(s) of traffic;
- 4) change in traffic patterns and access to the site;
- 5) reduction in on-street parking;
- 6) unsafe conflict of motor vehicle and pedestrian traffic.



The adaptive re-use of this site is expected to have no significant impact on the peak hour intersection operations in the local and regional area. The site is located in an area that has a relatively high portion of non-vehicular travel to and from employment, according to the Trip Generation Study. This study also indicates that the proposal will not negatively impact transportation volumes, congestion, or traffic patterns in this neighborhood. The project will provide 16 on-site parking spaces for 11 units, so there should be no impact to on-street parking. The curb cut along Glen Street will be closed up and the access to the parking lot from Tufts Street will be more discernable, so there should be additional safety for pedestrians and less conflict that there is currently.

Traffic and Parking has no objection to the application

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 RB district, §6.1.2, which is, "To establish and preserve medium density neighborhoods of one-, two- and three-family homes, free from other uses except those which are both compatible with and convenient to the residents of such districts."

The proposal is consistent with the purpose of the RC district, §6.1.3, which is, "To establish and preserve a district for multi-family residential and other compatible uses which are of particular use and convenience to the residents of the district."

The proposal to construct two additional stories for 11 residential units, with 8 units affordable, is appropriate for the districts, which is a spit zone. The project proposes a use that is compatible with the neighborhood; more than one parking space per dwelling unit is provided, and the existing building is to remain and rehabilitated to fit a more appropriate use.

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 parcel is located in a split zoned lot, Residence B and C zones, near the corner of Tufts and Glen streets and across the street from the future Green Line Extension rail line. The surrounding buildings are predominantly two- and three-family dwellings. The nearby dwellings are predominantly triple-deckers or gable-ended dwellings of 2½ stories.

The proposal to construct two additional stories for 11 residential units (8 affordable) is appropriate for the districts, which is a spit zone. The proposal removes a private club use and replaces this with a more appropriate residential use, which will include several affordable units. The proposal retains the existing structure by building two additional stories and reduces the existing footprint, which will provide some additional relief to the adjacent properties along Dell Street. The proposal will enhance the overall streetscape, reorganize a portion of the expansive asphalt parking area near the corner, and rejuvenate this vacant building.

The Applicant has hired a professional Transportation Consultant, Design Consultants Inc. to prepare a Parking Memorandum. This Consulting Firm has submitted a well prepared and professional Parking Memorandum. An Addendum to the Parking Memorandum was also submitted.

The Parking Memorandum's Addendum conclusion states that the 12 compact parking spaces "aligns with the local community texture." Traffic and Parking has no objections to this statement and the conclusions of the Parking Memorandum's Addendum.

Design Guidelines for Residence Zones §5.2.4

1. *Buildings should be generally of the same size and proportions as those existing in the neighborhood. This shall apply in cases of multi-family development as well as one-, two-, and three-family units. For example,*



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if relatively small two- and three-family structures are common in a neighborhood where multi-family development is proposed, the multi-family development should be physically broken into components that, from a design perspective, are housed in buildings of similar width, depth, and height as those typically found in the neighborhood.

The building will rise an additional two stories for a total of three stories, which is compatible with the adjacent structures and neighborhood overall.

2. *Use of traditional and natural materials is strongly encouraged (e.g. wood clapboard, wood shingles, brick).*

The first floor will remain masonry while the upper floors will be composed of fiber cement panels and zinc siding. These materials are compatible with the existing historic structure and existing building stock.

3. *Additions to existing structures should be consistent with the architecture of the existing structure in terms of window dimensions, roof lines etc.*

The fenestration pattern for the additional floors continues the rhythm and design articulated in the existing historic structure.

4. *Although additions should not clash with or be incompatible to the existing structure, it is acceptable and even desirable for the new construction to be distinguishable from the existing building, perhaps by maintenance of design elements of the original building that would otherwise be lost (e.g. false rakes, fasciae, and the like).*

The additional floors do not clash with the existing, but are appropriate to the historic structure and compatible with the building as a whole. The design details that have been incorporated are well suited to the Art Deco style of the existing structure and re-opening the previous windows will enhance the historic component of this project.

5. *Where practical, new or infill building construction should share the same orientation to the street as is common in the neighborhood. When not contrary to any other zoning law, front and side yards should be of similar dimensions as those typical in the area.*

The proposal will maintain the existing front entrance along Glen Street and add a side entrance that will look toward the parking lot on Tufts Street.

6. *Driveways should be kept to minimal width (perhaps a maximum of twelve feet), and be designed so that no vehicle parked on the drive may straddle the public sidewalk in any way. Low barriers or plantings may be required to separate the parking area from the pedestrian space.*

The curb cut is proposed to be 18' to accommodate the number of spaces as well as the maneuvering aisle.

7. *Transformers, heating and cooling systems, antennas, and the like, should be located so they are not visible from the street or should be screened.*

The transformer will be located at the rear of the building, near the parking lot or at an alternative location that will require Staff approval. Other mechanical equipment will be located on the roof, screened, and not visible from the street.

8. *Sites and buildings should comply with any guidelines set forth in Article 6 of this Ordinance for the specific base or overlay zoning district(s) the site is located within.*

This is addressed in Finding 3, "Purpose of the District."

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



The proposal meets the accepted standards and criteria for a functional design. The site plan of the project locates the structure along Glen Street while the parking is located along Tufts Street and is accessible through a walkway that leads from the parking lot to the side entrance and also to the front entrance along Glen Street. The design of the site locates the trash and transformer (if needed) near the parking lot, lighting will be constructed along the pathway, and each unit will have either a patio or balcony for private outdoor space.

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 approval of a Special Permit with Site Plan Review shall be contingent upon a determination by the City Engineer that no adverse impact on public systems will result from the proposed development. The change in use from a private club to a multi-unit residence would not appear to greatly impact the City sanitary sewer system. Planning Staff has proposed a condition that requires the Applicant to demonstrate that the project is in compliance with the City stormwater policy. In addition, this project proposes to reduce the building footprint to 4,725 square feet with 9,950 square feet of habitable space. The landscape and pervious areas would increase to approximately 31% (5250 sf).

The information presented in the Parking Memorandum explains that the proposed residential use will generate one entering trip and 4 exiting trips in the weekday morning peak hour; four entering and two exiting trips during the weekday evening peak hour; and the trip generation numbers do not account for residents who utilize alternative modes of transportation. Also, due to the proximity to bus routes, T-stations, the future Green Line extension at Washington Station, the project is expected to fit the local community context and goals of the City.

Ultimately, the proposed project will not adversely impact public services and facilities as the development would have minimal impact on public systems, the pervious and landscape areas would be increased while the ground cover would be reduced, the impact of traffic would be reduced and the potential occupants would likely utilize public transportation.

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.”*

Due to the residential nature of the proposed structure, minimal negative environmental impacts are foreseen as a direct result of this development. Noise, smoke and vibration would be reduced as a result of the residential use. While there would be appropriate lighting for a residential district, this lighting would be confined as much as possible to the site. Hazardous materials and substances are not part of the proposed use and Staff has conditioned that the appropriate entities be notified to dispose of these materials or substances if unearthed upon demolition or construction.

The addition of two floors and demolition of existing additions would reduce the building footprint to 4,725 square feet with 9,950 square feet of habitable space and reduce the overall ground coverage to 28%. The landscape and pervious areas would increase to approximately 31%. Fencing and landscaping that surround the parking lot will buffer and mitigate vehicle noise further than what currently impacts abutting properties along Glen and Tufts streets.

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 provide for and maintain the uniquely integrated structure of uses in the City; to lessen congestion in the streets; to protect health; to secure safety from fire, panic and other dangers; to provide adequate light and air; to conserve the value of land and buildings; to preserve the historical and architectural resources of the City; to encourage the most appropriate use of land throughout the City; to encourage housing for persons of all income levels; and to preserve and increase the amenities of the municipality.”

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 project site is not proposed to be altered dramatically. The existing structure will be reduced in footprint but enlarged by two additional stories, and the impervious area of the parking lot would become rehabilitated and organized to function better. Landscape areas will be designed and planted to enhance the site and the streetscape. The steep grade at the rear of the site will remain, but the overgrowth will be cleaned up and maintained moving forward. Three street trees are located along Glen Street and the existing architectural details of the façades would be rehabilitated to enhance the streetscape.

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 project maintains the single-story existing historic structure and will enhance the overall streetscape. The massing is consistent with the triple-deckers located across Glen Street and the parking will be reorganized to function better as well as including screening to mitigate views from both Tufts and Glen streets. The altered structure proposes to add modern building materials- fiber cement panels and zinc siding- which are complimentary to the masonry of the historic structure as well as compatible with the existing structure and streetscape. While the additional height of the structure ensures high visibility on this corner, the height will also serve to help anchor the end of this streetscape as the adjacent parcel is a vacant parking lot.

The properties that abut the subject project site are predominantly residential gable-end, 2 ½ story structures. Triple-deckers are located across Glen Street and in the near vicinity. A municipal parking lot is located at the corner of Glen and Tufts streets, and a single-story concrete block structure is located across Tufts Street, abutting the railroad tracks.

The proposed 11 unit residential development would be located harmoniously; compatible in scale, design and use with those buildings and designs visually related to the site; and retain the existing historic structure. The neighborhood is composed of single, two-, three, and multi-family dwellings; the proposal maintains and rehabilitates the existing historic structure, which enhances the overall streetscape. The additional floors will incorporate modern, yet compatible materials, is appropriate in height and will help provide a visual anchor to the streetscape, which has a parking lot located at the corner. In addition, the proposal increases the landscaping and pervious area and reduces the overall ground coverage.

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.”

While additional review is required of drainage plans, any approval of the Special Permit with Site Plan Review should be conditional upon approval by the City Engineer of such plans and determination that no adverse impact would result to the drainage system from the design of the project. Planning Staff therefore proposes a condition for the Applicant to demonstrate that the project meets the current City stormwater policy and that utility and drainage plans be submitted to the Engineering Department for review and 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.”*

The project is designed to enhance the existing architectural detail that is already present on this structure, demolish later additions that reduce the historic integrity of the structure, and utilize compatible materials to sheath the proposed additional two floors. The project will reduce the overall footprint, retain views from Dell Street, which is located at a lower grade, and rehabilitate the structure into a more appropriate residential use.

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 project enhances the natural character and appearance of the City. While the proposed project maintains the streetscape and the existing historic structure, which is a building style found within many areas of the City, this style is typically on a smaller scale. However, the existing structure has been a component of the neighborhood since the 1930s. The project proposes an adaptive reuse of a private club into a modern apartment building which proposes a reduced footprint for a common rectangular form. This building proposes to enhance the existing architectural detail through recreating the existing fenestration pattern and through more modern building materials for the additional floors. The height will be consistent with the triple-deckers across the street, and the height will help serve to anchor this end of the streetscape.

Wood fencing will be located around the parking lot located along Tufts Street while steel fencing will be located around the residential structure. A walkway will lead from the parking lot to the side entrance facing Tufts Street as well as to the front entry along Glen Street. Landscaping will include various areas in front of the structure as well as along the side facing the parking lot, and along the steep grade at the rear property line.

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 appropriate to the proposed residential use, conform to dimensions specified in the SZO, and is conditioned not to interfere with neighboring properties. Light posts will be located within the parking lot as well as



at specific locations along the path leading from the rear parking lot to the front entrance. Planning Staff proposes a condition that all exterior lighting, to the extent possible, must be confined to the subject project, cast 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.”*

The parking lot along Tufts Street has been reconfigured to accommodate 16 parking stalls, to include compact and regular spaces as well as one ADA space. Fire access is provided along Glen Street as well as at the rear, through the parking lot, which can access the left side and rear façades.

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.”*

Vehicles entering and exiting the site would do so in a forward manner onto and off of Tufts Street. The proposed curb cut is 18', enabling circulation into and from the parking lot simultaneously. The curb cut along Glen Street will be removed.

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 shall tie into existing City services for electric, telephone and cable. These utility lines shall be placed underground. The site may require a transformer, to be located near the parking lot. If the transformer needs an alternative location, the new location requires Planning Staff approval.

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 project and residential use. Open spaces will be designed and planted to enhance the site and the streetscape as well as mitigate views of the parking lot. The additional floors to the existing structure and demolition of later additions would reduce the building footprint, while increasing the habitable area. The landscape and pervious areas would increase to approximately 31% of the site. Street trees would remain along Glen Street and no less than four additional trees will be added to the landscape. The existing historic structure would continue to be a component of the streetscape while being incorporated into an appropriate rehabilitation project.

Due to the residential nature of the proposed structure, minimal adverse impacts with regard to ground cover or machinery as well as from light, air, noise, wind, or temperature are foreseen as a direct result of this development. Noise, smoke and vibration would be reduced as a result of the residential use. While there would be appropriate lighting for a residential district, this lighting would be confined as much as possible to the site. Hazardous materials and substances are not part of the proposed use and Staff has conditioned that the appropriate entities be notified to dispose of these materials or substances if unearthed upon demolition or construction.

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 proposed residential use of the property, conforming signage for a residential district is 12 square feet. Signage is proposed to be located on a panel to the left of the front entry door.



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 plans indicate that the trash and recycle area would be located at the rear of the building, adjacent to and accessible from the parking lot. The facilities would be completely enclosed and screened from views. If a transformer is necessary, the location proposed is just beyond the rear of the parking lot; should another location be necessary, Planning Staff will need to approve. Mechanicals, including pipes and exhaust vents, as well as solar panels will be located on the rooftop. All mechanicals will be screened from view.

21. Screening of Parking:

The parking will be screened by a wooden fence as well as plantings along both sides of the parking lot. The front of the lot along Tufts Street will also have plantings to mitigate views of the vehicles. Due to the steep grade at the rear of the site, the dwellings along Dell Street should retain their existing viewshed uphill.

21. Housing Impact: *Will not create adverse impacts on the stock of existing affordable housing.*

The proposal will add 8 affordable units into an East Somerville neighborhood.

22. SomerVision Plan: *Complies with the applicable goals, policies and actions of the SomerVision plan, including the following, as appropriate: Preserve and enhance the character of Somerville’s neighborhoods, transform key opportunity areas, preserve and expand an integrated, balanced mix of safe, affordable and environmentally sound rental and homeownership units for households of all sizes and types from diverse social and economic groups; and, make Somerville a regional employment center with a mix of diverse and high-quality jobs. The areas in the SomerVision map that are designated as enhance and transform should most significantly contribute towards the SomerVision goals that are outlined in the table below. The areas marked as conserve are not expected to greatly increase the figures in the table since these areas are not intended for large scale change.*

<u>SomerVision Summary</u>	<i>Existing</i>	<i>Proposed</i>
<i>Dwelling Units:</i>	0	11
<i>Affordable Units:</i>	0	8
<i>Parking Spaces:</i>	15	16

The proposal complies with the SomerVision plan through the addition of 8 affordable dwelling units, the retention and rehabilitation of a historic structure, and enhanced Glen streetscape. The parcel will incorporate one additional parking space while reorganizing the existing parking lot for better utilization regarding on-site parking and create private outdoor space for each dwelling unit. The proposal will conserve the streetscape and enhance the neighborhood.



DECISION:

Present and sitting were Members Orsola Susan Fontano, Richard Rossetti, Danielle Evans, Elaine Severino and Josh Safdie. Upon making the above findings, Susan Fontano made a motion to approve the request for a Special Permit. Richard Rossetti seconded the motion. Wherefore the Zoning Board of Appeals voted **5-0** to **APPROVE** the request. In addition the following conditions were attached:

#	Condition	Timeframe for Compliance	Verified (initial)	Notes												
1	Approval is for a Special Permit with Site Plan Review under SZO §7.11.1.c for 11 residential units and SZO §7.3 for maximum dwelling units per lot. The Applicant also seeks Special Permits under SZO §4.4.1 to alter a nonconforming structure, which includes alterations to window and door openings, SZO §9.13.b to modify the dimensions of the maneuvering aisle and for compact spaces, and SZO §9.13.f to reduce the parking requirement due to the proposed use. This approval is based upon the following application materials and the plans submitted by the Applicant:	CO / BP	ISD/Plng.													
	<table><tr><th>Date (Stamp Date)</th><th>Submission</th></tr><tr><td>(June 12, 2014)</td><td>Initial application submitted to the City Clerk’s Office</td></tr><tr><td>July 2, 2014 (July 10, 2014)</td><td>Modified Plans submitted to OSPCD (G001, Landscape Plan, Sun Study/Existing Elevations/Rendering, and A200 Building Elevations)</td></tr><tr><td>June 12, 2014 (July 10, 2014)</td><td>Floor Plans submitted to OSPCD (A100, and A101)</td></tr><tr><td>July 1, 2014 (July 10, 2014)</td><td>Modified Plans submitted to OSPCD (Proposed Site plan, and Demolition & Erosion Control)</td></tr><tr><td>June 2, 2014 (July 10, 2014)</td><td>Plans submitted to OSPCD (Existing Site Conditions, and Details)</td></tr></table>				Date (Stamp Date)	Submission	(June 12, 2014)	Initial application submitted to the City Clerk’s Office	July 2, 2014 (July 10, 2014)	Modified Plans submitted to OSPCD (G001, Landscape Plan, Sun Study/Existing Elevations/Rendering, and A200 Building Elevations)	June 12, 2014 (July 10, 2014)	Floor Plans submitted to OSPCD (A100, and A101)	July 1, 2014 (July 10, 2014)	Modified Plans submitted to OSPCD (Proposed Site plan, and Demolition & Erosion Control)	June 2, 2014 (July 10, 2014)	Plans submitted to OSPCD (Existing Site Conditions, and Details)
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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	
4	No Certificate of Occupancy shall be issued until the OSPCD Housing Division has confirmed that: (for Condominium Projects) the Condominium Documents have been approved and the Developer has agreed to a form of Deed Rider for the Affordable Unit(s), or (for Rental Projects) the Developer has agreed to and executed a Memorandum of Understanding for Monitoring of the Affordable Unit(s).	CO	Housing	
Pre-Construction				
5	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 stamped by a registered PE in Massachusetts must be submitted to the Engineering Department for review and approval.	BP	Eng.	
6	The Applicant must contact the Engineering Department to coordinate the timeline for cutting or opening the street and/or sidewalk for utility connections or other construction. There is a moratorium on opening streets from November 1st to April 1st and there is a list of streets that have additional opening restrictions.	BP	Eng	
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	If different than the materials identified in this report, the 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.	



11	An exterior light and electrical receptacle is required for the first (or all) level of the porch and an electrical receptacle is required for the second level (if there is no access to the ground).	Final sign off	Wiring Inspector	
Site				
12	Landscaping should be installed and maintained in compliance with the American Nurserymen's Association Standards;	Perpetual	Plng. / 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	Plng.	
15	No less than four trees must be planted on-site and maintained according to National Nurseryman's Standards, and in accordance with SZO §10.2.2 and §10.6.2;	CO	Plng.	
16	Applicant will screen the dumpster with fencing that blocks any view of the dumpster itself.	CO	Plng.	
17	Applicant will supply 2 bike racks for 8 bicycle parking spaces.	CO	Plng.	
18	Snow plowed from the development shall be limited to the on-site storage area as shown in the landscape plan.	Cont.	ISD.	
19	The wood fencing proposed shall be used around the parking lot; the steel fencing proposed shall be used to enclose the building; and the Applicant may choose either fencing along the angled lot line that parallels Dell Street.	CO	Plng.	
20	The rooftop mechanicals shall be screened.	CO	Plng.	
21	If the monument is to be relocated, Planning Staff shall review the alternative location.	CO	Plng.	
Traffic & Parking				
22	The curb cut along Glen Street shall be removed.	Co	Plng.	
Miscellaneous				
23	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	
Public Safety				
24	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP	
25	If needed, a transformer should be located at the site identified in the plan, shall be fully screened and should not impact the landscaping. If this location is determined not feasible, Planning Staff shall approve an alternative location.	BP	Plng.	

26	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/B OH	
27	The suspected underground fuel tanks on this site must be removed under the supervision of the Fire Prevention Bureau. Permits will be required for these removals.	CO	FP	
28	Because of the history of the site and the intended use, the Applicant shall, prior to issuance of any foundation permit and/or any building permit for the project, provide to the Planning Department and the Inspectional Services Division: a) a copy of the Response Action Outcome (RAO) Statement, signed by a Licensed Site Professional (LSP) and filed with DEP, verifying that a level of no significant risk for the proposed residential use has been achieved at the site; or b) if remediation has not reached the RAO stage, a statement signed by an LSP describing (i) the management of oil and hazardous materials/waste at the site, including release abatement measures intended to achieve a level of no significant risk for residential use at the site, treatment and storage on site, transportation off-site, and disposal at authorized facilities, (ii) a plan for protecting the health and safety of workers at the site, and (iii) a plan for monitoring air quality in the immediate neighborhood.	Foundation Permit	Plng/ISD	
29	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.	
30	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	
Final Sign-Off				
31	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 Zoning Board of Appeals:

Orsola Susan Fontano, *Chairman*
Richard Rossetti
Danielle Evans
Elaine Severino
Josh Safdie, (Alt.)

Attest, by the Administrative Assistant:

Dawn M. Pereira

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

CLERK'S CERTIFICATE

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

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

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

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

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

FOR VARIANCE(S) WITHIN

_____ there have been no appeals filed in the Office of the City Clerk, or
_____ any appeals that were filed have been finally dismissed or denied.

FOR SPECIAL PERMIT(S) WITHIN

_____ there have been no appeals filed in the Office of the City Clerk, or
_____ there has been an appeal filed.

Signed _____ City Clerk Date _____

