



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

Memorandum

To: ZBA Members

From: Planning Staff

Date: June 13, 2008

RE: 42 CRAIGIE STREET

Following several meetings with the City and community, the applicant has revised this proposal subsequent to the Planning Board Recommendation.

The applicant has agreed to remove five of the parking spaces from the proposal. The three spaces nearest to Craigie Street will be removed in an attempt to preserve a large number of existing trees and help screen the structures from Craigie Street and Dickerson Park across the street. The two rear yard spaces will also be removed, which will enable the applicant to provide more usable open space and landscaped area to the development. The proposal will continue to meet parking requirements under the SZO.

The applicant has agreed to reduce the ridge line of the gable roof tops by six (6) feet and has shifted Building 1 two (2) feet further away from the apartment building adjacent to the property. This alteration was done in an effort to allow additional sunlight and air to reach the neighboring building.

There has been much debate regarding a ninety year old Elm tree that exists in the northwest corner of the lot. The foundation of Building 1 will be approximately 10 feet from the trunk of the tree. David Anderson, an Arborist Representative, from Hartney Greymont, Inc. has examined the tree. His email is attached and conditions have been added that are derived from his statement.

DEPARTMENT COMMENT UPDATES:

AFFORDABLE HOUSING: Housing Director has approved the plan.

This affordable housing implementation plan for this project has been agreed upon by the applicant and the Director of Housing as of April 2, 2008. The affordable unit will be located on the third floor of the existing building proposed to be renovated. The two bedroom unit shall be sold to a family at or below 80% of Boston Area Median Income ("AMI") unless the parties agree by written amendment to the AHIP that the Affordable Unit shall be rented instead, in which case it shall be rented to a family at or below 50% of AMI.

ENGINEERING: The City Engineer has approved the revisions to the engineering plans.

DRAINAGE:

From PB Report -City Engineer Comments: *My biggest concern with the drainage design is the fact that the driveway and parking areas will drain directly to dry wells without any treatment. I believe this violates MA D E P's storm-water standards even though the surface is supposedly "permeable." I must insist that the design engineer verify with DEP that this design is acceptable or not acceptable.*

Update - The applicant's engineer stated that revisions to the drainage plans will include a deep sump catch basin with outlet tee oil trap for collection and treatment of any storm water that will not infiltrate thru the pervious pavers. Grading will be modified slightly to direct any excess runoff to this basin providing treatment of all paved surfaces. The applicant's engineer stated that due to limited drainage area, pervious pavers substantially reducing runoff and low potential for pollutants, the proposed deep sump basin would provide sufficient treatment for sediment and oil removal as prescribed by DEP. (C-1 & C-3 Revision)

WATER:

From PB Report -City Engineer Comments: *The buildings' electrical systems must be properly grounded according to the latest requirements of the National Electrical Code in lieu of non-metal water pipes.*

Update - The applicant's engineer stated that a note would be added to plan C2 requiring proper grounding in accordance w/ MA Building Code with use of HDPE water service. (C-2 Revision)

SEWER:

From PB Report -City Engineer Comments: *I will insist on the installation of a sewer manhole at the junction where the two sewer lines join with reference to Sheet C-2 of the plans, instead of a cleanout.*

Update - The applicant's engineer stated that the sewer cleanout has been eliminated and a sewer manhole provided. (C-2 & C-3 Revision)

PUBLIC WORKS: The Superintendent of Highways, Lights and Lines has made additional comments:

From PB Report - DPW Comments: *DPW does not allow trees to be removed for curb cuts, if there are public shade trees where the curb cut is proposed they will deny the application. DPW will conduct a site visit and additional comments will be provided.*

Update - DPW has stated that there are two existing curb cuts and should only be one. DPW will require one curb cut be eliminated. One curb cut could be located where the proposal indicates at a width of 15'. The trees are not public trees and could be removed for curb cut location purposes. Additional trees are proposed to be planted elsewhere on the site.

DRC: The DRC met on March 13, 2008 and provided the following comments on the original design. Density and site plan comments would still apply to the new design:

Density/Bulk

The density of eight units on a 15,335 square foot is a similar density to the surrounding area and this lot has more open space than most. The full three stories and tight proportions between the buildings are only visible from deeper within the site.

Site Plan

The storm water management system is a good precedent to set for development in the City. The movement of the cars into the garages works well.

Due to the additional comments from various city departments, and in an attempt to address the concerns of neighboring residents, the Planning Staff recommends the following revisions be made to the Planning Board Report Conditions:

CONDITION REVISIONS: (see revised conditions table)

Revise Condition: 1 - Change the Date of modified plans submission from March 18, 2008 to May 2, 2008 to allow for a larger submission of the same plans.

Revise Condition: 5 - Include at the end,
"Applicant will hire a certified arborist to:

During Pre-Construction:

1. Deep water and mulch entire root area
2. Install chain link fence around the root zone at twice the width of the canopy
3. Treat tree with fungicide

During Construction:

4. Monitor tree health and construction progress

Post Construction:

5. Cut tree roots to eliminate jagged roots
6. Deep water tree twice with quick release fertilizer

A covenant to the condominium agreement shall state that the condominium association shall maintain the tree in the back right corner of the property if preserved during construction by hiring a certified arborist to inspect the tree yearly. If the project becomes rental units a deed restriction or other enforceable measure shall be undertaken to ensure compliance."

Delete Condition: 7 - The five (5) parking spaces abutting the property at 50 Craigie Street shall be screened from the street and the adjacent property by appropriate fences and plantings;

Add Condition: 7- The parking shall be reduced to the minimum number of parking spaces allowed by eliminating numbered spaces 1, 2, 6, 7 and 8 on drawing A-0 to allow for the preservation of trees along Craigie Street and more landscaping/open space in the rear of the lot.

Revise Condition: 8 - Change "should" to "shall"

Delete Condition: 12 - An implementation plan for the affordable housing units associated with this development shall be completed. Evidence of this approval will be submitted to the Planning Staff before final signoff.

Add Condition: 12 - Fire Flow tests must be run in the area with coordination with the Somerville Water Department.

Delete Condition: 13 - The affordable unit shall be located onsite.

Add Condition: 13 - The permit to connect the sewer line must be taken out by a licensed drain-layer.

Delete Condition: 15 - A sewer manhole shall be installed at the junction of the two sewer lines instead of a cleanout

Add Condition: 15 - Building #1 will be assigned numbers 46A, 46B and 46C
Building #2 will be assigned numbers 42R and 44R

Revise Condition: 23 - Change to: "A covenant to the condominium agreement shall state that the garages shall not become living spaces. If the project becomes rental units a deed restriction or other enforceable measure shall be undertaken to ensure compliance."

Add Condition: 27 - "The applicant shall develop a demolition plan in consultation with the City of Somerville Inspectional Services Department. 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"

(Revised Conditions as of June 12, 2008)

#	Condition	Timeframe for Compliance	Verified (initial)	Notes						
1	<p>Approval is for the construction of two (2) new residential buildings creating three (3) buildings on one lot with a combined eight (8) units including one affordable unit. This approval is based upon the following application materials and the plans submitted by the Applicant and/or it's contractor:</p> <table><tr><th>Date</th><th>Submission</th></tr><tr><td>February 14, 2008</td><td>Initial application submitted to the City Clerk's Office</td></tr><tr><td>June 12, 2008</td><td>Revised elevations and site plans submitted to OSPCD</td></tr></table> <p>Any changes to the approved site plan or elevations that are not de minimis must receive ZBA approval.</p>	Date	Submission	February 14, 2008	Initial application submitted to the City Clerk's Office	June 12, 2008	Revised elevations and site plans submitted to OSPCD		Plng.	
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February 14, 2008	Initial application submitted to the City Clerk's Office									
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2	All units shall have code compliant fire alarm/detection systems and code compliant sprinkler systems;	CO	FP							
3	There shall be no parking in the auto-court area between the two new structures. Sufficient "fire lane" signage shall be placed at the site.	CO	FP							

4	Landscaping shall be installed and maintained in compliance with the American Nurserymen's Association;	Perpetual	Plng./ISD	
5	<p>The number of trees above 8" caliper removed shall be documented and replaced by the same or better quality and larger caliper tree. In addition, three trees must be planted and maintained according to National Nurseryman's Standards, and in accordance with SZO §10.2.2 and §10.6.2.</p> <p>Also, every effort shall be made to preserve the existing Elm tree in the northwest corner of the property. Applicant will hire a certified arborist to: <u>During Pre-Construction:</u> 1. Deep water and mulch entire root area 2. Install chain link fence around the root zone 3. Treat tree with fungicide <u>During Construction:</u> 4. Monitor tree health and construction progress <u>Post Construction:</u> 5. Cut tree roots to eliminate jagged roots 6. Deep water tree twice with quick release fertilizer</p> <p>A covenant to the condominium agreement shall state that the condominium association shall maintain the tree in the back right corner of the property if preserved during construction by hiring a certified arborist to inspect the tree yearly. If the project becomes rental units a deed restriction or other enforceable measure shall be undertaken to ensure compliance.</p>	CO	Plng./ISD	
6	All new sidewalks will be installed by the Applicant in accordance with the specifications of the Highway Superintendent. Specifically, all driveway aprons shall be concrete subject to DPW approval.	CO	DPW/Plng.	
7	The parking shall be reduced to the minimum number of parking spaces allowed by eliminating numbered spaces 1, 2, 6, 7 and 8 on drawing A-0 to allow for the preservation of trees along Craigie Street and more landscaping/open space in the rear of the lot.	CO	Plng./ISD	
8	A covenant to the condominium agreement shall state that the property shall never combine with the adjacent lot abutting the rear of the property and/or provide access/egress between Craigie and Porter Streets.	Cont.	Plng./ISD	
9	Applicant shall screen the dumpster with fencing that blocks any view of the dumpster itself.	CO	Plng.	
10	Any transformers shall be located as not to impact the landscaped area, and shall be fully screened.	Electrical permits & CO	ISD	
11	Applicant shall supply four (4) bicycle parking spaces;	CO	Plng.	
12	Fire Flow tests must be run in the area with coordination with the Somerville Water Department.	CO	ENG	

13	The permit to connect the sewer line must be taken out by a licensed drain-layer.	CO	ENG	
14	The applicant must provide an "Inspection and Maintenance" plan for the drainage system. The report must be prepared and stamped by a registered professional civil engineer.	CO	Eng.	
15	Building #1 will be assigned numbers 46A, 46B and 46C. Building #2 will be assigned numbers 42R and 44R	CO	ISD	
16	The Applicant, 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.	Cont.	ISD	
17	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 of concrete subject to DPW approval.	CO	DPW	
18	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	
19	All exterior lighting must be confined to the subject property and must not intrude, interfere or spill onto neighboring properties.	CO	Plng.	
20	The applicant shall provide notice of intent to strictly comply with applicable State and Federal regulations regarding air quality including without limitation continuous dust control during excavation and construction.	CO	Plng/OSE	
21	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.	CO	OSE/FP/BO H	
22	Heavy construction activities shall be limited to Monday through Friday and conclude by 5:00 p.m. during those days.	Until construction completed	ISD	
23	A covenant to the condominium agreement shall state that the garages shall not become living spaces. If the project becomes rental units a deed restriction or other enforceable measure shall be undertaken to ensure	Cont	ISD	

	compliance.			
24	The applicant shall designate a person the neighborhood can contact during construction to ensure project is built as designed and permitted.	Cont	Plng.	
25	There shall be no more than two (2) bedrooms per unit.	Cont.	ISD	
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.	CO	Plng.	
27	The applicant shall develop a demolition plan in consultation with the City of Somerville Inspectional Services Department. 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.	Demo Permit	ISD	