



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

PLANNING DIVISION

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DANA LEWINTER (ALT.)

**Case #: PB 2010-17**  
**Site: 90 Union Square**  
**Date of Decision: September 16, 2010**  
**Decision: *Petition Approved with Conditions***  
**Date Filed with City Clerk: September 23, 2010**

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**PLANNING BOARD DECISION**

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<b>Applicant Name:</b>	Somerville Community Access Television, Inc.
<b>Applicant Address:</b>	90 Union Square, Somerville, MA 02143
<b>Property Owner Name:</b>	City of Somerville
<b>Property Owner Address:</b>	93 Highland Avenue, Somerville, MA 02143
<b>Agent Name:</b>	Wendy Blom
<b>Agent Address:</b>	90 Union Square, Somerville, MA 02143

Legal Notice: Applicant, Somerville Community Access Television, Inc. and Owner City of Somerville seek a special permit under SZO §6.1.22.D.5 to alter signage on the building. CCD 55 zone. Ward 2.

<u>Zoning District/Ward:</u>	CCD 55 zone/Ward 2
<u>Zoning Approval Sought:</u>	§6.1.22.D.5
<u>Date of Application:</u>	July 21, 2010
<u>Date(s) of Public Hearing:</u>	8/24 (rescheduled from 8/19/10), 9/2 & 9/16/10
<u>Date of Decision:</u>	September 16, 2010
<u>Vote:</u>	4-0

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Appeal #PB 2010-17 was opened before the Planning Board at Somerville City Hall on August 24, 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 remove three existing yellow banners and replace them with three aluminum signs and a new banner. The Applicant will also remove the "SCAT" lettering and a MAPS sign on the Somerville Avenue façade.

The proposal includes two black aluminum signs along Somerville Avenue: one approximately 5' x 5' diamond-shaped sign hanging perpendicular to the second story and illuminated by two lights; and one 6' x 2' wall sign above a side door. The signs all have "SCATV" in approximately 1' tall and 1" thick painted vinyl lettering. The perpendicular sign also includes the SCATV tag line: "Take a Class, Make a Show, Join SCATV," in black lettering against a silver aluminum background. The silver aluminum creates a common design element between the diamond shaped sign and the building's cupola. A new 3' x 10' two-sided banner will hang on existing brackets and replace the current banner along Washington Street. Finally, the awning over the main entrance will be replaced by one with the new logo.

## **FINDINGS FOR SPECIAL PERMIT (SZO §5.1):**

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 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.

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

- The signs respect the building's context. The signs are subordinate to the overall building in size and appearance and do not conceal important façade details such as the brick patterns.
- The signs are aluminum and not lit from within. This complies with the list of recommended materials and sign technologies. The signs are aesthetically appealing and use a minimal amount of vinyl for lettering. The multi-colored lettering is vibrant without being excessively bright.
- The signs are legible and convey the SCATV logo without excessive wording.
- The creative shape of the perpendicular sign adds interest and character to the building without detracting from its appearance.
- The silver background behind the tag-line on the diamond-shaped sign creates a common design element between the sign and the buildings cupola.

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 signage and lighting will be compatible with the building's design as explained in finding two. The signs will also be compatible with the surrounding area. Cambridge Repro-Graphics has designed several signs in the vicinity of Union Square, including that of a neighboring restaurant, Cantina La Mexicana. The permanent signage should enhance the property and add to the pedestrian experience in the area.

# **DECISION:**

Present and sitting were Members Joseph Favaloro, James Kirylo, Michael Capuano, and Dana LeWinter. Upon making the above findings, Joseph Favaloro made a motion to approve the request for a special permit. James Kirylo seconded the motion. Wherefore the Planning Board voted **4-0** 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 and 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>July 21, 2010</td><td>Initial application submitted to the City Clerk's Office</td></tr><tr><td>July 13, 2010 as updated 9/9/10</td><td>Plans submitted to OSPCD (Elevations and sign details)</td></tr></table>				Date (Stamp Date)	Submission	July 21, 2010	Initial application submitted to the City Clerk's Office	July 13, 2010 as updated 9/9/10	Plans submitted to OSPCD (Elevations and sign details)
	Date (Stamp Date)				Submission					
	July 21, 2010				Initial application submitted to the City Clerk's Office					
	July 13, 2010 as updated 9/9/10				Plans submitted to OSPCD (Elevations and sign details)					
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.							



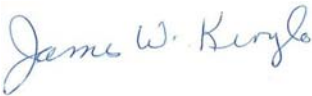
Attest, by the Planning Board:



Joseph Favaloro



Dana LeWinter



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



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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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