



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

PLANNING DIVISION

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Case #: 2010-27
Date: July 9, 2010
Recommendation: Conditional Approval

PLANNING BOARD RECOMMENDATION

Site: 26 CHESTNUT ST

Applicant Name: NSTAR Electric
Applicant Address: 1 NSTAR Way, Westwood, MA 02090
Property Owner Name: Lawrence Realty Trust
Property Owner Address: 300 Trade Center, suite 5410, Woburn, MA 01880
Alderman: Heuston

Legal Notice: Applicant, NSTAR Electric and Owner, Lawrence Realty Trust, seek a Special Permit with Site Plan Review under SZO §7.11.11.10.b to establish an open lot motor vehicle parking facility of more than 5,000 square feet for NSTAR employees.

Zoning District/Ward: Industrial A

Zoning Approval Sought: Special Permit under SZO §7.11.11.10.b

Date of Application: 5/13/2010

Date(s) of Public Meeting/Hearing: PB: 6/24/10 - ZBA 7/14/10

Dear ZBA members:

At its regular meeting on June 24, 2010 the Planning Board heard the above-referenced application. Based on materials submitted by the Applicant and the Staff recommendation, the Board voted (5-0 with Kevin Prior absent), to recommend **conditional approval** of the requested **Special Permit with Site Plan Review**.

In conducting its analysis, the Planning Board found:



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I. PROJECT DESCRIPTION

1. Subject Property: The property is a 28,627sf lot with no structures. It has been used as a commercial parking lot for 31 spaces for Waste Management trucks since a special permit was issued by the ZBA in May of 2001. That permit did not allow the applicant to transfer the rights granted by it to any other entity and required any new lessee to re-apply for the special permit with site plan review.

Until 1996 this lot and the adjacent lot were completely covered by a building, approximately one half of which was occupied by American Electroplating and the other half by All Safe Archives, the predecessor to Iron Mountain. A 1996 fire destroyed American Electroplating, and that portion of the building was demolished. The fire wall prevented the fire from spreading, and the remaining portion of the building remains occupied on the adjacent lot.

In 2005, the Planning Board granted permission to subdivide the 54,934 sf parcel into two lots. This subdivision required a variance from the ZBA to exceed maximum ground coverage and minimum landscaping requirements, which was approved in November 2005. The first, containing 28,627 square feet is the subject of this permit application. The adjacent 26,310 square foot lot is used by Iron Mountain.

2. Proposal: The Applicant is proposing to renovate and use the existing parking lot to park 61 vehicles for its operations on three nearby lots. Parking will be for employee personal vehicles as well as company vehicles. The applicant initially proposed that the site would also serve as a storage area for materials and equipment related to the Applicant's electric and gas operations. Staff has discussed this with the applicant and the applicant is aware that this is not an allowed use within this zone. The applicant understands that only parking for employee and company vehicles will be allowed on the lot by any SPGA approval. This will be added as a condition of approval.

3. Nature of Application: The Applicant seeks to establish rights to use this lot as a commercial parking facility which requires a Special Permit with Site Plan Review under SZO §7.11.11.10.b . While a similar special permit with site plan review was granted by the ZBA in the past for this use, it was restricted to the Waste Management Company, and cannot be transferred. Specifically, condition 2 of the ZBA approval 2001-29 states, "this approval is granted for the current Applicant only, any change of lessee will require the new lessee to reapply for the special permit with site plan review".

4. Surrounding Neighborhood: The surrounding neighborhood is generally industrial in nature, but is also a neighborhood with likelihood of significant future transition. The area is within 1500 ft of the proposed new Green Line station at Washington Street, and backs up to the new Green Line tracks. The City's Economic Development Division is currently working to select a consultant to do a significant plan for infrastructure improvements and future development in the Inner Belt and Brickbottom area, and this site is within the study area.

6. Traffic and Parking: The site has been a parking lot for an adjacent off-site entity since 2001, and no changes are proposed.

7. Landscaping/Screening: The site plan shows the general location of plantings. Existing planting areas are attractive, but the plantings have not recently been well maintained and the applicant has committed to repairing, upgrading and maintaining the existing landscaping.

8. Green Building Practices: The applicant did not note any green building practices.

9. Comments:

Fire: Deputy Chief William Lee has been contacted and has not yet provided comments.

Aldermen: Alderman Heuston has been contacted and has not yet provided comments.

Traffic and Parking: Terry Smith has been contacted and has not yet provided comments.

II. FINDINGS FOR SPECIAL PERMIT WITH SITE PLAN REVIEW (SZO §7.11.15.C):

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.” As conditioned, the proposal would comply with these standards.

3. Purpose of the 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 project site is located in the IA district. The purpose of the IA district 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 serve 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 use of an existing parking area to provide parking for vehicles that serve the immediate needs of the adjacent industrial establishment by the applicant is consistent with the intent of the district.

Nonetheless, this area is in transition and the continued use of this site as a surface parking lot is not likely consistent with the plans for the long-term future of this area. For this reason, the Board is recommending a time limit for this special permit, limiting the use to 8 years, with the ability for the applicant to seek two 2-year extensions with the approval of the ZBA. This will minimize the impact that this lot may have when neighborhood conditions change in the future.

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 Board finds that the proposed development, as conditioned to increase and update landscaping, would be compatible with the surrounding industrial area. Despite the industrial nature of the surrounding area, it is important to put any Special Permit application in this area in context with future plans for transitions in and around the neighborhood and the Green Line. Therefore, a project should ensure that it is as attractive as can be, to be a good neighbor to existing as well as future development in the immediate vicinity.

The success of a commercial parking lot to be a good neighbor to industrial and business properties depends upon its use and its landscaping. Conditions are designed to address these issues.

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

The project would meet accepted standards and criteria for the functional design of a freestanding parking facility, with appropriate landscape upgrades.

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 Board finds that the proposed use of the lot does not significantly differ than the previous use that was granted a special permit, provided that the use of the lot does not create any new storm water impacts. The Board recommends that the proposal be conditioned to require additional on-site landscaping, and the uses on the lot are limited to ensure that there is no environmental impact on the storm drain system.

7. Environmental Impacts: “The proposed use, structure or activity will not constitute an adverse impact on the surrounding area resulting from: 1) excessive noise, level of illumination, glare, dust, smoke, or vibration which are higher than levels now experienced from uses permitted in the surrounding area; 2) emission of noxious or hazardous materials or substances; 3) pollution of water ways or ground water; or 4) transmission of signals that interfere with radio or television reception.”

The Board finds that the proposed use of the lot does not significantly differ from the previous use that was granted by special permit. The number of vehicles would increase but the Board finds that two automobiles would be less of an environmental impact on a neighborhood than a single garbage truck. Adverse impacts would be limited to the visual impact that may occur only if there is not adequate and well maintained landscaping, and the impact of any open lot storage of materials other than vehicles. Conditions are established to address these issues.

8. 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.”

No increases to the building footprints or groundcover are proposed. Landscaping will be improved and maintained.

9. 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.”

No new curb cuts are proposed. Entrances and exits will remain in place. Vehicles used these entrances and exits under the previous special permit, so there are no new impacts. A gate would be installed that would provide added security on the lot.

III. RECOMMENDATION

Special Permit with Site Plan Review (SPSR) under §7.11.11.10.b

Based on the above findings, the Planning Board recommends **CONDITIONAL APPROVAL** of the requested **SPECIAL PERMIT WITH SITE PLAN REVIEW**.

Although the Planning Board is recommending approval of the requested permit, the following conditions should be added to the permit approval:

#	Condition	Timeframe for Compliance	Verified (initial)	Notes						
1	Approval is for the construction of 61 parking spaces. This approval is based upon the following application materials and the plans submitted by the Applicant:		Plng.							
	<table><tr><th>Date (Stamp date)</th><th>Submission</th></tr><tr><td>(5/13/2010)</td><td>Initial application submitted to City Clerk</td></tr><tr><td>(6/18/2010)</td><td>Plan submitted to OSPCD</td></tr></table>				Date (Stamp date)	Submission	(5/13/2010)	Initial application submitted to City Clerk	(6/18/2010)	Plan submitted to OSPCD
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(6/18/2010)	Plan submitted to OSPCD									
Any changes to the approved plans that are not de minimis, or any changes to the use, must receive ZBA approval.										
2	The applicant shall repair and maintain all landscaping shown on the plan and add flowers and/or groundcover to the empty mulch beds.	CO	Plng.							
3	The applicant shall add and maintain additional landscaping as follows: the applicant shall move parking spaces 48-61 back by three feet to create additional landscaping along the front of the lot with new bushes. This area shall also serve to collect stormwater runoff from the lot, reducing the impact of the lot on the public storm drain system. The applicant shall submit a new plan identifying this new landscaping to the Planning Staff for review and approval prior to occupancy of the lot.	CO	Plng.							
4	The applicant shall replace the asphalt sidewalk in front of the parcel with a concrete sidewalk similar in design to the sidewalk in front of 14 Chestnut Street. The applicant shall meet with the City Engineer to review and approve sidewalk design and materials.	CO.	Eng.							
5	The applicant shall restripe the lot to clearly mark parking spaces. Parking shall only be allowed within marked spaces.	CO	Plng.							
6	The use of the lot is for parking of employee and company vehicles only. No storage of materials is allowed.	Cont.	Plng.							
7	This approval is granted for the current applicant only, and any change of lessee will require the new lessee to reapply for the special permit with site plan review.	Cont.	Plng.							
8	The Applicant shall be responsible for maintenance of all on-site amenities, including landscaping, fencing, lighting, parking areas and storm water systems,	Cont.	ISD							

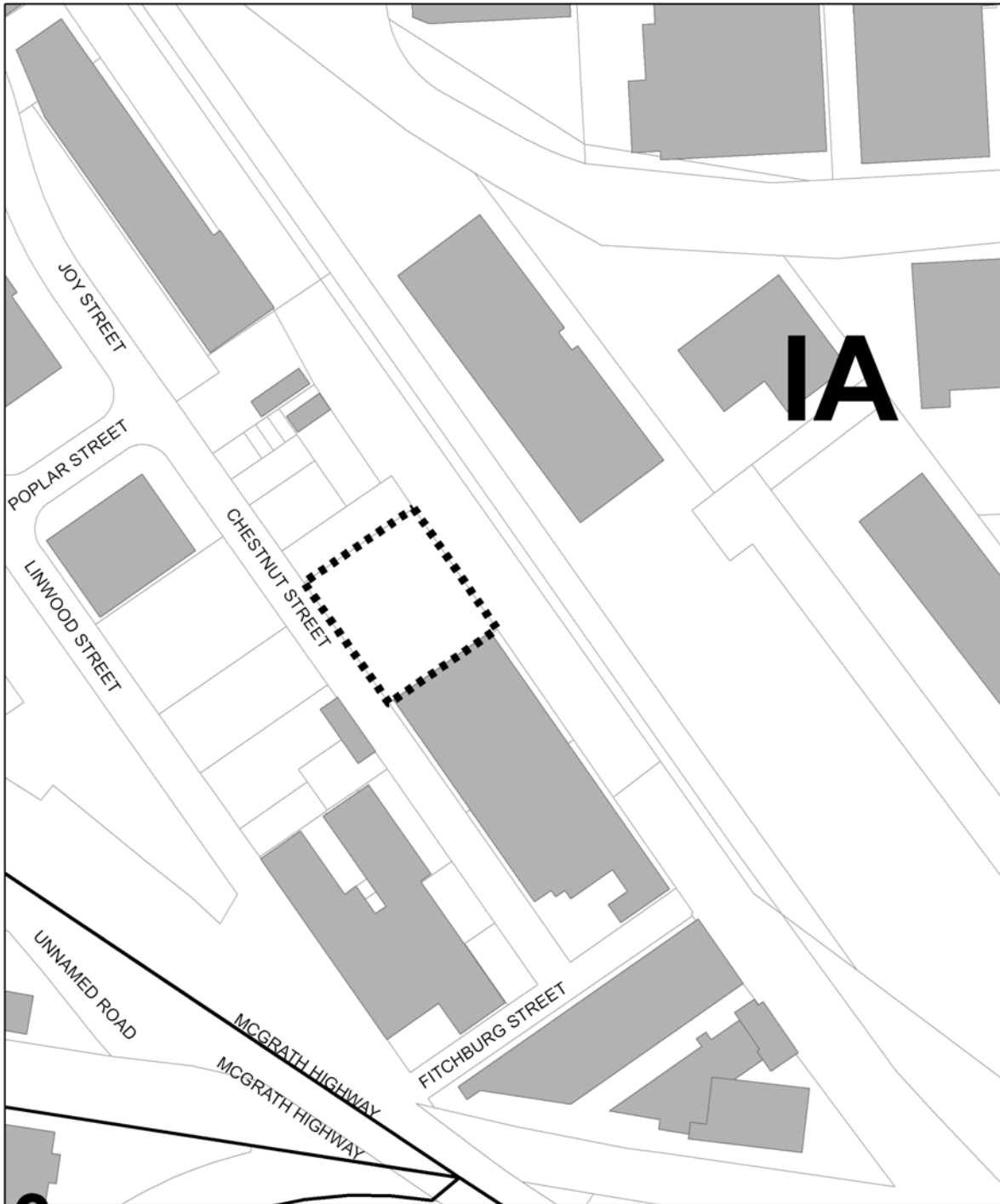
	ensuring they are clean, well kept and in good and safe working order.			
9	Shall the applicant choose to change the design of the entry gate system and/or any on-site fencing, the new system and/or fence design shall be presented to the Planning Staff for review and approval prior to installation.	Cont.	Plng.	
10	The Applicant shall contact Planning Staff at least five working days in advance of a request for a final sign-off on the building permit to ensure the proposal was constructed in accordance with the plans and information submitted and the conditions attached to this approval.	CO	Plng.	
11	This special permit shall lapse 8 years from the date of the decision. The applicant may apply for 2-year extensions with the ZBA at that time.	Cont.	Plng. & ISD	

Sincerely,



Elizabeth Moroney
Acting Chair

Cc: Applicant: NSTAR Electric
Owner: Lawrence Realty Trust



26 CHESTNUT ST