



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

PLANNING DIVISION

PLANNING BOARD MEMBERS

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JOSEPH FAVALORO
JAMES KIRYLO
MICHAEL A. CAPUANO, ESQ.
DANA LEWINTER (ALT.)

Case #: PB #2010-10
Site: 133-137 Broadway
Date of Decision: June 3, 2010
Decision: *Petition Approved with Conditions*
Date Filed with City Clerk: June 8, 2010

PLANNING BOARD DECISION

Applicant Name:	Joseph Apicella
Applicant Address:	130 Winter Street, Saugus, MA 01906
Property Owner Name:	Joseph Apicella
Property Owner Address:	130 Winter Street, Saugus, MA 01906
Agent Name:	N/A

<u>Legal Notice:</u>	Applicant/Owner, Joseph Apicella, seeks a special permit under SZO §6.1.22.5 to alter signage on the building.
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<u>Zoning District/Ward:</u>	CCD 45 zone/Ward 1
<u>Zoning Approval Sought:</u>	§6.1.22.5
<u>Date of Application:</u>	May 11, 2010
<u>Date(s) of Public Hearing:</u>	June 3, 2010
<u>Date of Decision:</u>	June 3, 2010
<u>Vote:</u>	5-0

Appeal #PB 2010-10 was opened before the Planning Board at Somerville City Hall on June 3, 2010. 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.



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DESCRIPTION:

The proposal is to add signage and awnings to the building for all five storefronts. The owner of the building is applying for funding through the City's Storefront Improvement Program. Each store will have a 2'-9" by 11' belt sign, a 2' to 3'-6" blade sign, and an awning. One of the storefronts holds space for two businesses so the belt sign for these businesses are narrower (8'). The blade signs, belt signs and awnings will all align horizontally. The belt signs will be lit with three overhead lights for each storefront. The belt and blade signs will be made of aluminum or dibond (aluminum composite) with vinyl graphics and acrylic letters. The awnings will be sunbrella fabric.

FINDINGS FOR SPECIAL PERMIT (SZO §6.1.22.5):

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."

The sign design complies with the design guideline for signage in the CCD (§6.1.22.H). The sign respects the buildings' context. The lighting will be centered on the existing stucco band with the belt signs located directly below this band. The awnings will be appropriately placed over each storefront. The signage and awnings do not conceal other important façade details such as the stucco band or parapet. The blade signs and awnings will be oriented to pedestrians. The belt signage will cover much of the façade. This style of signage was chosen because of the tenants' preference and ease of changing business names on these rectangular signs if turnover occurs. Despite their size, the placement and consistency of the signage make it subordinate to the overall building composition. The signs will create a "signage line", which is currently lacking on the building or block. The sign's material will be aluminum and the awnings would be fabric with tasteful lighting. These characteristics comply with the list of materials and sign technologies that are recommended in the guidelines. The signs are legible and do not have excessive wording.

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 and the purpose of the CCD by promoting an active mix of uses with structures that complement the historic structures in the area.

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 be compatible with the building's design and create consistency of the signage, which is lacking in the area.



DECISION:

Present and sitting were Members Kevin Prior, Elizabeth Moroney, Joseph Favaloro, James Kirlyo and Michael Capuano. Upon making the above findings, Kevin Prior made a motion to approve the request for a special permit. Joseph Favaloro 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 7 belt signs, 5 blade signs, 7 awnings and signage lighting. This approval is based upon the following application materials and the plans submitted by the Applicant:	BP/CO	Plng.							
	<table><tr><th>Date (Stamp Date)</th><th>Submission</th></tr><tr><td>5/11/10</td><td>Initial application submitted to the City Clerk's Office</td></tr><tr><td>5/26/10</td><td>Modified plans submitted to OSPCD (A0: cover, A1: reflected ceiling plan, A2.1: overall elevations, A2.2: west overall, A3.1: typical section with belt sign, A3.2: typical awning and sign section detail, A4.1-6, store elevations, A5.1-2: blade sign elevations)</td></tr></table>				Date (Stamp Date)	Submission	5/11/10	Initial application submitted to the City Clerk's Office	5/26/10	Modified plans submitted to OSPCD (A0: cover, A1: reflected ceiling plan, A2.1: overall elevations, A2.2: west overall, A3.1: typical section with belt sign, A3.2: typical awning and sign section detail, A4.1-6, store elevations, A5.1-2: blade sign elevations)
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Any changes to the approved plans that are not <i>de minimis</i> must receive SPGA approval. Sign replacement of the same size within the same sign footprint and using the same sign technology shall be permitted by right.										
2	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 Planning Board:



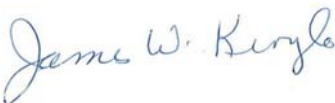
Kevin Prior, Chairman



Elizabeth Moroney



Joseph Favaloro



James Kirylo



Michael A. Capuano, Esq.

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 _____



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