



CITY OF CHELSEA, MA
Department of Planning & Development

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CASE: 2020-07 13-15 Fifth Street – Juan Gallego, Fifth & Cherry Streets
Realty Trust

5-14-2020

REQUEST: Construct four residential units on the first floor of an existing mixed-use building. The units will replace an existing restaurant

ZONING DISTRICT/LAND USES: Retail Business (BR) District: primarily commercial and residential.

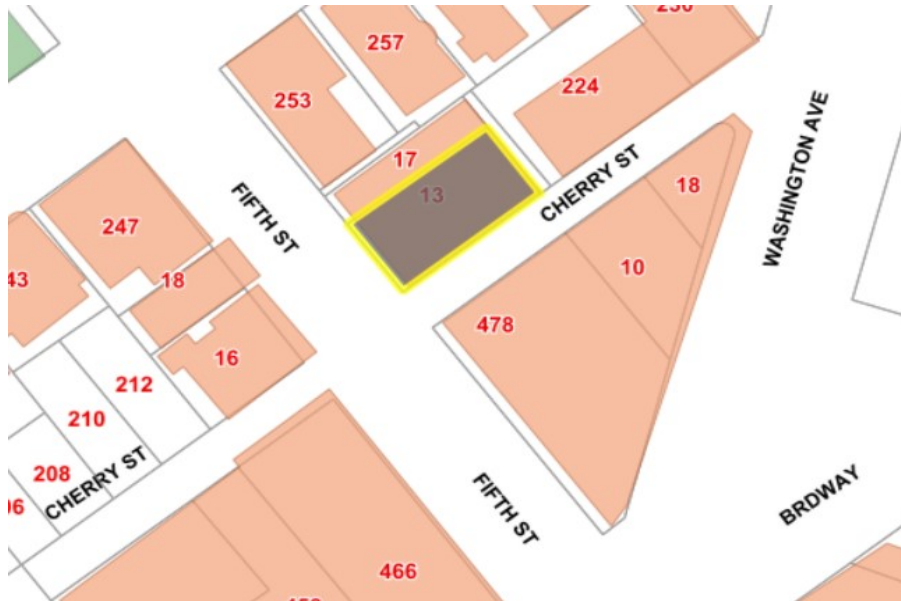
PERMITS/RELIEF: See the table below. The proposal does not meet the minimum open space per family requirement in Section 34-262 of the Zoning Ordinance: no open space is provided. Relief is by way of a Variance issued by the Zoning Board of Appeals (ZBA). The conversion of the nonconforming structure and the construction of residential units on the first floor in the BR District are permissible only upon the issuance of the appropriate Special Permit by the ZBA (Section 34-51 and 34-52, respectively). Finally, the proposal requires the provision of off-street parking in conformance with section 34-283 of the Ordinance. The Petition states that twelve off-street spaces are available; however, the spaces referenced have been allocated to other units in the building and cannot be counted toward the requirement.

ITEM	ORDINANCE	REQUIRED/ PERMITTED	PROPOSED	RELIEF TYPE
Minimum useable open space/family	100 sq ft/family Section 34-262	2000 sq ft	0 sq ft	Variance
Reconstruct, alter, extend, or change a nonconforming structure	Special Permit Section 34-51(c)	Special Permit	-	Special Permit
Residential unit on first floor in the BR District	Special Permit Section 34-52(a)	Special Permit	-	Special Permit
Minimum # of parking spaces	1.5/unit, plus 0.5/bedroom in excess of two in any unit Section 34-283	30	0 ⁽¹⁾	Special Permit

- (1) While the Petition states that there are twelve off-street spaces available on Cherry Street, those spaces have been allocated to other units in the 13-17 Fifth Street structures.



MAPS/PHOTOS:



Google photo August, 2018



COMMENTS/QUESTIONS:

PLANNING & DEVELOPMENT

A payment to the Community Improvement Trust Fund (CITF) will be required.

In conformance with the inclusionary section of the Zoning Ordinance, the proposal will require the provision of at least three deed-restricted affordable units in the 20 unit building.

If the Board approves the proposal, it should include the following conditions:

- Design review by the Department of Planning and Development.
- No rental period of less than twelve months.

There is no plan showing the location of the proposed off-street parking spaces. While the Petition states that 12 spaces are available, in reality, no spaces are available as the 12 spaces referenced have been allocated to other units in the building at least twice.

In accordance with the Zoning Ordinance, the occupants of these units will not be able to participate in the City's on-street residential sticker program.

CHELSEA FIRE DEPARTMENT:

The units must be tied into the existing fire/sprinkler system and a set of plans for both are to be submitted to the Chelsea Fire Department for review prior to the issuance of a building permit.

DEPARTMENT OF PUBLIC WORKS:

The Department of Public Works comments are attached.

SCHEDULE:

Zoning Board of Appeals hearing	To be determined
Planning Board Special Permit recommendation meeting	To be determined



City of Chelsea
Department of Public Works
City Hall, 500 Broadway
Chelsea, Massachusetts 02150

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April 16, 2020

Mr. John DePriest, AICP, Director
Department of Planning & Development
City Hall, 500 Broadway
Chelsea, MA 02150

Re: DPW Review Comments
Special Permit Application
Case #2020-07 – 13-15 Fifth Street

On behalf of the Department of Public Works (DPW), we are writing to provide **preliminary** comments on the referenced project/application. Please note that these comments do not constitute approvals for utility or Building Permit requirements, which must be met **prior to the start of construction**. For utility connections, the Applicant must secure connection and backflow prevention approvals from Chelsea Water & Sewer (CW&S). If a Special Permit is granted, DPW will review the full project design in support of the Building Permit application. If a Building Permit is issued, the Applicant must secure a DPW Street Opening Permit. If the work zone cannot be contained within the private property, the Applicant must also secure a DPW Street Occupancy Permit.

Based upon a review of the drawings and information submitted with the Special Permit application, DPW offers the following **preliminary** comments, but reserves the right to comment further during the hearing process:

General

DPW considers the drawings and information submitted with the Special Permit application to be at a “planning/permitting” level, which depicts project concept, scope, scale, and limited detail. The development of comprehensive design plans, detail drawings, and specifications suitable for construction will be required to apply for a Building Permit. At that stage, DPW will be able to properly review the project for the many areas of concern within DPW purview.

Comments: DPW approves the preliminary design, however the plans lack the following information. The following information must be provided before applying for a building permit. Further comments and requirements will then be prepared.

- Existing and proposed utility plans were not provided
- A CCTV of the existing sewer service must be performed, results must be shared with Chelsea Water & Sewer for acceptance of reuse.
- Four new water meters will need to be installed to accommodate each apartment.



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Below is a list of standard guidelines to be met upon securing a Building Permit:

Domestic Water Service

- The applicant must purchase a water meter from the Department of Public Works. It can be installed by the owners hired plumber and programed by the City's technician.

Fire Protection Water Service

- During the Building Permit review phase, DPW will require the Applicant to demonstrate a high level of care in the development of the fire suppression/sprinkler system design. At a minimum, the Applicant will be expected to perform the following:
 - Schedule fire flow testing with CW&S using an independent, third-party company knowledgeable in fire flow testing and sprinkler system design. Flow test shall be performed at locations approved by DPW. Furnish a copy of the test report indicating pertinent data and test results, testing locations, dates, times, names of individuals performing the tests, and names of CW&S personnel that witnessed the tests.
 - Submit a brief written report documenting the sizing of fire service lines to support the proposed project. Reference to the National Fire Protection Association (NFPA) Code is required.
 - Submit a fire suppression/sprinkler system design prepared and stamped by a Massachusetts-licensed Fire Protection Engineer. Design shall include provisions for proper backflow prevention.
- During the Building Permit review phase, CW&S may have additional comments related to construction and/or operations.

Sanitary Sewer Service

- DPW review does **not** cover yard or interior pipe sizing/design, which is the responsibility of the Applicant and their Engineer/Architect in conformance with all applicable governing codes.
- The Applicant must schedule pipe installation and connections to City sewers with CW&S.

Separate Stormwater Collection/Treatment Systems

- At a minimum, the Applicant must comply with the Massachusetts Stormwater Management Standards.
- The Applicant must schedule pipe installation and connections to City drains with CW&S.

Impacted City Streets

- Any portions of City streets or private driveways, which are not intended for reconstruction but which become damaged during the construction of the proposed project or mitigation measures, shall be fully reconstructed by the Applicant at no cost to the City.



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Curbing/Curb Cuts

- New vertical granite curbing shall be installed with typical reveal of 6-inches +/-, except at ramps and transitions where tapering occurs.

Sidewalks/Americans with Disabilities Act (ADA) Ramps

- New 4,000 psi concrete sidewalks and driveway transitions shall be installed with wire mesh/steel reinforcement. Sidewalks shall be 4-inch thick and driveways shall be 6-inch thick. Finish shall match City standard.
- Compliance with ADA requirements during design and construction of new sidewalks is the responsibility of the Applicant and their Engineer/Architect in conformance with all applicable governing codes.

Driveway/Pavement Transitions to City Streets

- The Applicant is required to fully restore in kind any pavement damaged during the construction of the proposed project. New pavement in driveways/parking lot areas shall match existing pavement thicknesses, but must meet the following minimum thicknesses: 12-inch gravel base course, 2-inch bituminous concrete binder course, and 2-inch bituminous concrete surface course.
- New pavement in City streets shall match existing pavement thicknesses, but must meet the following minimum thicknesses: 12-inch gravel base course, 4-inch bituminous concrete binder course (2 lifts), and 1.5-inch bituminous concrete surface course (1 lift). Compliance with MassDOT Standard Specifications for Highways and Bridges requirements during design and construction is the responsibility of the Applicant and their Engineer/Architect in conformance with all applicable governing codes. Pavement limits shall be as required by the DPW Director.

Traffic Management

- DPW reserves the right to require that the Applicant provide and maintain any and all signage, traffic management, and safety systems deemed, in the sole opinion of the City, to be necessary for public safety and the maintenance of a reasonable level of service with respect to traffic during construction.

If you have any questions regarding this matter, please contact DPW at your earliest convenience.

Respectfully submitted,

Rebecca Wright

Rebecca Wright, Assistant City Engineer
Department of Public Works