



CITY OF SOMERVILLE, MASSACHUSETTS
OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: PB 2011-17

Date: October 27, 2011

Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: 74 & 100 Foley Street

Applicant Name: Federal Realty Investment Trust

Applicant Address: 1626 East Jefferson Street, Rockville, MD 20852

Property Owner Name: Street Retail, Inc.

Property Owner Address: 1626 East Jefferson Street, Rockville, MD 20852

Alderman: William Roche

Legal Notice: Applicant Federal Realty Investment Trust and Owner Street Retail, Inc., seek Special Permit with Site Plan Review – A approval under SZO §7.11.6.5.b to relocate a 48,575 square foot area for dry boat storage. ASMD zone. Ward 1.

Parcels: 85-A-4 and 85-A-5

Zoning District/Ward: Assembly Square Mixed Use District (ASMD); Planned Unit Development Overlay District – A (PUD-A) / Ward 1

Zoning Approval Sought: Special Permit with Site Plan Review – A under SZO §7.11.6.5.b.

Date of Application: September 24, 2011

Dates of Public Hearing: Planning Board – **November 3, 2011**

I. PROJECT DESCRIPTION

1. Subject Property: The subject properties are two parcels (85-A-4 and 85-A-5) along the Mystic River situated on an undeveloped brownfield just south of the existing MBTA Orange Line tracks. Parcel 85-A-4 is 243,936 square feet and Parcel 85-A-5 is 139,392 square feet. Both parcels are currently vacant and overgrown with vegetation.



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Approximate location of the temporary dry boat storage area.

2. Proposal: The Applicant is proposing to designate a new area for temporary dry boat storage near the Winter Hill Yacht Club. The existing boat storage area runs parallel to the MBTA Orange Line tracks in a north to south manner between the Winter Hill Yacht Club and Foley Street. The new storage area will be approximately 145 feet wide and 355 feet long and will run parallel to Foley Street in an east to west manner between the proposed future Main Street and G Street. A 30 foot wide boat storage access drive will provide access between the boat storage premises and a truck maneuvering area near the yacht club where the boats can be placed into or removed from the water. The relocation of the boat storage area is proposed to be temporary to accommodate the project infrastructure and building construction for the mixed-use portion of the approved PUD Preliminary Master Plan (PUD PMP), which just this month received special permit approval. The temporary boat storage area will have a pervious surface. The Winter Hill Yacht Club may potentially install fencing, lighting, and a new pervious parking surface within the limits of the designated boat storage area.

3. Nature of Application: These are parcels located in the Assembly Square Mixed-Use District (ASMD). Since the Applicant is seeking to establish a dry boat storage use in the ASMD, this requires a Special Permit with Site Plan Review–A under SZO (Somerville Zoning Ordinance) §7.11.6.5.b. The Applicant was also required to apply for a Special Permit with Site Plan Review–A to establish, or relocate, this particular use per Condition # 61 of the revision to the original PUD approval

4. Surrounding Neighborhood: This area is zoned as the Assembly Square Mixed-Use District (ASMD). The proposed storage area is bounded on the north by the future G Street and the MBTA

Orange Line tracks, to the west by the future development of Blocks 3 and 4, to the south by Block 5, and to the east by Blocks 7 and 8. The Assembly Square Drive roadwork and landscaping that were part of the Phase IAA approval are underway.

5. Impacts of Proposal: There shall be minimal impacts to surrounding area as a result of this new use, or reconfigured use area, and there are not any new anticipated negative impacts. The dry boat storage use is already operating in the area and the proposed project would simply reconfigure the existing storage area. The existing 40 foot wide driveway easement (Foley Street Extension) will continue to be used to access the proposed boat storage area. Since the storage area is already in operation and is merely being reconfigured, no changes in vehicular or pedestrian circulation patterns are anticipated. The Winter Hill Yacht Club may potentially install a new type of pervious parking surface, new lighting, or additional fencing in the reconfigured boat storage area, and therefore Planning Staff is recommending conditions to ensure that these potential site amenities will not have an adverse impact on the surrounding area. No structures are being proposed as part of the newly reconfigured boat storage area and since the new storage area will consist entirely of a pervious surface, no changes to stormwater runoff are anticipated. Additionally, no changes to the existing sanitary sewer system, pollution of waterways, or interference with the transmission of radio or television signals is anticipated. The area will remain a large pervious surface used for dry boat storage which is compatible with the uses in the surrounding area. Furthermore, traffic patterns will remain the same as the access for the proposed relocated, or reconfigured, boat storage area will be via the same route as access to the existing boat storage area. The relocation of the boat storage area is also proposed to be temporary and therefore Staff is proposing a condition that this special permit only be good for one (1) year from the time decision is filed with the City Clerk's Office. If additional time is needed for temporary boat storage in this particular area, or elsewhere within the ASMD District for that matter, the Applicant will have to apply for a new Special Permit with Site Plan Review-A.

6. Green Building Practices: The Applicant has indicated that the continued use of a pervious surface treatment instead of pavement in the proposed use location will serve to prevent changes to the existing stormwater runoff patterns.

7. Comments:

Fire Prevention: Have been notified but have not yet provided comments.

Ward Alderman: Alderman Roche has been notified but has not yet provided comments.

Historic Preservation: Have been notified but have not yet provided comments.

Traffic & Parking: Have been notified but have not yet provided comments.

Lights & Lines: Have been notified but have not yet provided comments.

Housing: Have been notified but have not yet provided comments.

Conservation Commission: Have been notified but have not yet provided comments.

Engineering: Have been notified but have not yet provided comments.

II. FINDINGS FOR SPECIAL PERMIT with SITE PLAN REVIEW–A (SZO §7.11.6.5.b, §6.4.9):

In order to grant a Special Permit with Site Plan Review–A, the SPGA must make certain findings and determinations as outlined in §5.2.5 and §6.4.9 of the SZO. This section of the report goes through §5.2.5 and §6.4.9 in detail.

Findings under §5.2.5:

1. Information Supplied: The Staff finds that the information provided by the Applicant conforms to the requirements of §5.2.3 of the SZO and allows for a comprehensive analysis of the project.

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 Site Plan Review-A.”

In considering a Special Permit with Site Plan Review–A under §7.11.6.5.b of the SZO, Staff find that the use proposed would not be substantially more detrimental to the surrounding area than the existing use. The proposed project will simply be reconfiguring the existing boat storage area. The storage area, which currently runs parallel to the MBTA Orange Line tracks in a north to south manner, will be reconfigured to run parallel to Foley Street in an east to west manner. The area will remain a large pervious surface used for dry boat storage which is compatible with the uses in the surrounding area

3. Purpose of District: The Applicant has to ensure that the project “is consistent with the intent of the specific zoning district as specified in Article 6”.

The proposal is consistent with the purpose of the ASMD district, §6.4.1, which is, “to encourage the best use of Assembly Square physically, economically, environmentally and socially while promoting the best interests of residents of the City. The ASMD is intended to fulfill the goals and objectives contained in the Assembly Square District Plan (the ASD Plan, as hereinafter defined). The ASMD zoning is designed to allow the district to reach these goals.”

4. Site and Area Compatibility: The Applicant has to ensure that the project “(i)s designed in a manner that is compatible with the existing natural features of the site and is compatible with the characteristics of the surrounding area, and that the scale, massing and detailing of the buildings are compatible with those prevalent in the surrounding area”.

The proposed use would be compatible with the surrounding uses of the area. The temporary relocation, or reconfiguration, of the existing boat storage area is necessary to accommodate project infrastructure and building construction for the mixed-use portion of the PUD Preliminary Master Plan (PUD PMP), which just this month received special permit approval. No new structures are being proposed as part of the project and the new boat storage area will remain a pervious surface which will not alter the stormwater runoff or water pollution situation in the area. Furthermore, the proposed relocation, or reconfiguration, of the boat storage area is proposed to be temporary and therefore Staff is proposing a condition that would limit the life of this use to one (1) year from the time the decision is filed with the City Clerk’s Office. If additional time is needed for temporary boat storage in this particular area, or elsewhere in the ASMD District for that matter, the Applicant will have to apply for a new Special Permit with Site Plan Review–A

5. Functional Design: The project must meet “accepted standards and criteria for the functional design of facilities, structures, and site construction.”

The newly configured boat storage area would meet the standards for a functional design. Traffic patterns will remain the same as the access for the proposed relocated, or reconfigured, boat storage area will be via the same route as access to the existing boat storage area. The existing 40 foot wide driveway easement (Foley Street Extension) will continue to be used to access the proposed boat storage area. A 30 foot wide boat storage access drive will provide access between the boat storage premises and a truck maneuvering area where the boats can be placed into or removed from the water. There will actually be fewer boats, about one half less, around 30 boats, stored in the proposed reconfigured storage area, compared to the number of boats currently being stored in the existing storage area. The vehicular parking situation at the Winter Hill Yacht Club will remain same.

6. Impact on Public Systems: The project will “not create adverse impacts on the public services and facilities serving the development, such as the sanitary sewer system, the storm drainage system, the public water supply, the recreational system, the street system for vehicular traffic, and the sidewalks and footpaths for pedestrian traffic.”

The project will not generate any new sanitary sewer or storm drainage in the area and no new water supplies will be constructed. The proposed project will be replacing an existing boat storage area just a short distance away and will maintain a pervious surface which is the existing situation at the site.

7. Environmental Impacts: The project “will not create adverse environmental impacts, including those that may occur off the site, or such potential adverse impacts will be mitigated in connection with the proposed development, so that the development will be compatible with the surrounding area.”

No adverse environmental impacts are anticipated from the proposed project. The proposed use is a relocation, or reconfiguration, of an existing use that is already occurring at the site. The project will not create any adverse impacts to waterways, groundwater, or stormwater runoff as the premises will remain a pervious surface as currently exists. Excessive noise, level of illumination, glare, dust, smoke, and vibration are not anticipated to be higher than levels now emitted.

8. Consistency with Purposes: “Is consistent with: 1) the purposes of this Ordinance, particularly those set forth in Article 1 and Article 5; and 2) the purposes, provisions, and specific objectives applicable to the requested special permit with site plan review which may be set forth elsewhere in this Ordinance, such as, but not limited to, those at the beginning of the various sections.”

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 maintain the uniquely integrated structure of uses in the City; to facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements; to conserve the value of land and buildings; to encourage the most appropriate use of land throughout the City; and to preserve and increase the amenities of the municipality.”

Findings under §6.4.9:

1. “Whether traffic impact and proposed mitigation, if any, is consistent with any applicable Transportation Study, Traffic Access and Impact Study and/or Transportation Demand Management Plan, and the goals and objectives of the ASD Plan.”

No new traffic impacts are anticipated from this proposal. Traffic patterns will remain the same as the access for the proposed relocated, or reconfigured, boat storage area will be via the same route as access to the existing boat storage area. The existing 40 foot wide driveway easement (Foley Street Extension) will continue to be used to access the proposed boat storage area. A 30 foot wide boat storage access drive

will provide access between the boat storage premises and a truck maneuvering area where the boats can be placed into or removed from the water.

2. “Whether the application reflects an overall consistency with the intent and purpose of any applicable Design Guidelines set forth in this Section 6.4”

The proposed relocation of the boat storage area is consistent with the intent and purposes set forth in Section 6.4. The surface of the propose storage area will remain pervious which is consistent with the existing site conditions and there are no structures being proposed as part of this project. The Winter Hill Yacht Club may potentially install a new type of pervious parking surface, new lighting, or additional fencing in the reconfigured boat storage area, and therefore Planning Staff is recommending conditions to ensure that these potential site amenities will not have an adverse impact on the surrounding area. Furthermore, the proposed relocation, or reconfiguration, of the boat storage area is proposed to be temporary and therefore Staff is proposing a condition that would limit the life of this use to one (1) year from the time the decision is filed with the City Clerk’s Office. If additional time is needed for temporary boat storage in this particular area, or elsewhere in the ASMD District for that matter, the Applicant will have to apply for a new Special Permit with Site Plan Review–A.

3. “Whether, and the extent to which, if applicable, the application promotes the following objectives:”

- a) “A mix of residential, office, research and development, retail, hotels, places of assembly and institutional uses;”

The Applicant is proposing to relocate a portion of the existing temporary dry boat storage area to create a newly configured dry boat storage area. This is a use that currently already exists out at the site. The boats being stored are those affiliated with the Winter Hill Yacht Club. No residential, office, research and development, retail, hotels, places of assembly or institutional uses are being proposed as part of this project. In fact, no structures are being proposed as part of this project. Two additional items should be noted here. The first is that this temporary relocation, or reconfiguration, of the existing boat storage area is necessary to accommodate project infrastructure and building construction for the mixed-use portion of the approved PUD Preliminary Master Plan (PUD PMP), which just this month received special permit approval. The second is that the proposed relocation, or reconfiguration, of the boat storage area is proposed to be temporary and therefore Staff is proposing a condition that would limit the life of this use to one (1) year from the time the decision is filed with the City Clerk’s Office. If additional time is needed for temporary boat storage in this particular area, or elsewhere in the ASMD District for that matter, the Applicant will have to apply for a new Special Permit with Site Plan Review–A.

- b) “Economic benefits and employment opportunities;”

The proposed use will maintain the existing economic benefits and employment opportunities of the area. The proposed reconfiguration of the boat storage area will allow the use to continue to operate for at least another year.

- c) “Structured parking as regulated under Section 9.15;”

The proposed use is simply reconfiguring the existing boat storage area that currently exists out at the site. There will actually be fewer boats, about one half less, around 30 boats, stored in the proposed reconfigured storage area, compared to the number of boats currently being

stored in the existing storage area. The vehicular parking situation at the Winter Hill Yacht Club will remain same and no new structures are being proposed as part of this project.

d) "Pedestrian and bicycle access;"

Pedestrian and bicycle access to and from the site will remain the same. The existing 40 foot wide driveway easement (Foley Street Extension) will continue to be used to access the proposed boat storage area. Since the storage area is already in operation and is merely being reconfigured, no changes in vehicular, cycle, or pedestrian circulation patterns are anticipated.

e) "Affordable housing units and Project Mitigation Contribution as required in Articles 13 and 15;"

Neither the existing nor the proposed use configuration involves housing or structures of any kind.

f) "View corridors to the Mystic River;"

The view corridors of the Mystic River will be preserved as the proposed project will not alter the views of the river in anyway. The Winter Hill Yacht Club may potentially install a new type of pervious parking surface, new lighting, or additional fencing in the reconfigured boat storage area, and therefore Planning Staff is recommending conditions to ensure that these potential site amenities will not have an adverse impact on the surrounding area.

g) "Enhanced and activated Open Space to offset any shadow impacts;"

The proposed use relocation, or reconfiguration, will not create or reduce any shadow impacts at the site. The proposed project will allow the existing recreational opportunities at the site to be maintained.

h) "Creation of new Open Space or enhancement of existing Open Space;"

No new open space will be created as part of this project. The existing project site is an undeveloped brownfield and the reconfiguration of the existing boat storage use will accommodate project infrastructure and building construction for the mixed-use portion of the approved PUD Preliminary Master Plan (PUD PMP).

i) "Whether any Development within one-quarter mile of the proposed MBTA Orange Line Station Entrance will support transit service at that location."

No new development is proposed as part of this project. However, the relocation of the boat storage use will accommodate project infrastructure and building construction for the mixed-use portion of the approved PUD Preliminary Master Plan (PUD PMP) which will bring mixed-use development into the area adjacent to the proposed MBTA Orange Line Station Entrance.

4. The Staff finds that the information provided by the Applicant "complies with the submission and information requirements listed herein and in Section 5.2.3."

5. The Applicant must comply “with such criteria or standards as are set forth in this Ordinance applicable to the granting of the requested special permit with site plan review.”

Please see Finding # 2 under the Findings under §5.2.5 section above.

6. “Will not create materially adverse impacts on the public services and facilities serving the Development, such as the sanitary sewer system, the storm drainage system, the public water supply, the recreational system, and the sidewalks and footpaths for pedestrian traffic.”

The project will not generate any new sanitary sewer or stormwater drainage requirements. No new water supplies will be constructed and as the project is simply relocating an existing boat storage use already in the area, there will be no net impacts to recreational systems.

7. “Special attention has been given to proper site surface drainage so that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Stormwater should be removed from all roofs, canopies, and paved areas, and routed through well-engineered systems designed with appropriate stormwater management techniques. Skimming devices, oil and grease traps, and similar facilities at the collection or discharge points for paved surface shall be collected. In larger Developments, where practical, the routing of runoff through sheet flow, swales or other means increasing filtration and percolation is strongly encouraged. The SPGA may require independent peer review of a stormwater management plan by an accredited independent engineering firm.”

The proposed project will not create any adverse impacts to waterways, groundwater, or stormwater runoff as the proposed temporary boat storage area will consist of a pervious surface which is what currently exists at the site. The Winter Hill Yacht Club may potentially install a new type of pervious parking surface in the reconfigured boat storage area, and therefore Planning Staff is recommending a condition to ensure that whatever surface is implemented that it will not have an adverse impact on the surrounding area.

8. “Provides easy access to Buildings, and the grounds adjoining them, for operations by fire, police, medical and other emergency personnel and equipment.”

No new traffic impacts are anticipated from this proposal. Traffic patterns will remain the same as the access for the proposed relocated, or reconfigured, boat storage area will be via the same route as access to the existing boat storage area. The existing 40 foot wide driveway easement (Foley Street Extension) will continue to be used to access the proposed boat storage area. A 30 foot wide boat storage access drive will provide access between the boat storage premises and a truck maneuvering area where the boats can be placed into or removed from the water.

9. “Electric, telephone, cable TV and other such lines and equipment are placed under-ground from the source or connection, or are effectively screened from public view.”

No new electric, telephone, cable TV or other such equipment is being proposed as part of the proposed project. The Winter Hill Yacht Club may potentially install new lighting in or around the reconfigured boat storage area, and therefore Planning Staff is recommending a condition to ensure that this potential site amenity will not have an adverse impact on the surrounding area.

10. “The size, location, design, color texture, lighting and materials of all permanent signs and outdoor advertising structures or features shall reflect the scale and character of the proposed Buildings.”

The Applicant is not proposing any signage as part of the relocation, or reconfiguration, of the existing boat storage area. Any new signage in this area would need to be in conformance with Section 12 of the SZO.

11. “Exposed transformers and other machinery, storage, service and truck loading areas, dumpsters, utility buildings, and other similar structures shall be effectively screened by plantings and other screening methods so that they are not directly visible from either the proposed Development or surrounding properties.”

The Applicant is not proposing to install any transformers, machinery, storage or loading areas, dumpsters, utility buildings, or any similar structures as part of the project.

12. “The shadow impacts of any proposed Buildings on public Open Space shall be mitigated such that the Development results in net benefits to the public space in terms of activation, enhanced quality and attractiveness, expanded use and public access.”

No structures are being proposed as part of the reconfigured boat storage area. The proposed use relocation, or reconfiguration, will not create or reduce any shadow impacts at the site. The proposed project will allow the existing recreational opportunities at the site to be maintained.

III. FINDINGS FOR SPECIAL PERMIT with SITE PLAN REVIEW–A under Subsection §6.4.7 and §6.4.8:

In order to grant a Special Permit with Site Plan Review–A, the SPGA must also make certain findings and determinations as outlined in §6.4.7 and §6.4.8 of the SZO. This section of the report goes through §6.4.7:

1. “Transportation Analysis: All new Developments shall conform to the requirements set forth in any Transportation Study, subject to the approval of the SPGA.”

No new traffic impacts are anticipated from this proposal. Traffic patterns will remain the same as the access for the proposed relocated, or reconfigured, boat storage area will be via the same route as access to the existing boat storage area. The existing 40 foot wide driveway easement (Foley Street Extension) will continue to be used to access the proposed boat storage area. A 30 foot wide boat storage access drive will provide access between the boat storage premises and a truck maneuvering area where the boats can be placed into or removed from the water.

2. “Parking Requirements: Developments shall meet the parking requirements set forth in Section 9.15.”

There will actually be fewer boats, about one half less, around 30 boats, stored in the proposed reconfigured storage area, compared to the number of boats currently being stored in the existing storage area. The vehicular parking situation at the Winter Hill Yacht Club will remain same.

3. “Landscaping Requirements: Developments shall conform to the applicable landscaping requirements set forth in Article 10. Open Spaces shall be contiguous to the extent practical, in the opinion of the SPGA.”

There is no landscaping proposed as part of the temporary boat storage relocation. However, the surface of the newly designated boat storage area will consist of the existing surface at the site, which is pervious. The Winter Hill Yacht Club may potentially install a new type of pervious parking surface in the

reconfigured boat storage area, and therefore Planning Staff is recommending a condition to ensure that whatever surface is implemented that it will not have an adverse impact on the surrounding area.

4. “Pedestrian Connections: Continuous pedestrian connections shall be supported between all major points of pedestrian activity on the Development Site, including, but not limited to, connections to the Mystic River waterfront, connections to all public and private ways abutting the Development Site, and any transit stops. Developments shall support improved access between the ASMD and the Ten Hills and East Broadway neighborhoods by means of sidewalk connections, crosswalks, landscaping, traffic signalization and traffic calming methods as appropriate.”

Pedestrian and bicycle access to and from the site will remain the same. The existing 40 foot wide driveway easement (Foley Street Extension) will continue to be used to access the proposed boat storage area. Since the storage area is already in operation and is merely being reconfigured, no changes in vehicular, cycle, or pedestrian circulation patterns are anticipated.

5. “Street and Sidewalk Design: Street and sidewalk design shall be based on the Assembly Square Public Realm Design Guidelines and applicable engineering standards, provided that any street shown in such Guidelines as running through an existing Building is not required to be constructed until such Building is demolished.”

Street and sidewalk design to and from the site will remain the same. The existing 40 foot wide driveway easement (Foley Street Extension) will continue to be used to access the proposed boat storage area. Since the storage area is already in operation and is merely being reconfigured, no changes in vehicular, cycle, or pedestrian circulation patterns are anticipated.

6. “Building Design: Buildings shall be designed to the highest architectural standards and shall be site appropriately on the Lot.”

No building or structure is being proposed as part of this project.

7. “Parking Lot Design: Parking Lots shall avoid large expanses that are unbroken by Buildings or substantial landscaped Open Spaces, as set forth in Section 10.4 of the Ordinance.”

There will actually be fewer boats, about one half less, around 30 boats, stored in the proposed reconfigured storage area, compared to the number of boats currently being stored in the existing storage area. The vehicular parking situation at the Winter Hill Yacht Club will remain same.

8. “Open Space:”

No new open space will be created as part of this project. The existing project site is an undeveloped brownfield and the reconfiguration of the existing boat storage use will accommodate project infrastructure and building construction for the mixed-use portion of the approved PUD Preliminary Master Plan (PUD PMP).

9. “Efficiency of Design: Every effort shall be made to design Buildings and use materials and construction techniques to optimize daylight in building interiors, natural ventilation, energy efficiency, and to minimize exposure to and consumption of toxics and non-renewable resources and incorporate appropriate “green” design techniques. In accordance with this principle all Developments within the ASMD in excess of ten thousand (10,000) square feet shall be required to complete an Leadership in Energy & Environmental Design (LEED) worksheet and submit the worksheet to the SPGA with permit application materials. This worksheet shall be considered in evaluating whether a proposed Development

meets the applicable standards set forth elsewhere in this Ordinance. However, consistency with the LEED standards shall not be a factor in whether or not to permit a Development.”

No building or structure is being proposed as part of this project. The existing pervious surface at the proposed reconfigured site will be maintained. The Winter Hill Yacht Club may potentially install a new type of pervious parking surface, new lighting, or additional fencing in the reconfigured boat storage area, and therefore Planning Staff is recommending conditions to ensure that these potential site amenities will not have an adverse impact on the surrounding area.

10. “Contributions: Contributions for Infrastructure and Open Space related to a Development made by an Applicant to the City or its constituent agencies in other agreements or permits shall be credited by the SPGA toward any applicable requirements hereunder for a Special Permit.”

The Applicant is not proposing to make any contributions for infrastructure and open space as part of the relocation of the temporary boat storage area. The proposed relocation, or reconfiguration, of the boat storage area is proposed to be temporary and therefore Staff is proposing a condition that would limit the life of this use to one (1) year from the time the decision is filed with the City Clerk’s Office. If additional time is needed for temporary boat storage in this particular area, or elsewhere in the ASMD District for that matter, the Applicant will have to apply for a new Special Permit with Site Plan Review–A. The temporary relocation, or reconfiguration, of the existing boat storage area is necessary to accommodate project infrastructure and building construction for the mixed-use portion of the approved PUD Preliminary Master Plan (PUD PMP), which just this month received special permit approval.

11. “Loading Spaces: To the extent possible, Loading spaces shall be located away from major Public Ways, the Mystic River and other highly visible locations. Every effort shall be made to incorporate creative design to reduce the negative visual impacts of the Loading space.”

There will actually be fewer boats, about one half less, around 30 boats, stored in the proposed reconfigured storage area, compared to the number of boats currently being stored in the existing storage area. The vehicular parking situation at the Winter Hill Yacht Club will remain same. The proposed relocated boat storage area is not far from where it currently exists and would not greatly alter the existing situation at the site. The proposed relocation, or reconfiguration, of the boat storage area is proposed to be temporary and therefore Staff is proposing a condition that would limit the life of this use to one (1) year from the time the decision is filed with the City Clerk’s Office. This new, temporary, boat storage area is necessary to accommodate project infrastructure and building construction for the mixed-use portion of the approved PUD Preliminary Master Plan (PUD PMP), which just this month received special permit approval.

This section of the report speaks to §6.4.8:

No new traffic impacts are anticipated from this proposal. Traffic patterns will remain the same as the access for the proposed relocated, or reconfigured, boat storage area will be via the same route as access to the existing boat storage area. The existing 40 foot wide driveway easement (Foley Street Extension) will continue to be used to access the proposed boat storage area. A 30 foot wide boat storage access drive will provide access between the boat storage premises and a truck maneuvering area where the boats can be placed into or removed from the water. Additionally, no building or structure is being proposed as part of this project.

There is also no landscaping proposed as part of the temporary boat storage relocation. However, the surface of the newly designated boat storage area will consist of the existing surface at the site, which is pervious. The Winter Hill Yacht Club may potentially install a new type of pervious parking surface in

the reconfigured boat storage area, and therefore Planning Staff is recommending a condition to ensure that whatever surface is implemented that it will not have an adverse impact on the surrounding area. The Winter Hill Yacht Club may also potentially install lighting or additional fencing in the reconfigured boat storage area, and therefore Planning Staff is also recommending conditions to ensure that these potential site amenities will not have an adverse impact on the surrounding area either. The proposed relocation, or reconfiguration, of the boat storage area is proposed to be temporary and therefore Staff is proposing a condition that would limit the life of this use to one (1) year from the time the decision is filed with the City Clerk's Office. If additional time is needed for temporary boat storage in this particular area, or elsewhere in the ASMD District for that matter, the Applicant will have to apply for a new Special Permit with Site Plan Review-A. The temporary relocation, or reconfiguration, of the existing boat storage area is necessary to accommodate project infrastructure and building construction for the mixed-use portion of the approved PUD Preliminary Master Plan (PUD PMP), which just this month received special permit approval.

IV. RECOMMENDATION

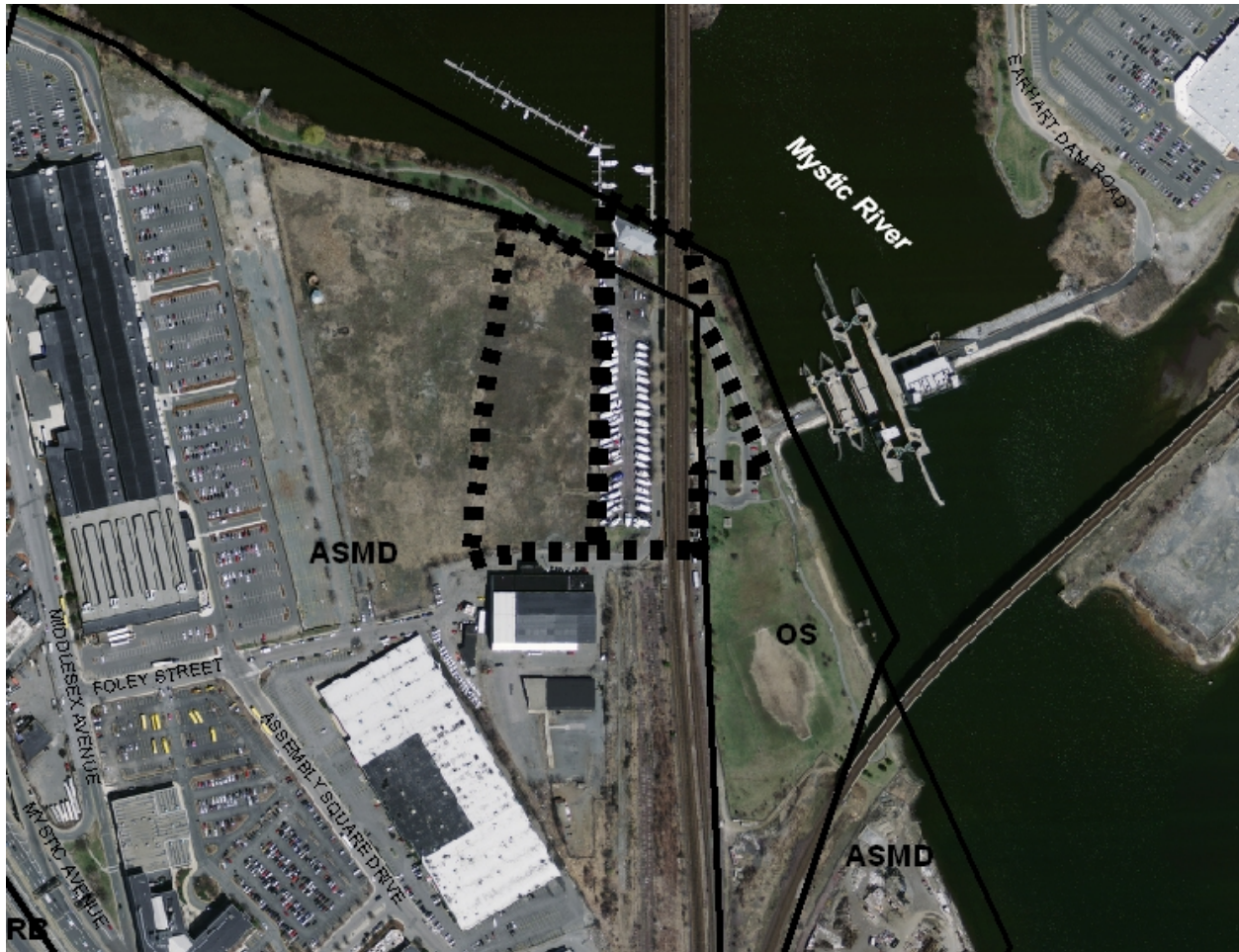
Special Permit with Site Plan Review-A under §7.11.6.5.b and §6.4.9

Based on the above findings and subject to the following conditions, the Planning Staff recommends **CONDITIONAL APPROVAL** of the requested **SPECIAL PERMIT with SITE PLAN REVIEW-A**.

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.

| # | Condition | Timeframe for Compliance | Verified (initial) | Notes | | | | | | | | | | |
|---|---|--------------------------|--------------------|-------|---|------------|----------------------|--|--|---|--|--|--|--|
| 1 | Approval is to relocate a 48,575 square foot area for dry boat storage. This approval is based upon the following application materials and the plans submitted by the Applicant: | BP/CO | ISD/Plng. | | | | | | | | | | | |
| | <table><tr><th>Date (Stamp Date)</th><th>Submission</th></tr><tr><td>(September 24, 2011)</td><td>Initial application submitted to the City Clerk’s Office</td></tr><tr><td>January 31, 2011 (October 27, 2011)</td><td>Assembly Square Planned Unit Development - Property Ownership Map</td></tr><tr><td>September 16, 2011 (October 27, 2011)</td><td>Site Plans (Cover Sheet and C-1 – C-5)</td></tr><tr><td>February 1, 2006 (October 27, 2011)</td><td>Existing Conditions Plan of Land (Sv-3 and Sv-4)</td></tr></table> | | | | Date (Stamp Date) | Submission | (September 24, 2011) | Initial application submitted to the City Clerk’s Office | January 31, 2011 (October 27, 2011) | Assembly Square Planned Unit Development - Property Ownership Map | September 16, 2011 (October 27, 2011) | Site Plans (Cover Sheet and C-1 – C-5) | February 1, 2006 (October 27, 2011) | Existing Conditions Plan of Land (Sv-3 and Sv-4) |
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| | January 31, 2011 (October 27, 2011) | | | | Assembly Square Planned Unit Development - Property Ownership Map | | | | | | | | | |
| | September 16, 2011 (October 27, 2011) | | | | Site Plans (Cover Sheet and C-1 – C-5) | | | | | | | | | |
| | February 1, 2006 (October 27, 2011) | | | | Existing Conditions Plan of Land (Sv-3 and Sv-4) | | | | | | | | | |
| Any changes to the approved site plan or use that are not <i>de minimis</i> must receive SPGA approval. | | | | | | | | | | | | | | |

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|---|--|--|-------|--|
| 2 | The Applicant shall meet the Fire Prevention Bureau's requirements. | Final Sign Off | FP | |
| 3 | The dry boat storage use in this location shall only be permitted for one (1) year from the date this decision is filed with the City Clerk's Office. If the Applicant would like to extend the timeframe of this use in this location, or relocate the use to another location within the ASMD District, the Applicant must apply for another Special Permit with Site Plan Review-A. | One Year After Decision is Filed with the City Clerk's Office | Plng. | |
| 4 | The Applicant, its successors and/or assigns shall submit a plan and material samples for Planning Staff review and approval before any type of surface material change occurs at the site. | Prior to Installation | Plng. | |
| 5 | The Applicant, its successors and/or assigns shall submit a Lighting Plan for Planning Staff review and approval before any lighting is installed at the site. | Prior to Installation | Plng. | |
| 6 | The Applicant, its successors and/or assigns, shall be responsible for maintenance of 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 | |
| 7 | 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. | |



74 & 100 Foley Street