



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

**Memorandum**

To: ZBA Members

From: Planning Division, OSPCD

Date: June 18, 2008, 4:30 p.m.

**RE: 42 CRAIGIE STREET**

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The purpose of memo is to clarify some elements of the development proposal and to modify the conditions of approval in light of recent information. Also, the applicant has agreed to additional conditions submitted by an abutter at 50 Craigie Street (Conditions 28- 35).

Revised Zoning Classification:

As a result of reconfiguration of the units, the description of the proposal has changed from "townhouse" to "multiple dwelling", according to the standards of Somerville Zoning Ordinance §2.2.166. Due to this revision the side yard requirement is 10', as opposed to 15' required for townhouses. The applicant is proposing 14' and 14.75' side yards.

Correction of June 13<sup>th</sup> memo (italics are statements from the 6/13 memo):

1. *"The applicant has agreed to reduce the ridge line of the gable roof tops by six (6) feet"*

The applicant has agreed to reduce the ridge line of the gable roof tops by 6' in building one and 5.5' in building two.

2. *"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."*

The arborist representative cited in the earlier report was hired by one or more neighbors to make recommendations about the Elm tree. It has come to light that he was not authorized by the property owner to enter the property for the analysis, and that the owner was not even aware of the event. Therefore the inclusion of his findings in the earlier staff report may be deemed inappropriate.

Furthermore, after additional consideration of Condition 5 (which pertains to the tree), it is the opinion of Planning Staff that certain of these may not actually be feasible, and others would be so onerous as to effectively prohibit development at the site. Condition # 5, which pertains to protection of the larger trees on the site, is recommended to be revised as shown in the attached and updated set of recommended conditions.

**(Proposed Conditions as of June 18, 2008, 4:30pm)**

#	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 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 16, 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 <i>de minimis</i> must receive ZBA approval.</p>	Date	Submission	February 14, 2008	Initial application submitted to the City Clerk's Office	June 16, 2008	Revised elevations and site plans submitted to OSPCD		PIng.	
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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	PIng./ISD							
5	<p>The applicant shall submit a landscape plan showing existing trees above 8" caliper. The trees to be removed shall be documented on the plan and replaced with mature trees of the same or better quality. (Caliper would not have to be matched at time of planting.)</p> <p>Best efforts shall be made to preserve the existing ninety± year old Elm tree in the northwest corner of the property.</p> <p>A covenant or similar agreement shall state that the applicant (or successors/assigns) shall maintain the Elm tree in the northwest corner of the property if preserved during construction.</p>	BP/CO	ISD/PIng.							
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/PIng.							
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. If the project becomes rental units a deed restriction or other enforceable measure shall be undertaken to ensure	Cont.	PIng./ISD							

#	Condition	Timeframe for Compliance	Verified (initial)	Notes
	compliance.			
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	CO	OSE/FP /BOH	

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	hazardous substances at the site. The City's OSE office, Fire Department and the Board of Health shall also be notified.			
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 compliance.	Cont	ISD	
24	The applicant shall designate a person the neighborhood can contact during construction to ensure project is built as designed and permitted.	Cont	PIng.	
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	PIng.	
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	
28	Porches, decks and stairways shall be made with wood railing systems painted or oiled.	CO	PIng.	
29	Exterior building materials shall be Hardiplank, cedar clapboard, or of equal quality, with painted wood trim, based on drawings A3 and A4.	CO	PIng.	
30	The applicant shall install clad windows with divided light, not snap-in type.	CO	PIng.	
31	HVAC shall be screened with the same material used for fencing and for the arbor. This will be architecturally reviewed by Planning Staff once developer selects the location.	During Construction	PIng.	
32	The roof shall be constructed of architectural shingles or metal.	CO	PIng.	
33	Fencing shall be made of wood	CO	PIng.	
34	The driveway, parking and patios areas shall be finished with pavers	CO	PIng.	
35	The applicant shall submit a more detailed landscaping plan to be approved by Planning Staff	During Construction	PIng.	