



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

PLANNING DIVISION

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**Case #: ZBA 2016-124**  
**Site: 1 McGrath Highway**  
**Date of Decision: January 4, 2017**  
**Decision: Petition Approved with Conditions**  
**Date Filed with City Clerk: January 12, 2017**

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**ZBA DECISION**

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<b>Applicant Name:</b>	Somerbridge Hotel
<b>Applicant Address:</b>	227 Marginal Street, Chelsea, MA 02150
<b>Property Owner Name:</b>	The 245 McGrath Highway Realty Trust, Anthony Prevete
<b>Property Owner Address:</b>	6 HENCHMAN STREET, BOSTON, MA 02113
<b>Agent Name:</b>	Richard G. DiGirolamo, Esq.
<b>Agent Address:</b>	424 Broadway, Somerville, MA 02145

<u>Legal Notice:</u>	Applicant, Somerbridge Hotel, LLC, and Owner, The 245 Monsignor O'Brien Highway Realty Trust, Anthony Previte, Trustee, seek a Special Permit with Site Plan Review (SPSR) under §5.2, §5.3, and §7.11.10.5.b and a Variance under §5.5, §8.5.F, §9.5, and §12.4 to construct a 120 room extended stay hotel.
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<u>Zoning District/Ward:</u>	IA zone/Ward 2
<u>Zoning Approval Sought:</u>	§5.2, §5.3, §7.11.10.5.b, §5.5, §8.5.F, §9.5 & §12.4
<u>Date of Application:</u>	October 3, 2016
<u>Date(s) of Public Hearing:</u>	January 4, 2017
<u>Date of Decision:</u>	January 4, 2017
<u>Vote:</u>	5-0

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Appeal #ZBA 2016-124 was opened before the Zoning Board of Appeals at Somerville City Hall on January 4, 2017. 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.



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**DESCRIPTION:**

The proposal is to construct a five-story 120 room extended stay hotel that will be located in Somerville and half in Cambridge. Each floor will have 30 guest rooms, except for the first, and each room is proposed to contain 300 square feet, which will consist of a sleeping area, bathroom, and a kitchenette. The ground floor of the hotel will include a lobby with a lounge area, front desk, bar, business center, buffet, fitness room, a meeting room, and back of house operations space. The portion of the hotel in Somerville will include approximately 32,978 square feet of building area and 74 guest rooms whereas the Cambridge portion of the hotel will include approximately 23,221 square feet of building area and 46 guest rooms.

A 24-foot drive aisle is proposed underneath the second story of the hotel that leads to a parking lot in the rear of the building. A total of 44 off-street parking spaces are provided in the lot, 18 of which are fully in Somerville and a portion of 4 spaces are in Somerville. Covered bicycle storage is also proposed in the rear of the building, which is mostly in Somerville. A concrete dumpster pad with an enclosure and a transformer are proposed to be located behind the hotel in Cambridge. Landscaping is proposed along the rear, right, and front property lines. The building will have three entrances; one off of the sidewalk along McGrath Highway, one underneath the second story where vehicles access the parking lot, and another in the rear of the building.

**FINDINGS FOR SPECIAL PERMIT WITH SITE PLAN REVIEW (SZO §4.5.1 and §7.11.10.5.b):**

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."*

*Nature of Application:* As presented, under §7.11.10.5.b a hotel of 10,000 square feet or more of gross floor area in the IA district requires the Applicant to apply for a Special Permit with Site Plan Review pursuant to §5.2. This proposal also requires a Variance for building height, the number of parking spaces, and for signage. The maximum allowed height in the IA district is 50 feet and the proposed hotel is 60 feet 8 inches tall. The minimum number of required off-street parking spaces in Somerville is 65 as 0.8 spaces are required per guestroom plus 0.5 spaces for each employee on the largest shift and 74 guestrooms are proposed in Somerville and there will be 10 employees on the largest shift. A total of 44 off-street parking spaces are provided in the lot, 18 of which are fully in Somerville and a portion of 4 spaces are in Somerville. Covered bicycle storage is also proposed in the rear of the building, which is mostly in Somerville. One of the signs is proposed on the west elevation at a height of 58 feet where the zoning requires it to be no higher than 25 feet.

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 IA district, which is, "to establish and preserve areas for industrial and related uses which are not incompatible with commercial uses; uses which are most appropriately located as neighbors of industrial uses including living and studio space for artists; and uses which are necessary to service the immediate needs of industrial establishments in those areas, and accessory uses to industrial uses such as day care centers, cafeterias, health facilities, and the like."



The Board finds that a hotel is consistent with the general purpose of the IA district as a hotel is not incompatible with surrounding commercial uses. A hotel would provide much needed lodging options for Union Square, Innerbelt, and North Point as well as the City as a whole.

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”.*

*Surrounding Neighborhood:* The property is located on McGrath Highway along Somerville’s border with Cambridge. The extent of natural features on the locus includes a few small planters with shrubs. There are three masonry buildings along the same side of McGrath Highway that are two, three, and five stories. Land uses in the area include a self-storage building, data center, a printing service, furniture rental service, offices, a liquor store, a hotel, a gas station, and a shopping plaza. Railroad tracks are directly adjacent to the property in the rear. There are two other hotels further southeast along Monsignor O’Brien Highway and a seven-story 56 unit condominium building being constructed across the street in Cambridge. Three of the buildings immediately to the west of the locus are positioned in the rear of the locus with parking lots in the front yard. The buildings further southeast along Monsignor O’Brien Highway are positioned closer to the street and utilize the side and rear yards for parking.

*Impacts of Proposal (Design and Compatibility):* The proposed structure seem larger in terms of massing and scale compared to the current structures situated on the locus, however, compared to other structures in the neighborhood Staff finds that the scale, massing, and design would be compatible with other buildings in the area.

Special Permits with Design Review and Special Permit with Site Plan Review applications must meet the design guidelines under SZO §5.1.5/5.2.4. The design guidelines for business districts are as follows:

1. *Maintain a strong building presence along the primary street edge, continuing the established streetwall across the front of the site so as to retain the streetscape continuity; however, yards and setbacks as required by Article 8 shall be maintained.*  
The structure is positioned on the locus in a manner that maintains a strong building presence along McGrath Highway.
2. *Differentiate building entrances from the rest of the primary street elevation, preferably by recessing the entry from the plane of the streetwall or by some other articulation of the elevation at the entrance.*  
The primary street elevation consists of a gray custom cast stone and storefront windows and doors. The pedestrian entrance along McGrath Highway is differentiated from the primary street elevation by a slight projection from the plane of the streetwall and contains glass sliding doors.
3. *Make use of the typical bay widths, rhythms and dimensions prevalent in buildings adjacent to the site, especially in new construction or substantial redevelopment.*  
The bay widths and rhythms of the proposed hotel can be found on adjacent buildings, particularly the Fairfield Inn and Suites southeast of the locus. The Fairfield hotel incorporates columns of windows and metal panels surrounded by brick, which the proposed hotel also does.
4. *Clearly define these bay widths, rhythms and dimensions, making them understandable through material patterns, articulations and modulations of the facades, mullion design and treatment, etc.*  
The bay widths are defined by differences in material as the metal and glass bays are separated by columns of brick. The bays are further articulated by being set in a couple of inches from the bricks.
5. *Provide roof types and slopes similar to those of existing buildings in the area.*  
Existing buildings in the area have flat roofs as does the proposed hotel.
6. *Use materials and colors consistent with those dominant in the area or, in the case of a rehabilitation or addition, consistent with the architectural style and period of the existing building. Use of brick masonry is*



*encouraged, but not considered mandatory.*

The materials and colors are consistent with those in the area as red brick is the primary facade material along McGrath Highway and Monsignor O'Brien Highway. The other two hotels on this side of Monsignor O'Brien Highway are also primarily red brick with gray brick and metal panel accents and trim.

7. *When parking lots are provided between buildings, abutting the primary street and breaking the streetwall, provide a strong design element to continue the streetwall definition across the site, such as a low brick wall, iron works or railing, trees, etc.*

Practically the whole frontage of the locus is occupied by the front elevation. Where there are breaks in the façade for the driveway the light gray brick is used in a column to the left of the opening. Also, where the façade ends on the right of the front elevation, landscaping is used as a design element to continue the street wall definition across the site.

8. *Locate transformers, heating and cooling systems, antennae, and the like, so they are not visible from the street; this may be accomplished, for example, by placing them behind the building, within enclosures, behind screening, etc.*

The proposed transformer and dumpster pad are located in Cambridge and are located to the side of the building. The transformer is screened by landscaping, specifically three Fraser Fir trees, rhododendron, arborvitae, and big blue liriop. The dumpster pad is proposed to be screened by a wooden enclosure with a gate.

9. *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.*

See finding 2 above.

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

Based upon the comments received from the various City Departments, the project meets accepted standards and criteria for the functional design of facilities, structures, and site construction. Any necessary mitigation or minor design changes have been incorporated into the recommended conditions section of this report.

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."*

A stormwater report prepared by Allen & Major Associates, Inc. has been submitted with the application. It is not anticipated that the proposed development will adversely affect the sanitary sewer system, the storm drainage system, or the public water supply. The applicant proposes to reconstruct the public sidewalk along McGrath Highway with concrete and granite curbing.

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."*

Because of the nature of the proposed use and the area in which it is projected to be built, adverse environmental impacts are not anticipated. In addition, it is not expected that this facility will produce a level of emissions that would be higher than are now experienced in the area due to any increased traffic generated by the hotel. By nature, a hotel will not produce an emission of noxious or hazardous materials or substances pollute water or transmit communications interference. Also, during construction, efforts will be made to mitigate dust and control air quality, and to minimize noise.



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 promote 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 prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements; to conserve the value of land and buildings; to encourage the most appropriate use of land throughout the City; 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 existing site is relatively flat and the Applicant is proposing to minimally grade the site in a manner that directs stormwater runoff into new catch basins with stormwater treatment systems. There is an existing granite retaining wall in the rear of the parking area that is proposed to remain that also serves as a barrier from the railroad tracks. Landscaping is proposed on the site, where such amenity is currently limited, which will enhance the attractiveness of the site and neighborhood. The Applicant proposes 6 street trees and numerous species along the front façade of the building, which will have high visibility along McGrath Highway and Monsignor O'Brien Highway.

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 Applicant has made efforts to design a structure harmoniously with the relatively flat landform of the site and is compatible in scale, design, and use. Most of the rooms are oriented to face south, southeast, and southwest for direct sunlight. Landscaping is proposed on top of the retaining wall in the rear, which will soften the visual appearance for rooms looking out onto the adjacent railroad tracks. Views looking east, southeast, and southwest will also include landscaping features.

11. Stormwater Drainage: *The Applicant must demonstrate that "special attention has been given to proper site surface drainage so that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Storm water shall be removed from all roofs, canopies, and paved area, and routed through a well-engineered system designed with appropriate storm water management techniques. Skimming devices, oil, and grease traps, and similar facilities at the collection or discharge points for paved surface runoff should be used, to retain oils, greases, and particles. Surface water on all paved areas shall be collected and/or routed so that it will not obstruct the flow of vehicular or pedestrian traffic and will not create puddles in the paved area. In larger developments, where practical, the routing of runoff through sheet flow, swales or other means increasing filtration and percolation is strongly encouraged, as is use of retention or detention ponds. In instances of below grade parking (such as garages) or low lying areas prone to flooding, installation of pumps or other devices to prevent backflow through drains or catch basins may be required."*





The stormwater report performed by Allen & Major Associates, Inc. concludes that the post development discharge rate for storm events is the same or less than the current site conditions; therefore, the proposed development is not anticipated to adversely affect neighboring properties or the public storm drainage system. Best management practices (BMP's) have been implemented into the project including a closed drainage system consisting of new catch basins with treatment devices, roof drains, a grease trap, an infiltration basin, and a detention basin along with added landscaping area. The site is proposed to be graded in such a manner as to direct all storm water runoff into the newly proposed catch basins so as to prevent puddles in the paved area.

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 proposed structure will not be detrimental to historic structures or architectural elements of the neighborhood.

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 proposed location for the new construction is in an area that will be highly visible from McGrath Highway. The applicant has proposed trees and vegetation for the façade along McGrath Highway to partly screen the structure and visually reduce its scale. The appearance of the area would be improved with the removal of the existing car wash and expanse of asphalt. The new structure is of a contemporary design that Staff finds an improvement over the current conditions.

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 applicant will be required to submit an exterior site lighting plan that demonstrates sufficient lighting for public surveillance. The exterior lighting intensity by condition will have little to no effect on the properties surrounding the facility.

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 Board finds that there is adequate access to the building and the site in the rear of the building for emergency operations, personnel, and equipment.

16. Location of Access: *The Applicant must ensure that "the location of intersections of access drives with the City arterial or collector streets minimizes traffic congestion."*

The property is currently accessed by three large curb cuts off of McGrath Highway, one of which is directly across from Rufo Road (the access road into the Twin City shopping plaza), is shared with adjacent plaza, and is approximately 65 feet wide. The proposal will reduce the number of curb cuts to one that will be the one directly across from Rufo Road, which will be approximately 24 feet wide. The Applicant will have to coordinate with MassDOT regarding the proposed modifications to the curb cut and sidewalk.



The Board finds that the reduction in the total number of curb cuts and the decreased width of the curb cut proposed to remain will provide for a safer environment for pedestrian and motorists.

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.”*

*Water System:* The proposed domestic and fire water services shall come from the existing 6” main in McGrath Highway. The domestic service shall be a 4” CLDI line and the fire service shall be a 6” CLDI line.

*Sewer System:* Kitchen waste shall be piped to an exterior grease trap in the rear of the building. The kitchen waste will then join the remainder of the sanitary waste and flow to the existing 12” municipal sewer in Monsignor O’Brien Highway. All sewer lines shall be 8” SDR 35 PVC pipe.

*Gas:* The proposed natural gas service shall connect to the existing gas line in main in McGrath Highway.

*Electricity:* Electrical service is proposed to connect to existing underground electrical utilities in McGrath Highway. A concrete encased duct bank shall supply power from the underground service to the proposed transformer pad area.

*Telecommunications/Data:* A concrete encased duct bank shall provide tele/data service from the existing underground utilities in McGrath Highway.

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.”*

As previously mentioned, no negative impacts are anticipated as a result of the proposed uses.

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.”*

There are three signs proposed on the portion of the building that is in Somerville. One sign is proposed on the south elevation, facing McGrath Highway, above the driveway opening and measures 9 feet 2 inches in width and 2 feet 8 inches in height. Another sign is proposed on the west elevation, visible as you approach the site from Somerville, approximately 58 feet high and measures 16 feet 6 inches in width and 4 feet 6 inches in height. There is a third sign proposed on the bottom on the west elevation next to the pedestrian entrance that measure 3 feet 6 inches in width and 2 feet in height. All three signs proposed are to be back lit that will create a halo effect. A building with 54 feet of frontage in Somerville is allowed 108 square feet of signage. The cumulative square footage of all three signs is 105.75 square feet. Staff finds that the size, location, design, color, texture, lighting, and materials of the proposed signs reflect the scale and character of the proposed building.

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.”*

Although the proposed transformer and dumpster pad are located in Cambridge, they are located to the side of the building. The transformer is screened by landscaping, specifically three Fraser Fir trees, rhododendron, arborvitae, and big blue liriop. The dumpster pad is proposed to be screened by a wooden enclosure with a gate.



21. Screening of Parking:

Parking is located behind the proposed building and will not be seen from the public way.

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

The proposal will not create adverse impacts on the stock of existing affordable housing.

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, 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 proposal will create a thoughtfully- designed pedestrian-oriented development opportunity in a key gateway commercial corridor nearby future transit stations. Additionally, the proposed hotel will create full-time and part-time jobs that will help make Somerville a regional employment center. The site will enhance the sustainable nature of the site by upgrading the stormwater system. The pedestrian environment will be enhanced with the repair a dilapidated sidewalk

<u>SomerVision Summary</u>	<i>Existing</i>	<i>Proposed</i>
<i>Commercial Sq. Ft.:</i>	5,516 sq. ft.	32,977 sq. ft.
<i>Estimated Employment:</i>	unknown	35 FT and 6 PT
<i>Parking Spaces:</i>	4	18

**FINDINGS FOR VARIANCE (SZO §5.5):**

A Variance (§5.5) is sought to reduce the number of required parking spaces by 44 and variance are needed for height in terms of feet and signage.

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

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

*Applicant's response:* The unique shape of the site is such that special circumstances do warrant the granting of a variance to the applicant. To have a feasible project such as the proposed hotel on this site, variances for the parking requirements, height, and signage will be necessary. The proposal is excellent for this property and will not impact the zoning district in any way.

*The Board's response:* There are special circumstances relating to the shape of the land and not generally the zoning district as it is shallow for a lot in Somerville that allows a hotel and is located in two municipalities with different dimensional requirements.





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

*Applicant’s response:* A variance for parking, height, and signage is the minimum relief necessary as discussed above. This proposed hotel site is close to mass transit and close to a major international airport. Many of the guests of the hotel may not use vehicles as the mass transit is so close, there are ample taxi service and the use of Uber and Lyft has become much more cost effective than rental cars.

*The Board’s response:* A variance for parking, height, and signage are the minimum variances and are reasonable requests by the Applicant to develop a viable project on the locus that is consistent with SomerVision goals and community values. The hotel use allows the City to approve a commercial development on this site. The economics of a quality hotel for a location like this require certain minimum criteria. A hotel of this type is typically in the 120-140 room range, and this hotel is about 120 rooms. The shape and size of the lot necessitate additional height to reach this room count. The site crosses a city boundary, and the height requirement in Cambridge is 85 feet (while Somerville is limited to 50 feet). The proposed hotel is 61 feet. While the applicant could, in the alternative, vary the heights within the two communities, this would require the applicant to locate the lobby and elevator core in Cambridge, with the taller part of the building. This is far less efficient for a site layout. Also, staff has requested this hotel have a Somerville address, and be a Somerville hotel. Once laying out a viable hotel building on this site, the locus is not shaped properly to provide the adequate amount of area for parking spaces and the Applicant has maximized the amount of parking spaces on the land. Given its close proximity to transit, Staff believes that number of parking spaces provided is sufficient for the intended use of the locus. The variance for the height of the sign is reasonable for a hotel on the locus and fitting with the neighborhood. The sign is located where a sign would typically be for a building of this sort. It is less obtrusive than a sign on a pole, and better placed for the overall building design than it would be if placed lower on the building.

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

*Applicant’s response:* The requested variances are in harmony with the Somerville Zoning Ordinance and the surrounding urban neighborhood, as the proposal is for a five story, one hundred twenty room hotel with a portion of the hotel being in the City of Cambridge. The approval of the variances will not cause a detrimental impact to the urban neighborhood. Further, this project will be an asset to the area as it will create jobs for local residents and generate revenue for the City.

*The Board’s response:* The Board finds that the proposed height, number of parking spaces, and signage would be harmonious with the general purposes and intent of the SZO and would not be injurious to the neighborhood or detrimental to the public welfare. There are buildings and signage of similar height in the neighborhood. The number of parking spaces provided is sufficient to serve the needs of the proposed hotel and will not be injurious to the neighborhood.



**DECISION:**

Present and sitting were Members Orsola Susan Fontano, Richard Rossetti, Danielle Evans, Elaine Severino and Josh Safdie with Anne Brockelman absent. Upon making the above findings, Richard Rossetti made a motion to approve the request for a Special Permit with Site Plan Review. Elaine Severino seconded the motion. Wherefore the Zoning Board of Appeals voted **5-0** to **APPROVE** the request. Upon making the above findings, Richard Rossetti made a motion to approve the request for a Variance. Elaine Severino 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 120 room extended stay hotel. This approval is based upon the following application materials and the plans submitted by the Applicant:	CO / BP	ISD/PIng.									
	<table><tr><th>Date (Stamp Date)</th><th>Submission</th></tr><tr><td>October 3, 2016</td><td>Initial application submitted to the City Clerk's Office</td></tr><tr><td>December 28, 2016</td><td>Architectural plans and renderings submitted to OSPCD (Somerville view, Cambridge view, Pedestrian vie, A1.1, A1.2, A3.1, A3.2, A3.1S &amp; A3.2S)</td></tr><tr><td>August 22, 2016</td><td>Site Development plans submitted to OSPCD (C-1, C-2, C-3, C-4, C-5, C6, SWPP 1, SWPP 2, SWPP 3, D-1, D-2, D-3, D-4, D-5, D-6, WS 1, WS 2), colored site plan.</td></tr></table>				Date (Stamp Date)	Submission	October 3, 2016	Initial application submitted to the City Clerk's Office	December 28, 2016	Architectural plans and renderings submitted to OSPCD (Somerville view, Cambridge view, Pedestrian vie, A1.1, A1.2, A3.1, A3.2, A3.1S & A3.2S)	August 22, 2016	Site Development plans submitted to OSPCD (C-1, C-2, C-3, C-4, C-5, C6, SWPP 1, SWPP 2, SWPP 3, D-1, D-2, D-3, D-4, D-5, D-6, WS 1, WS 2), colored site plan.
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	December 28, 2016				Architectural plans and renderings submitted to OSPCD (Somerville view, Cambridge view, Pedestrian vie, A1.1, A1.2, A3.1, A3.2, A3.1S & A3.2S)							
August 22, 2016	Site Development plans submitted to OSPCD (C-1, C-2, C-3, C-4, C-5, C6, SWPP 1, SWPP 2, SWPP 3, D-1, D-2, D-3, D-4, D-5, D-6, WS 1, WS 2), colored site plan.											
Any changes to the approved site plan or elevations/use that are not <i>de minimis</i> must receive SPGA approval.												
<b>Pre-Construction</b>												
2	New sanitary connection flows over 2,000 GPD <b>may</b> require a removal of infiltration and/or inflow by the Applicant. This will be achieved by submitting a mitigation payment, established by the City Engineers Office, to the City based on the cost per gallon of I/I to be removed from the sewer system and a removal ratio of 4:1. If a different ratio of removal or mitigation payment amount is adopted by the Board of Aldermen prior to the Applicant receiving a Certificate of Occupancy, payment will be adjusted to the BOA rate. The Applicant shall work with Engineering and meet this condition before a certificate of occupancy.	CO	Eng.									

3	Because of the history of the site and the intended use, the Applicant shall, prior to issuance of any demolition 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 hotel 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 a hotel 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.	Demolition Permit	Plng/ISD	
4	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. Existing utilities shall be cut and capped at the main.	Demolition Permitting	ISD/Engineering	
5	The Applicant shall conduct a survey of foundations and buildings adjacent to the site prior to demolition and shall address concerns about impacts to these structures from project construction.	Demolition Permitting	ISD	
6	The Applicant must contact the Engineering Department and MassDOT 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	
<b>Construction Impacts</b>				
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	Approval is subject to the Applicant's and/or successor's right, title and interest in the property.	Cont.	Plng.	Deed submitted & application formed signed



9	The Applicant shall at their 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 and/or Mass DOT standard.	CO	DPW	
10	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 and/or MassDOT must be obtained.	During Construction	T&P	
11	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 Office of Sustainability and Environment and the Board of Health shall also be notified.	CO	OSE /BOH	
<b>Design</b>				
12	Applicant shall provide final material samples for siding, trim, windows, and doors to Planning Staff for review and approval prior to construction.	BP	Plng.	
<b>Site</b>				
13	Landscaping should be installed and maintained in compliance with the American Nurserymen's Association Standards. The Applicant shall replace any dead plantings.	Perpetual	Plng. / ISD	
14	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	
15	All new sidewalks will be installed by the Applicant in accordance with the specifications of the Highway Superintendent and MassDOT.	CO	Plng.	
16	Applicant will screen the dumpster with fencing that blocks any view of the dumpster itself.	CO	Plng.	
17	Applicant will supply covered parking spaces in the rear of the building.	CO	Plng.	
18	All deliveries shall be made in the rear of the building and the driveway shall never be blocked to prevent two vehicles from traveling in opposite directions at the same time.	Perpetual	Plng / ISD	
19	Snow plowed from the development shall be limited to the on-site storage area as shown in plan or removed from the site when the on-site snow storage areas are at full capacity.	Cont.	ISD.	
20	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	
<b>Public Safety</b>				



21	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP	
22	Any transformers should be located as not to impact landscaped area and shall be fully screened.	Electrical permits & CO		
23	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.	
<b>Signage</b>				
24	Signage will be limited in size and location to that shown in the elevation diagrams.	CO/Cont.	Plng.	
<b>Linkage</b>				
25	Linkage payments will be required to be paid for the square footage over 30,000 sf to the Somerville Housing Trust Fund before a CO is issued.	CO	Plng.	
<b>Final Sign-Off</b>				
26	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, *Clerk*  
Danielle Evans  
Elaine Severino  
Josh Safdie

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.
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**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 \_\_\_\_\_

