



CITY OF SOMERVILLE, MASSACHUSETTS
OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: PB 2011-02-R1 (1/2012)
Date: January 26, 2012
Recommendation: Approval

PLANNING STAFF REPORT

Site: 130 Broadway

Applicant Name: Bernard H. Pucker
Applicant Address: 171 Newbury St, Boston, MA 02116
Property Owner Name: S & B Realty Trust
Property Owner Address: 171 Newbury St, Boston, MA 02116
Agent Name: Stuart L. Snyder
Agent Address: 110 Cedar St, Suite 250, Wellesley, MA 02481
Alderman: William Roche

Legal Notice: Applicant, Bernard H. Pucker, and Owner, S & B Realty Trust, seek a revision to Special Permit PB 2011-02 (SZO §5.3.8) in order to alter a condition to keep an existing curb cut on Glen St. The original permit was to alter the façade of the building including window and door openings and a special permit to establish Medium Retail and Service uses in the building totaling approx 18,000 sf. The proposal also includes site renovations to the rear parking lot where 19 parking spaces would be located.

Zoning District/Ward: CCD 55 / 1
Zoning Approval Sought: Revision to Special Permit SZO §5.3.8
Date of Application: stamped Jan 10, 2012
Dates of Public Hearing: Planning Board Feb 2, 2012

I. PROJECT DESCRIPTION

1. Subject Property: The property is comprised of two lots totaling 28,904 sf in the new CCD-55 district on Broadway in East Somerville. The parcel is on Broadway at the corner of Glen Street and is completely covered by a previously vacant one-story building known locally as the Melo-Tone Building. The second parcel was a parking lot and it contained a loading dock area for the building. The parking lot



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is accessed off Glen Street and there is an additional curb cut on Glen Street in front of a loading door that has been removed.

The Planning Board issued a Special Permit to the Applicant in February of 2011 to establish 8,000 sf of retail space in the front of the building along Broadway and a 9,975 sf framing business at the rear of the building. The plan also included major renovations to the façade of the building including adding storefronts and restoring the original details such as the parapet and the brick on the building that were covered up by metal panels.



130 Broadway – (top left) Current conditions after renovations, (bottom left) Prior condition, previous loading dock is located on the left side of the image, (right) Current conditions with curb cut remaining



2. Proposal: The proposal is to remove condition 4 of the special permit to allow for the curb cut on Glenn Street to remain. The condition states, “The Applicant shall close or narrow the curb cuts to the site that are not required for access to the parking lot, including but not limited to the curb cut to the side loading dock.” The Applicant stated that PSG Framing uses the curb cut to load oversized deliveries to the side entrance on Glen Street. Also, the new retail tenants along Broadway will be using the curb cut to unload their goods and bring them to the door on Glen Street.

3. Nature of Application: Revisions to Special Permits may be sought before the final Certificate of Occupancy is issued for a project that received a special permit. The proposed revision is not deemed de

minimis because it entails an alteration to a condition of approval. Revisions that are not de minimis are subject to the full notice and hearing provisions of the Somerville Zoning Ordinance.

4. Surrounding Neighborhood: Broadway is comprised of small neighborhood businesses including many restaurants. The East Somerville Library Branch is located diagonally across the street from 130 Broadway. Mudflat Studio is renovating the nearby theatre for their pottery school. Behind the building is a Residence B zoning district there are many 2 ½ story residences in the area. A streetscape and roadway improvement project is being planned for this area, which includes reconfiguring lanes, providing more sidewalk space and pedestrian amenities. The project will not extend down Glen Street to the location of the subject curb cut.

5. Impacts of Proposal: The proposed change will allow the businesses at 130 Broadway to load goods in a convenient location. The negative impact of the proposal is that parking spaces that could exist on this side of Glen Street will not be possible.

6. Comments:

Ward Alderman: Alderman Roche is in support of granting the petition.

Traffic & Parking: Traffic and Parking has no objections to this application.

II. FINDINGS FOR SPECIAL PERMIT REVISION (SZO §5.3.8):

The following Special Permit findings are relevant to the proposed site plan renovations.

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."

With the approval of the condition change, the site will otherwise comply with the approvals and conditions of case number PB 2011-02 as amended by de minimis changes PB 2011-02-DC1 (4/2011) to add a transformer to the plan, change the material of three windows to glass block, and recess two doors and PB 2011-02-DC2 (7/2011) to change the location of the transformer.

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. This curb cut has been an existing situation for a number of years and will allow for efficient loading for the tenants in the building. The proposal is consistent with the purpose of the Corridor Commercial District in that the curb cut will provide loading access for pedestrian oriented uses that are encouraged in the district.

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."

Planning Staff recommended the condition regarding closing the curb cut because the plans included removing the loading door on Glen Street. Curb cuts should be replaced with curbing where possible to allow for more on-street parking and improve safety for pedestrians as the curb prevents vehicles from entering the sidewalk. In this case the curb cut is still needed for deliveries for the tenants. Despite removal of the loading door, the two entrances on Glen Street will provide access to load goods into the building and the curb cut is useful to wheel containers to the entrances.

5. Vehicular and pedestrian circulation: The circulation patterns for motor vehicles and pedestrians which would result from the use or structure will not result in conditions that create traffic congestion or the potential for traffic accidents on the site or in the surrounding area.

The vehicle and pedestrian circulation and condition will not change from its current state if the approval to change the condition is granted.

III. RECOMMENDATION

Based on the materials submitted by the Applicant, the above findings and subject to the following conditions, the Planning Staff recommends **CONDITIONAL APPROVAL** of the requested **REVISION**.

The recommendation is based upon a technical analysis by Planning Staff of the application material based upon the required findings of the Somerville Zoning Ordinance, and is based only upon information submitted prior to the public hearing. This report may be revised or updated with new recommendations, findings and/or conditions based upon additional information provided to the Planning Staff during the public hearing process.

(Deletions ~~struck~~, additions underlined)

#	Condition	Timeframe for Compliance	Verified (initial)	Notes
Application and Plans				

1	<p>Approval is for the alteration of the façade of the 130 Broadway including window and door openings and to establish Medium Retail and Service uses in the building totaling approx 18,000 sf (§7.13.C). This approval is based upon the following application materials and the plans submitted by the Applicant:</p> <table><tr><th>Date (Stamp Date)</th><th>Submission</th></tr><tr><td>Jan 11, 2011</td><td>Initial application submitted to the City Clerk’s Office</td></tr><tr><td>Jan 11, 2011</td><td>Plans submitted to OSPCD (L-2.1 Existing Site/Landscape Plan, L2.2 Proposed Site/Landscape Plans, A-2.2 Plan, A-2.3 Roof Plan, A-3.0-3.1 Building Elevations)</td></tr></table> <p>Any changes to the approved site plan or elevations 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.</p>	Date (Stamp Date)	Submission	Jan 11, 2011	Initial application submitted to the City Clerk’s Office	Jan 11, 2011	Plans submitted to OSPCD (L-2.1 Existing Site/Landscape Plan, L2.2 Proposed Site/Landscape Plans, A-2.2 Plan, A-2.3 Roof Plan, A-3.0-3.1 Building Elevations)	CO / BP	Plng.	
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2	Once the existing panels on the façade have been removed, the Applicant will provide Planning Staff with photos of what remains in place. If the original details of the pediment have already been removed, are not salvageable, or are bereft of architectural details, the applicant shall design a detailed pediment for the building so that it is not solely a flat surface. These plans are to be reviewed by the DRC and Planning Staff and approved by Planning Staff.	BP	Plng.							
Construction Impacts										
3	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. Specifically, all driveway aprons shall be concrete.	CO	DPW							
4	The Applicant shall close or narrow the curb cuts to the site that are not required for access to the parking lot, including but not limited to the curb cut to the side loading dock.	CO	DPW							
5	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							

6	Prior to any work on parking lot or landscaping the Applicant shall submit to the Planning Staff a letter from a LSP indicating that all work is in compliance with the AUL and applicable DEP regulations. Any amendment with site design to meet regulations shall be reviewed and approved by Planning Staff. In the vegetable planting area, the Applicant shall install a soil barrier (geotextile, 6" of crushed stone or similar) that restricts clean soils and rooting systems in the elevated beds from mixing with contaminated soils unless an alternative design is proposed by the LSP and approved by Planning Staff. Applicant should take care to ascertain the root depth of plants to be installed in the future and ensure that the depth of the raised bed is adequate to ensure plants to not permeate the soil barrier.	During Construction		
7	The Applicant shall add a storefront window system to the bay on the Glen Street side of the building closest to Broadway unless the Applicant can prove to Planning Staff that the interior configuration of the space precludes this additional window.	CO	Plng.	
Public Safety				
8	Applicant shall comply with Fire Prevention Bureau's requirements.	CO	FP	
Impacts of Completed Project				
9	The Owners shall provide artistic displays in the windows of storefronts that are vacant for more than 3 months.	Perpetual	Plng.	
10	Any transformers should be located as not to impact the historic building or landscaped area, and shall be fully screened.	Electrical permits & CO	Plng. / ISD	
11	Applicant will screen the dumpster with fencing that blocks any view of the dumpster itself.	CO	Plng.	
12	Landscaping should be installed and maintained in compliance with the American Nurserymen's Association Standards.	Perpetual	Plng. / ISD	
13	Applicant will supply 2 bicycle parking spaces on the sidewalk at or near the property, at a location reviewed and approved by OSPCD.	CO	Plng.	
14	Signage will be limited to the type of lettering, materials, and lighting technology shown in the elevation. No internally lit signs shall be allowed unless specifically individually approved by the SPGA in a separate special permit application. The location shall be in the sign band or near the back door entrance.	CO/Cont.	Plng.	
15	The applicant shall remove the billboard from the roof of the structure and shall cancel the license for the billboard from the Outdoor Advertising Board. The applicant and/or the billboard owner shall not try to move this billboard or its license to any other location in Somerville.	BP	Plng.	
16	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.	Cont.	ISD	

17	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.	CO	Plng.	
Final Review				
18	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.	

