



**CITY OF SOMERVILLE, MASSACHUSETTS**  
**OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT**  
**JOSEPH A. CURTATONE**  
**MAYOR**

**PLANNING DIVISION**

**STAFF**

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**Case #:** ZBA 2009-45  
**Date:** November 4, 2010  
**Recommendation:** Conditional Approval

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**PLANNING STAFF REPORT**

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**Site:** 35R Lexington Avenue

**Applicant Name:** Christos Poutahidis

**Applicant Address:** 147 Willow Ave, Somerville MA 02144

**Property Owner Name:** same

**Agent Name:** Richard G. Di Girolamo

**Agent Address:** 424 Broadway, Somerville MA 02145

**Alderman:** Sean O'Donovan

Legal Notice: Applicant/Owner Christos Poutahidis is seeking a Special Permit with Site Plan Review (SZO §5.2) to have two principle structures (two single-family dwellings) on a lot (§7.2) and a Special Permit to alter a nonconforming structure (§5.1 & §4.4.1).

Zoning District/Ward: Residence A / Ward 5

Zoning Approval Sought: Special Permit with Site Plan Review SZO §7.2, §5.2,  
Special Permit §4.4.1, §5.1

Date of Application: September 8, 2009, completed October 2010

Dates of Public Meeting • Hearing: Planning Board 11/4/10 • Zoning Board of Appeals 11/17/10

Date of Decision: N/A

Vote: N/A

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**I. PROJECT DESCRIPTION**

1. Subject Property: 35R Lexington Avenue is an L-shaped lot including a passageway to Lexington Avenue. It is a 14,875 square foot lot including the “passageway” and 12,985 square feet excluding the “passageway”. There is a two story office/workshop of 2,510 square feet and an attached one story garage/storage area of 4,180 square feet in fair to poor condition. The exterior area had been used as a contractor yard.



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For many years, a fence has separated the site from the Community Path, but this fence has been located with a portion of the MBTA land on the applicant's side of the fence, leaving an unsettled encroachment that has been the subject of legal action in the past. At this time, Planning Staff understands that this applicant has a license from the MBTA to occupy this space for as much time as it may take to remove the fence and repair the encroachment area. The building that encroached on the MBTA land has been removed.

2. Proposal: The applicant proposes to convert the existing two story structure to a single family residence and add a small addition, for a total of 2,682 square feet of habitable space, and to demolish the existing garage. In addition, the applicant proposes to build a second single family house of approximately 3,290 square feet, approximately 82 feet from the existing building.

At 14,875 sf the lot size for this parcel is larger than the minimum required 10,000 sf for the Residence A zoning district. The size of the lot provides ample space to meet the required minimum lot area per dwelling unit at 7,436 sf per unit. Because the footprint of the proposed single family home is smaller than the existing garage structure slated for demolition, the gross floor area of footprints for all buildings will be reduced to 3,350 square feet, decreasing ground coverage area from 37.3% to 22%, which is within the zoning requirement of no more than 50% coverage. The site plan calls for 40.2% of the lot to be landscaped area, an improvement to the existing condition of the lot, which is generally not landscaped. The proposed landscaping is more than the required 25%. Net floor area is also reduced to 5,972 sf (from 6,690), in turn reducing the FAR to 0.40, well within the permitted 0.75.



*Top: view looking from the northern corner of the site towards the building that will be renovated. Bottom: view from the western corner of the site towards the location of the new structure and driveway.*



The current building that will be renovated will remain at 20.25 feet in height, and the new 2½ floor structure will measure 33.5 feet tall. These are both within the allowed 35 feet. The front yard setback for the existing structure, is non-conforming at 0.11 feet, and will remain as such in the new proposal. The new structure will meet the front yard zoning requirements with a 20.8 foot set back. Proposed rear yard

setbacks are the existing non-conforming 10.9 feet, and 13.5 feet for the new structure. As outlined in footnote 13 of § 8.6, "For each foot by which a lot is less than one hundred (100) feet deep on the effective date of this Ordinance, three (3) inches may be deducted from the required depth of the rear yard". The parcel qualifies as a shallow lot at 68 feet, resulting in a permitted set back of:  $100 - 68 = 32 \times 3'' = 96''$  or an 8' reduction of the required setback to 12'. Side yard setbacks for the left and right are 38.7 feet and 12.0 feet, respectively, and fall within the zoning requirements. The street frontage for this parcel is 21 feet, an existing non-conformity, which will remain unchanged in the new proposal.

The parking requirements for each of these units is two, and the applicant has exceeded this requirement by providing 5 parking spaces in the proposal.

The renovated structure would consist of 4 bedrooms and 2 baths on the second floor, and living, dining, and eating space on the first floor. The new single family home would have 3 bedrooms, a study, and 2 baths upstairs, and living, dining, and eating, space on the first floor. The new home would also have an unfinished basement and attic for storage.

3. Nature of Application: Changes to the existing non-conforming structure require a special permit under §4.4.1. Sitting of a second structure on a single lot requires a special permit per § 7.2.

4. Surrounding Neighborhood: Reflective of the underlying zoning, the subject property is located in a residential neighborhood, comprised primarily of one- and two-family homes.

5. Impacts of Proposal: Creating two single family dwellings would put the parcel into a use that better aligns with that of abutters and the surrounding neighborhoods. Renovation of the site, and addition of a new single family home would enhance the visual appeal of the site, especially as it abuts the bike path behind Lexington Ave. The large size of this particular parcel provides ample space to construct an additional home while remaining within the guidelines prescribed by Resident A zoning. The proposal would not result in a significant increase in traffic, pollution, noise, odor, or glare. There is no reason to believe that the proposed structures would significantly impact water or sewer capacity. The design of the property is such that it would not alter the character of the neighborhood.

6. Green Building Practices: The renovation of the existing structure will meet or exceed code requirement for energy efficiency, and the new structure will exceed requirements for the new energy code for single family home construction.

7. Comments:

*Fire Prevention:* A code compliant fire alarm systems and sprinkler systems are required.

*Engineering:* A drainage report was submitted; however, the utility and grading plan can be submitted after the Zoning Board of Appeals review. The plans must meet the Engineering Department's requirements regarding utilities, grading and drainage.

*Traffic & Parking:*

*Note that these comments are based upon an earlier version of the plan. The snow drop areas have been moved and the mirror has been added to the plan:*

The applicant is seeking a Special Permit to have two principle structures of a lot. Parking requirements for these structures are in compliance with the Somerville Zoning Ordinance (SZO). However access to the parking spaces is via a two way "elbow" shaped passageway. The width of this

passageway varies and has a minimum width of 10' 9". The SZO requires a two way passageway width to be a minimum of 18'.

Traffic and parking has been informed that this substandard passageway has been "grandfathered" for this project.

A location for a "snow drop" has been created at the elbow of the passageway. Due to encroachment of the snow bank on the passageway lane width at the elbow and potential sight line problems it is recommended that the so called snow drop be relocated to a different location. Also due to vehicle direction of travel conflicts associated with the substandard width of the passage way the following is recommended:

- The property management company properly and securely install a "parabolic mirror" so that vehicles exiting the property can view oncoming traffic.
- Warning signs be installed for exiting vehicles with the legend "Yield to Entering Vehicle".
- Warning signs be installed for entering vehicles with the legend "Caution Two Way Traffic".

Provided the above is incorporated Traffic and Parking has no objections to this application.

*Ward Alderman:* Has been notified and has not yet provided comments.

*Design Review Committee:* The DRC reviewed the plan in 2009, and was generally supportive of the plans. The Committee's recommendations were incorporated into the current plans. Details regarding the recommendations can be found in the DRC minutes from February 26, 2009.

*Public Comment:* Note that a neighbor submitted written testimony stating that the new house would be the largest unit in the immediate area. He has issues with the height of the third story and would request that the building only contain a basement, first and second floor. This plan, before completed, was reviewed by neighbors in a neighborhood meeting last year. There has been significant neighborhood concern with the encroachment on the MBTA property that would be resolved with the implementation of this plan.

## **II. FINDINGS FOR SPECIAL PERMIT WITH SITE PLAN REVIEW (SZO §4.4.1 and §7.2):**

In order to grant a special permit with site plan review, the SPGA must make certain findings and determinations as outlined in §5.2 of the SZO. This section of the report goes through §5.2.3 in detail.

1. Information Supplied: The Staff 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. After a significant delay with an incomplete application, the applicant completed the application requirements in October of 2010, and provided an updated design to address concerns expressed by Traffic & Parking. The applicant has also committed to a schedule to correct the encroachment on the MBTA land, and the staff is recommending conditions to address that commitment.

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."

In considering a special permit under §4.4 of the SZO, Staff do not find that the alterations proposed would not be substantially more detrimental to the neighborhood than the existing structure and use.

In considering a special permit under §7.2 of the SZO, Staff find that the addition of an additional structure to the parcel will not be detrimental to the neighborhood, given the available space on the lot, and the proposed design of the new home, which will be of a similar nature to other homes in the surrounding neighborhood.

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 6.1.1. RA –Residence District, which is, "To establish and preserve quiet neighborhoods of one- and two-family homes, free from other uses except those which are both compatible with and convenient to the residents of such districts."

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 renovation of the existing building would improve the current state of the property, and bring a non-conforming use into its prescribed use as a residential structure.

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

As conditioned, the site would meet standards for a functional design. Staff proposes a condition that the Applicant install warning signs exiting vehicles with the legend "Yield to Entering Vehicle", and warning signs for entering vehicles with the legend "Caution Two Way Traffic". The snow drop has been moved, and the applicant has proposed to include the parabolic mirror requested by Traffic & Parking.

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 two residential structures will not have an adverse impact on the public services and facilities. The residential use will most likely have less of an impact than the prior use as a garage and office.

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 site is unique in that it is only accessible from a 21 foot passageway from the street. The proposal includes a 6 foot wooden fence along with evergreen shrubs to screen the site and reduce the noise from the residential abutters. The residential uses will not emit noxious or hazardous materials or substances, pollute the water ways or transmit signals that will interfere with radio or television reception.

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 conserving the value of land and buildings and encouraging the most appropriate use of land throughout the City.

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 amount of landscaping on the site will improve from the current state with no landscaping to 40.2% of the site. The location of the existing driveway dictates where the landscaping is located. Some of the landscaping will be visible from the bike path, which is the public right of way where the proposal is most visible to the neighborhood. The site does not have land forms or grading that will be altered.

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 building that will be reused, which is along the property line, will have a 6 by 6 glass block window facing the rear yard of the adjacent property. The second building which will be of new construction is setback 20 feet from the rear yard of its adjacent neighbor. A wooden fence and evergreen shrubs are proposed, where possible, to minimize the intrusion of views from the existing buildings. The Architect has provided sections of the proposal along the bike path and passageway which show that the proposed buildings are compatible in scale to the surrounding area.

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 City Engineer is reviewing the drainage report. The report includes a plan to install drywells to collect runoff from the roof and pavers to be installed for the paved patios and parking spaces. The report states that there will not be an increase in runoff from the site.

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 existing structure is not of historical significance and demolition of part of the structure will not be a detriment to the neighborhood. The renovation to the existing structure and the new structure will be compatible with the existing 2 ½ story structures in the area.

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 current state of the site is not appealing with dilapidated structures and broken pavement. The new structure and landscaping will improve the appearance. A proposed condition is that landscaping be placed along the bike path to further improve the appearance of the site from the much traveled path.

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 for the site is not specified on the plans; however, it will consist of typical residential lighting. There are no public spaces on the site to illuminate. Staff recommends a condition that lighting be limited so that it does not illuminate adjacent properties or the night sky.

15. Emergency Access: The Applicant must ensure that “there is easy access to buildings, and the grounds adjoining them, for operations by fire, police, medical and other emergency personnel and equipment.”

The site is unique in that there is a 20 foot passage way to access the site. The Fire Department has requested a condition that the buildings contain sprinkler systems to account for the maneuverability of trucks on the site.

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.”

Access to the site will be from a preexisting passageway off of Lexington Avenue.

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 installation of utilities must comply with the City’s regulations.

18. Prevention of Adverse Impacts: The Applicant must demonstrate that “provisions have been made to prevent or minimize any detrimental effect on adjoining premises, and the general neighborhood, including, (1) minimizing any adverse impact from new hard surface ground cover, or machinery which emits heat, vapor, light or fumes; and (2) preventing adverse impacts to light, air and noise, wind and temperature levels in the immediate vicinity of the proposed development;”

The residential uses will not include machinery which emits heat, vapor, light or fumes. The landscaping on the site will result in an overall reduction in the amount of hard surface ground cover. The light, air and noise impacts will be typical of any single family houses

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 no proposed signs or advertising structures for this residential development.

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.”

Two accessory garden and trash/recycles sheds are shown on the plans. The sheds will screen trash and storage.

21. Screening of Parking: The five proposed parking spaces will be screened from the path by vegetation, which is a proposed condition. The parking will be screened from the residential abutters by a wood fence and evergreens.



**III. RECOMMENDATION****Special Permit with Site Plan Review under SZO §4.4.1 and §7.2**

Based on the above findings and subject to the following conditions, the Planning Staff recommends **CONDITIONAL APPROVAL** of the requested **SPECIAL PERMIT with SITE PLAN REVIEW**.

#	Condition	Timeframe for Compliance	Verified (initial)	Notes						
Application and Plans										
1	Approval is for the renovation of a non-conforming structure, and the building of an additional structure on the parcel. This approval is based upon the following application materials and the plans submitted by the Applicant:	Building Permit / CO	Plng.							
	<table><tr><th>Date (Stamp Date)</th><th>Submission</th></tr><tr><td>9/8/2009 10/18/10 (complete)</td><td>Initial application submitted to the City Clerk's Office</td></tr><tr><td>10/27/10</td><td>Modified plans submitted to OSPCD (A0, A1, A2, A3, A4, A5)</td></tr></table>				Date (Stamp Date)	Submission	9/8/2009 10/18/10 (complete)	Initial application submitted to the City Clerk's Office	10/27/10	Modified plans submitted to OSPCD (A0, A1, A2, A3, A4, A5)
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10/27/10	Modified plans submitted to OSPCD (A0, A1, A2, A3, A4, A5)									
Any changes to the approved site plan that are not de minimis must receive ZBA approval.										
2	The Applicant shall submit plans to the Engineering Department. The utility, grading and drainage plans must meet City regulations, and may be amended per request of the City Engineer to meet these standards. The project may not create additional runoff to city streets or abutting properties.	Building Permit	Engineering							
Agreements on Abutting Land										
3	The applicant shall submit proof that the MBTA and Applicant have executed the License for Entry (LI-7014) that was submitted by the Applicant's agent to the Planning Board on March 1, 2007 and stamped in at the Office of Strategic Planning and Community Development on March 2, 2007.	Building Permit or March 31, 2011, whichever is first	Plng.	Applicant working to accomplish before zoning hearing						

4	The applicant shall remove all improvements on the area of approximately 3,200 square feet that is owned by the MBTA and leased by the City of Somerville for the Community Path. This is the area that is beyond the lot area shown on the plan, adjacent to the Path. The applicant shall remove the chain linked fence and provide a temporary construction fence along the property line indicated on the plan until the fence required in Condition #6 can be installed. The applicant shall have an arborist investigate the tree that is directly impacted by the fence to determine if the tree can be saved. If it cannot be saved, the applicant shall plant one additional 3 inch caliper tree in its place of a species to be determined by Planning Staff.	Building Permit or March 31, 2011, whichever is first	Plng.	Applicant working to accomplish before zoning hearing
5	The applicant shall deliver to the City of Somerville a recordable release deed, with an original copy to the MBTA, naming the MBTA as grantee, relinquishing any claim to any right, title or interest to the area of encroachment onto the property of the MBTA.	Building Permit	Law	Applicant working to accomplish before zoning hearing
6	The Applicant shall install high-quality black wrought-iron fence, facing the Community Path along the property line marked on the plan. The applicant shall include a gate in the fence that allows residents of the project to access the path. The applicant shall provide material samples to Planning Staff for approval prior to installation of the fence.	CO	Plng.	
7	The Applicant shall place attractive plantings along the fence facing the Community Path to improve aesthetics and limit runoff. Prior to planting, the Applicant shall provide a planting plan for this area to Planning Staff for review and approval.	CO	Plng.	
8	The Applicant shall abide by the "easement/driveway" agreement dated March 1, 2007 (or a similar recordable document), signed by the Applicant and residents of 39 Lexington Avenue (identified on the agreement as "Catherine and Jerry Dunlap (Unit 1)" and "Lara and Joshua Winn (Unit 2)") that was stamped in at the Office of Strategic Planning and Community Development on March 2, 2007.	Building Permit	Plng.	The driveway easement has been recorded
<b>Construction Impacts</b>				
9	The applicant shall develop a demolition plan in consultation with the City of Somerville Inspectional Services Division. Full compliance with proper demolition procedures shall be required, including timely advance notification to abutters of demolition date and timing, good rodent control measures (i.e. rodent baiting), minimization of dust, noise, odor, and debris outfall, and sensitivity to existing landscaping on adjacent sites.	Demolition Permitting	ISD	
10	Rodent control should be in effect seven days a week prior to the demolition and abutters should be notified by mail of rodent control activities.	Demo	ISD	

11	Hours of operations for trucks Monday-Friday 7am-7pm, Saturday and Sunday 9am-5pm. Hours of operation for heavy equipment vehicles are to be Monday-Friday 8:30am-2:30pm and Saturdays 9am-5pm (No Sundays or Holidays).	During Construction	ISD	
12	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	
13	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.	During Construction	OSE/FP/BOH	
14	The applicant shall strictly comply with applicable State and Federal regulations regarding air quality including without limitation continuous dust control during demolition and construction.	During Construction	Plng/OSE	
15	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	
16	The applicant shall comply with all applicable law concerning any and all contamination of the property that is the subject of the application, including, but not limited to, the elimination of all contamination and other hazardous materials on the area of encroachment onto the property of the MBTA, in accordance with applicable DEP requirements and G. L. c. 21E.	Building Permit	BOH	
<b>Traffic and Parking</b>				
17	The Applicant shall install warning signs for exiting vehicles with the legend "Yield to Entering Vehicle".	CO	T&P	
18	The Applicant shall install warning signs for entering vehicles with the legend "Caution Two Way Traffic".	CO	T&P	
19	The pitch of the driveway must stay the same with the pitch away from the garage.	CO	Engineering	
<b>Impacts of Completed Project</b>				
20	A code compliant fire alarm systems and sprinkler system must be installed in both buildings per the Fire Prevention office.	CO	FP	
21	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 or the night sky.	CO	Plng.	
22	Trash and recycling will be kept in the designated shed until the day of pickup.	Perpetual	ISD	
23	Landscaping should be installed and maintained in compliance with the American Nurserymen's Association Standards.	Perpetual	Plng. / ISD	

24	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.	Perpetual	ISD	
25	Snow plowed from the development shall be limited to the on-site storage area as shown in plan.	Perpetual	ISD.	
<b>Final Review</b>				
26	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.	Final sign off	Plng.	

