



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

PLANNING BOARD MEMBERS

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REBECCA LYN COOPER
GERARD AMARAL, (ALT.)

Case #: PB 2015-09
Site: 31-33 Union Square
Date of Decision: September 3, 2015
Decision: *Petition Approved with Conditions*
Date Filed with City Clerk: September 14, 2015

PLANNING BOARD DECISION

Applicant Name:	J.J. Vaccaro, Inc./Michael Kennedy
Applicant Address:	38 Union Square, Somerville, MA 02143
Property Owner Name:	Tribeca Management
Property Owner Address:	35 Sacramento Street, Cambridge, MA 02138
Agent Name:	N/A

Legal Notice: Applicant, J.J. Vaccaro, Inc., & Owner, Tribeca Management, seek a Special Permit under SZO 6.1.22.D.5.a. to alter the façade* and stall signage.

<u>Zoning District/Ward:</u>	CCD 55 zone/Ward 2
<u>Zoning Approval Sought:</u>	§6.1.22.D.5.a
<u>Date of Application:</u>	June 30, 2015
<u>Date(s) of Public Hearing:</u>	7/16, 8/6, 8/20 & 9/3/15
<u>Date of Decision:</u>	September 3, 2015
<u>Vote:</u>	5-0

* The request to alter the façade was withdrawn

Appeal #PB 2015-09 was opened before the Planning Board at Somerville City Hall on July 16, 2015. 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 Planning Board took a vote.



CITY HALL • 93 HIGHLAND AVENUE • SOMERVILLE, MASSACHUSETTS 02143
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DESCRIPTION:

The proposal is to install signage on the building. The signage for the two storefronts and building address includes a sign band, two blade signs, and window signs. The existing sign band will be painted or replaced in kind. It is approximately two feet in height and the length of the storefront. The letter height will be 12 inches maximum. The sign band will be externally lit. The band will be divided into sections to provide space for two commercial tenant signs and two building address signs. The design of one of the blade signs has been determined and the other will be designed when a second first floor tenant is established. The blade sign will be 3 feet wide by 1.5 feet and the letter height will be a maximum of 6 inches tall. The sign will be backlit for the text only. Two window signs will be up against or affixed to the glazing. The letter height will be 1 foot 2 inches on these signs. The signs will not block more than 30 percent of the window area to which they are attached.

FINDINGS FOR SPECIAL PERMIT (SZO §5.1 & 6.1.22.D.5):

In order to grant a special permit, the SPGA must make certain findings and determinations as outlined in §5.1.4 of the SZO. This section of the report goes through §5.1.4 in detail.

1. **Information Supplied:**

The Board finds that the information provided by the Applicant conforms to the requirements of §5.1.2 of the SZO and allows for a comprehensive analysis of the project with respect to the required Special Permits.

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."*

In the CCD, the SZO §6.1.22.D.5 states that any change in signage, other than a one-for-one replacement of an existing sign, require a Special Permit.

The signage complies with the design guidelines for signage in the CCD (§6.1.22.G):

- The signs respect the building's context in terms of scale and design. The signs are subordinate to the overall building in size and appearance and do not conceal important façade details such as the dentils on the storefront cornice. The sign band will be painted or replaced in and it is located in a typical sign band location. The blade signs will provide pedestrians with a view of the tenants' names and be located on the brick between storefronts which is a logical location for them. The blade sign that is not yet designed will be limited to 3 feet by 2 feet so that both blade signs are of a similar scale.
- The materials are not called out on the plans and a condition of approval will be that planning staff reviews the materials before a building permit is issued for each sign. The condition specifies that vinyl, plastic and internally illuminated, face lit signs will not be allowed so that the signs comply with the list of recommended materials and sign technologies. The blade sign that has been design has some color and a creative shape. This sign is vibrant without being excessively loud.
- The signs will have appropriate letter heights as specified on the plans and they will not be wordy. They will meet the design guideline for being legible.

3. **Consistency with Purposes:** *The Applicant has to ensure that the project "is consistent with (1) the general purposes of this Ordinance as set forth in Article 1, and (2) the purposes, provisions, and specific objectives applicable to the requested special permit which may be set forth elsewhere in this Ordinance, such as, but not limited to, those purposes at the beginning of the various Articles."*

The proposal is consistent with the general purposes of the Ordinance as set forth under §1.2, which includes but is not limited to providing for and maintaining the uniquely integrated structure of uses in the City. The proposal is



also consistent with the purpose of the CCD by encouraging an active mix of uses and contributing to a pedestrian-friendly street.

4. Site and Area Compatibility: *The Applicant has to ensure that the project "(i)s designed in a manner that is compatible with the characteristics of the built and unbuilt surrounding area, including land uses."*

The signs will also be compatible with the surrounding area as they are not overly bright and do not compete with nearby signage. The signs will be located in typical locations: flat mounted signs on the signage band, blade signs on the columns and window signs on the bottom portion of the window. The signs will be visible from across the street and in front of the building.

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

The proposal does not involve housing.

8. 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.*

The proposed signage will add to the vibrancy of this area of the City that is called out as being enhanced in SomerVision.

DECISION:

Present and sitting were Members Joseph Favaloro, Michael Capuano, Dorothy Kelly Gay, Rebecca Lyn Cooper and Gerard Amaral with Kevin Prior absent. Upon making the above findings, Michael Capuano made a motion to approve the request for a Special Permit. Rebecca Lyn Cooper seconded the motion. Wherefore the Planning Board 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 the proposed signage. This approval is based upon the following application materials and the plans submitted by the Applicant:	BP/CO	ISD/PIng .							
	<table><tr><th>Date (Stamp Date)</th><th>Submission</th></tr><tr><td>June 30, 2015</td><td>Initial application submitted to the City Clerk’s Office</td></tr><tr><td>(July 30, 2015)</td><td>Modified plans submitted to OSPCD Details for signage only, Signage)</td></tr></table>				Date (Stamp Date)	Submission	June 30, 2015	Initial application submitted to the City Clerk’s Office	(July 30, 2015)	Modified plans submitted to OSPCD Details for signage only, Signage)
	Date (Stamp Date)				Submission					
	June 30, 2015				Initial application submitted to the City Clerk’s Office					
	(July 30, 2015)				Modified plans submitted to OSPCD Details for signage only, Signage)					
Any changes to the approved elevations that are not <i>de minimis</i> must receive SPGA approval.										



Design				
2	Applicant shall provide final material samples for signage, to Planning Staff for review and approval prior to construction. Materials of vinyl and plastic and internally illuminated, face lit signs will not be allowed.	BP	Plng.	
3	The blade signs shall not be larger than 3' by 2'.			
4	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.	
5	The window shall not be blocked by interior storage, non-artistic displays, or greater than thirty (30) percent internally mounted signage.			
Final Sign-Off				
6	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.	
7	The blade sign anchors shall be drilled into the mortar as opposed to the brick if possible, the detail sheet of the connection shall be submitted to Planning Staff for review and approval. When the sign is removed in the future, the mortar shall match the color of the surrounding mortar.	BP/Cont.	Plng.	

Attest, by the Planning Board:



Joseph Favaloro



Michael A. Capuano, Esq.


Dorothy A. Kelly Gay

Rebecca Lyn Cooper



Gerard Amaral

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 _____

