



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: ZBA 2013-53
Date: September 12, 2013
Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: 19-21 Village Street

Applicant & Property Owner Name: Village People Realty Trust
Applicant & Property Owner Address: 21 Village Street Somerville, MA 02143
Agent Name: Richard G. Di Girolamo
Agent Address: 424 Broadway Somerville, MA 02143
Alderman: Maryann Heuston

Legal Notice: Applicant and Owner, Village People Realty Trust, seek a Special Permit with Site Plan Review under SZO §7.11.1.c to establish 7 residential units. RC Zone. Ward 2.

Zoning District/Ward: Residential C / Ward 2

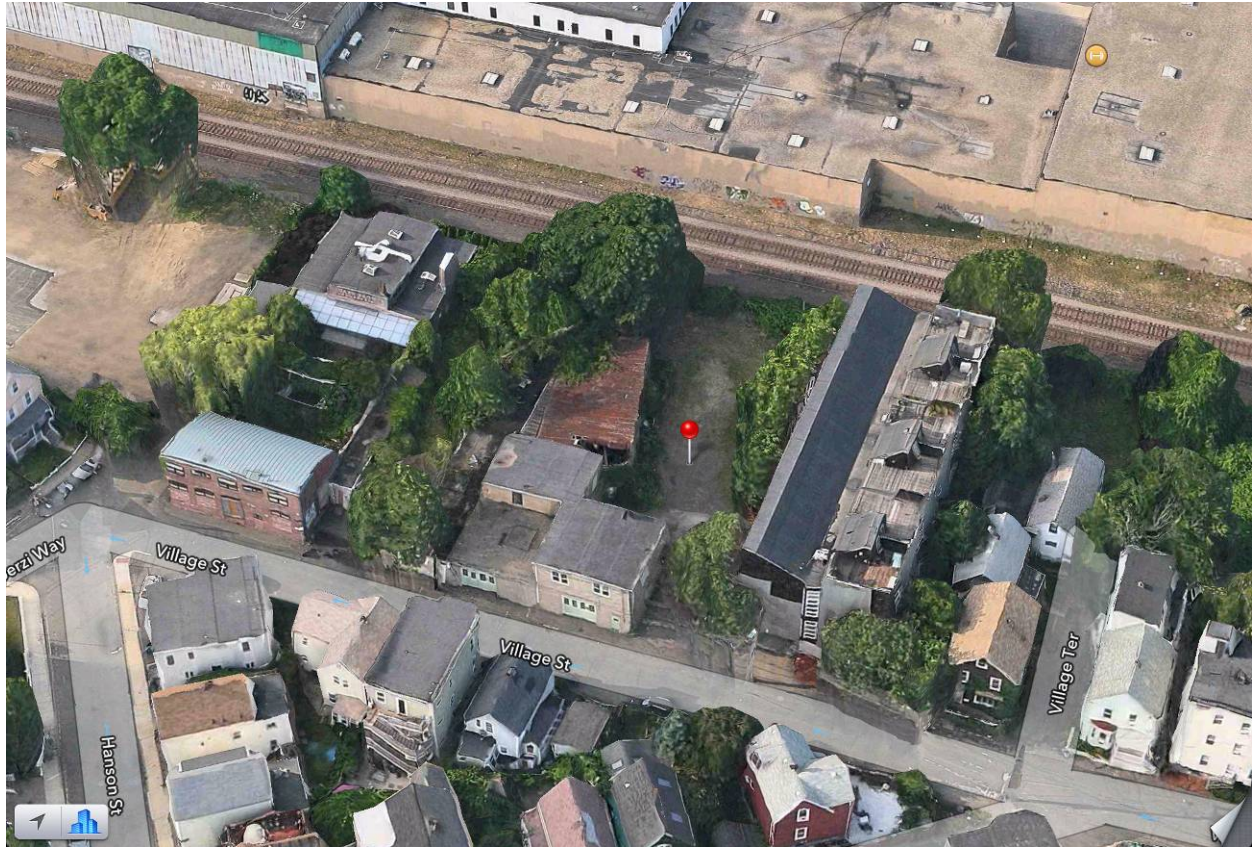
Zoning Approval Sought: SPSR per SZO §7.11.1.c

Date of Application: July 9, 2013

Dates of Public Hearing: Zoning Board of Appeals - September 18, 2013

I. PROJECT DESCRIPTION

1. Subject Property: The subject property is a 12,759 square foot lot in the Duck Village neighborhood of Somerville. The MBTA Fitchburg/South Acton commuter rail line runs along the rear of the property. There is a 2-story existing warehouse, currently being converted to a single family, existing on the front left corner of the lot.



2. Proposal: Village People Realty Trust proposes to build a 3-story, 6 unit residential building behind the existing single family home. There will be 11 parking spaces in the basement and 2 at grade. The building will be 8,174 net square feet. The 6 units will all have 2 bedrooms, a study, and 2 bathrooms and be an average of approximately 1,800 square feet. Each unit will have access to private outdoor space which includes patios, rear decks, and 2 roof decks for the units on the top floor. The new building complies with all dimensional and parking requirements.

3. Nature of Application: The applicant seeks a Special Permit with Site Review under SZO §7.11.1.c to establish 7 residential units in a Residential C zone by constructing a six-unit building with a single family existing on the lot. No parking relief is required.

4. Surrounding Neighborhood: Once a residential and industrial area, the surrounding neighborhood is now a mix of residential building types. Industrial and commercial warehouses, renovated for residential use, are abutters on each side of the subject property. An Industrial A (IA) zoning district exists to the rear of the property behind the active railroad tracks. The other side of the street and the majority of the neighborhood is densely developed with single- and two-family homes on relatively small lots.

5. Impacts of Proposal: The six unit building will minimally impact the surrounding neighborhood. The structure complies with setbacks and will be similar in scale to the property at 17 Village Street. Under prior ownership the site was poorly maintained. With building permits, the Applicant has almost completed renovation of the warehouse into a single family home and has demolished a decrepit and rusted rear shed. The new site plan will have less pervious area than existing but will have quality landscaping and lawn. Although a shadow study was not provided, the building will cast a shadow on 17

Village Street in the afternoon/evening depending on the season. However, this area is currently planted with a line of mature trees.

Furthermore, the Applicant will be maintaining compliance with several other requirements of the RC zoning district including ground coverage at 32% (maximum is 70% for the RC district), landscaping at 31% (minimum 25% required), pervious area at 31% (minimum 30% required), and Floor Area Ratio at 0.94 (2.0 is the maximum). The Applicant is also complying with the parking requirements of the zoning ordinance. The ordinance required 12 spaces and 13 spaces are being provided.

6. Green Building Practices: There are no green practices being utilized on the project.

7. Comments:

Fire Prevention: The Fire Protection officer met with the applicant to discuss fire truck access. There must be 15' of extending beyond the existing structure for fire department access.

Wiring Inspection: NStar is relocating a utility pole on the property line shared between 19-21 and 17 Village Street that requires coordination. No transformer is shown on the plans. A condition of this report is that any transformers should be located as not to impact the landscaped area, and shall be fully screened.

Engineering: The Applicant will be required to demonstrate that the updated project plans meet the current City of Somerville stormwater policy. Utility, grading, and drainage plans stamped by a registered PE in Massachusetts must be submitted to the Engineering Department for review and approval.

Ward Alderman: Has been contacted and has not yet provided comments.

Design Review Committee: The applicant met with the Design Review Committee on two occasions. The following are their comments from each meeting.

July 25, 2013

The Applicant presented the design of an 'adapted mill building' for a 6 unit residential building on Village Street. There is an old warehouse, being converted to a single family, on the front of the lot. Materials include Nichiha simulated stone panels, Hardi plank siding, and metal siding. The DRC addressed the following:

- The stair tower does not match the aesthetic of the remainder of the building. The tower is multipurpose as the staircase and the entrance to the building and needs to reflect that focus.
- The building, with the exception of an expressed tower, could be 'quiet.'
- The fenestration pattern is acceptable.
- The simulated stone panel proposed does not tie into the design aesthetic of the building.
- Color renderings will be helpful to convey the design.

August 15, 2013

The Applicant presented the updated design of an 'adapted mill building' for a 6 unit residential building on Village Street. There is an old warehouse, being converted to a single family, on the front of the lot. Materials include 18" x 6' cementitious panel in a smooth surface, a patinate green metal for the roof, and red metallic accent on the tower. The DRC addressed the following:

- The DRC appreciated the changes in the design and felt that the design worked well as an individual piece and in relation to the surrounding buildings.

- It was suggested that the Applicant increase the extent of the driveway pavers, and refine the design of the pavers to suggest a more welcoming environment for pedestrians approaching the building.

II. FINDINGS FOR SPECIAL PERMIT with SITE PLAN REVIEW (SZO §7.11.1.c):

In order to grant a special permit with site plan review, the SPGA must make certain findings and determinations as outlined in §5.2.5 of the SZO. This section of the report goes through §5.2.5 in detail.

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.”

In considering a special permit under §7.11.1.c of the SZO, Staff find that the use proposed would not be substantially more detrimental to the neighborhood than the existing use.

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 RC district, which is, “to establish and preserve a district for multi-family residential and other compatible uses which are of particular use and convenience to the residents of 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 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”.

There are no existing natural features of the relatively flat site. The rear yard is in poor shape with no landscaping for some time. The proposed building and landscaping are compatible with the neighborhood, in particular this side of Village Street. There are adaptive reuse projects at 17 and 23-27 Village Street.

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

The building will function well as residential units. The parking is under the building to maintain the site. The larger form is off the street and shielded by the existing warehouse that is being converted to a single family.

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.”

As conditioned, the Applicant will work with City Engineering Staff to comply with all regulatory requirements.

7. Environmental Impacts: “The proposed use, structure or activity will not constitute an adverse impact on the surrounding area resulting from: 1) excessive noise, level of illumination, glare, dust, smoke, or vibration which are higher than levels now experienced from uses permitted in the surrounding area; 2) emission of noxious or hazardous materials or substances; 3) pollution of water ways or ground water; or 4) transmission of signals that interfere with radio or television reception.”

The proposed residential building will not result in any environmental impacts beyond activities that are typically associated with residential units.

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, “promoting the health, safety, and welfare of the inhabitants of the City of Somerville; to conserve the value of land and buildings; and to preserve the historical and architectural resources of the City.”

9. Preservation of Landform and Open Space: The Applicant has to ensure that “the existing land form is preserved in its natural state, insofar as practicable, by minimizing grading and the erosion or stripping of steep slopes, and by maintaining man-made features that enhance the land form, such as stone walls, with minimal alteration or disruption. In addition, all open spaces should be designed and planted to enhance the attractiveness of the neighborhood. Whenever possible, the development parcel should be laid out so that some of the landscaped areas are visible to the neighborhood.”

There are no natural features left of the site. The design and landscaping will enhance the attractiveness of the neighborhood.

10. Relation of Buildings to Environment: The Applicant must ensure that “buildings are: 1) located harmoniously with the land form, vegetation and other natural features of the site; 2) compatible in scale, design and use with those buildings and designs which are visually related to the development site; 3) effectively located for solar and wind orientation for energy conservation; and 4) advantageously located for views from the building while minimizing the intrusion on views from other buildings.”

The building is centered behind the existing home. It is compatible with the scale in the neighborhood. There are no notable views being obstructed.

11. Stormwater Drainage: The Applicant must demonstrate that “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. Storm water shall be removed from all roofs, canopies, and powered area, and routed through a well-engineered system designed with appropriate storm water management techniques. Skimming devices, oil, and grease traps, and similar facilities at the collection or discharge points for paved surface runoff should be used, to retain oils, greases, and particles. Surface water on all paved areas shall be collected and/or routed so that it will not obstruct the flow of vehicular or pedestrian traffic and will not create puddles in the paved area. In larger developments, where practical, the routing of runoff through sheet flow, swales or other means increasing filtration and percolation is strongly encouraged, as is use of retention or detention ponds. In instances of below grade parking (such as garages) or low lying areas prone to flooding, installation of pumps or other devices to prevent backflow through drains or catch basins may be required.”

The project meets the stormwater and sanitary sewer requirements. The Applicant will supply this information to the Engineering Department information and it is a condition of approval.

12. Historic or Architectural Significance: The project must be designed “with respect to Somerville’s heritage, any action detrimental to historic structures and their architectural elements shall be discouraged insofar as is practicable, whether those structures exist on the development parcel or on adjacent properties. If there is any removal, substantial alteration or other action detrimental to buildings of historic or architectural significance, these should be minimized and new uses or the erection of new buildings should be compatible with the buildings or places of historic or architectural significance on the development parcel or on adjacent properties.”

There are no designated historic structures on this site. The warehouse, originally built in 1918, is being habilitated into a single family.

13. Enhancement of Appearance: The Applicant must demonstrate that “the natural character and appearance of the City is enhanced. Awareness of the existence of a development, particularly a non residential development or a higher density residential development, should be minimized by screening views of the development from nearby streets, residential neighborhoods of City property by the effective use of existing land forms, or alteration thereto, such as berms, and by existing vegetation or supplemental planting.”

The building is being screened by the existing building on site.

14. Lighting: With respect to lighting, the Applicant must ensure that “all exterior spaces and interior public and semi-public spaces shall be adequately lit and designed as much as possible to allow for surveillance by neighbors and passersby.”

All site lighting will be directed downward without spilling onto adjacent properties and the night sky.

15. Emergency Access: The Applicant must ensure that “there is easy access to buildings, and the grounds adjoining them, for operations by fire, police, medical and other emergency personnel and equipment.”

The building will be accessible from Village Street.

16. Location of Access: The Applicant must ensure that “the location of intersections of access drives with the City arterial or collector streets minimizes traffic congestion.”

The existing curbcut will remain.

17. Utility Service: The Applicant must ensure that “electric, telephone, cable TV and other such lines and equipment are placed underground from the source or connection, or are effectively screened from public view.”

There is no transformer shown on the site. A standard condition is that any transformer should be located as not to impact the historic building or landscaped area, and shall be fully screened.

18. Prevention of Adverse Impacts: The Applicant must demonstrate that “provisions have been made to prevent or minimize any detrimental effect on adjoining premises, and the general neighborhood,

including, (1) minimizing any adverse impact from new hard surface ground cover, or machinery which emits heat, vapor, light or fumes; and (2) preventing adverse impacts to light, air and noise, wind and temperature levels in the immediate vicinity of the proposed development;”

The proposal meets the minimum landscaping requirement. The proposed residential building will not result in any adverse impacts beyond activities that are typically associated with residential units. The trash room is in the basement and will not be visible from a public view.

19. Signage: The Applicant must ensure that “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.”

There is no signage as part of this application.

20. Screening of Service Facilities: The Applicant must ensure that “exposed transformers and other machinery, storage, service and truck loading areas, dumpsters, utility buildings, and similar structures shall be effectively screened by plantings or other screening methods so that they are not directly visible from either the proposed development or the surrounding properties.”

A condition of this report is that transformers and other utility service be fully screened.

21. Screening of Parking:

Two at grade parking spaces are located behind the building the remaining spaces are in an underground garage.

III. RECOMMENDATION

Special Permit with Site Plan Review under §7.11.1.c

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 **SPECIAL PERMIT with SITE PLAN REVIEW**.

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 for a Special Permit with Site Plan Review under SZO §7.11.1.c to establish 7 residential units. This approval is based upon the following application materials and the plans submitted by the Applicant:	BP/CO	ISD/Pln g.							
	<table><tr><th>Date (Stamp Date)</th><th>Submission</th></tr><tr><td>July 9, 2013</td><td>Initial application submitted to the City Clerk’s Office</td></tr><tr><td>August 15, 2013</td><td>Modified plans submitted to OSPCD (A-000 Cover Sheet, C-01 Site Plan, L-01 Landscape, A-001 Site Plan & Locus, A-002 Single Family Residence Plans, A-100 Garage Floor Plan, A-101 1st & 2nd Floor Plans, A-102 3rd Floor & Roof Plan, A-110 Perspectives, A-300 Building Elevations)</td></tr></table>				Date (Stamp Date)	Submission	July 9, 2013	Initial application submitted to the City Clerk’s Office	August 15, 2013	Modified plans submitted to OSPCD (A-000 Cover Sheet, C-01 Site Plan, L-01 Landscape, A-001 Site Plan & Locus, A-002 Single Family Residence Plans, A-100 Garage Floor Plan, A-101 1 st & 2 nd Floor Plans, A-102 3 rd Floor & Roof Plan, A-110 Perspectives, A-300 Building Elevations)
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Any changes to the approved site plan and elevations that are not <i>de minimis</i> must receive SPGA approval.										
Pre-Construction										
2	The Applicant must contact the Engineering Department to obtain a street address prior to a building permit being issued.	BP	Eng.							
3	The Applicant will be required to demonstrate that the updated project plans meet the current City of Somerville stormwater policy. Utility, grading, and drainage plans stamped by a registered PE in Massachusetts must be submitted to the Engineering Department for review and approval.	BP	Eng.							
Construction Impacts										
4	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.	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							
Design										
6	Applicant shall provide final material samples for siding, trim, windows, and doors to the Design Review Committee for review and comment and to Planning Staff for review and approval prior to construction.	BP	Plng.							

7	An exterior light and electrical receptacle is required for the first level of the porch and an electrical receptacle is required for all levels above.	Final sign off	Wiring Inspector	
Site				
8	Landscaping should be installed and maintained in compliance with the American Nurserymen's Association Standards.	Perpetual	Plng. / ISD	
9	The electric, telephone, cable TV and other such lines and equipment shall be placed underground from the source or connection. The utilities plan shall be supplied to the Wiring Inspector before installation.	Installation of Utilities	Wiring Insp.	
Miscellaneous				
10	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	
Public Safety				
11	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP	
12	Any transformers should be located as not to impact the landscaped area, and shall be fully screened.	Electrical permits & CO		
13	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.	
14	If an underground fuel tank is discovered on site, removal must be conducted under the supervision of the Fire Prevention Bureau. Permits will be required for these removals. If any further contamination is discovered, 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	FP/ISD	
Final Sign-Off				
15	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.	

