



City of Somerville

PLANNING BOARD

City Hall 3rd Floor, 93 Highland Avenue, Somerville MA 02143

DECISION

2021 OCT 19 P 3:39

PROPERTY ADDRESS: 121 South Street (808 Windsor St)
CASE NUMBER: P&Z 21-038
OWNER: Boynton Yards LandCo LLC
OWNER ADDRESS: 10 Post Office Square, Boston, MA 02109
DECISION: Approved (SPA)
DECISION DATE: October 7, 2021

CITY CLERK'S OFFICE
SOMERVILLE, MA

This decision summarizes the findings made by the Planning Board regarding the development review application submitted for 121 South Street (also known as 808 Windsor Street as addressed).

LEGAL NOTICE

Boynton Yards LandCo LLC proposes to develop a 11-story LEED Platinum lab building in the High Rise (HR) zoning district which requires Site Plan Approval.

RECORD OF PROCEEDINGS

On September 23, 2021 the Planning Board held a public hearing advertised in accordance with M.G.L. 40A and the Somerville Zoning Ordinance. Present and sitting were Planning Board members Michael Capuano, Rob Buchanan, Jahan Habib, and Erin Geno. Boynton Yards LandCo LLC provided an overview of the proposed 11-story LEED Platinum lab building. After a presentation by the Applicant, the Board opened public testimony. The Board received no public testimony. The board provided comments on aspects of the building design they thought were thoughtful and exciting. Clerk Buchanan raised questions about the project's drawings and requested to the Applicant that updated renderings be submitted. The board left written testimony open until Friday October 1, 2021 and continued the public hearing.

On October 7, 2021 the Planning Board resumed the public hearing. Present and sitting were Planning Board members Michael Capuano, Rob Buchanan, Jahan Habib, Erin Geno, and Debbie Howitt Easton. The Board and the Applicant discussed the content of the updated submitted documentation. The Board discussed the idea of whether or not this updated information warranted the continuance of the public hearing. Pursuant to the Boards rules, the meeting was open for new public testimony, and none was received. After further discussion with the Applicant regarding the buildings interior lobby space, the Board decided to move forward with voting and to close the public hearing.

SITE PLAN APPROVAL FINDINGS

1. *The comprehensive plan and existing policy plans and standards established by the City.*

The Board finds that the proposal will help to achieve the following from SomerVision, the comprehensive Master Plan of the City of Somerville:

- Make Somerville a regional employment center with a mix of diverse and high-quality jobs.
- Support a business-friendly environment to attract and retain a diverse mix of businesses that can start here, grow here and stay here.
- Invest in the talents, skills, and education of people to support growth and provide opportunities to residents of all social and economic levels.
- Link our corridors, squares, and growth districts to support future development and economic activity.
- Transform key opportunity areas [], Boynton Yards and [] portion of Union Square into dynamic, mixed-use, and transit-oriented districts that serve as economic engines to compliment the neighborhoods of Somerville.
- Design and maintain a healthy and attractive public realm that fosters community connection, including streets, sidewalks, and other public spaces.
- Increase the recognition of Somerville as a center of arts and creativity.
- Expand bike and pedestrian use by transforming existing infrastructure with accommodations for all bicyclists and pedestrians, resulting in safe, accessible, and well-connected networks.

2. *The intent of the zoning district where the property is located.*

The Board finds that the proposal is consistent with the intent of the HR zoning district which is, in part, "[t]o accommodate the development of areas appropriate for an intense mix of multi-story multi-unit, mixed-use, and commercial buildings; neighborhood-, community-, and regional-serving uses; and a wide variety of employment opportunities.

3. *Mitigation proposed to alleviate any impacts attributable to the proposed development.*

The Board finds that proposal includes several design features in response to community feedback received at neighborhood meetings. As conditioned, the proposal is not anticipated to have any negative impacts.

DECISION

Following public testimony, review of the submitted plans, and discussion of the statutorily required considerations, Chair Capuano moved to approve the **SITE PLAN APPROVAL**. Clerk Buchanan seconded. The Board voted **5-0** to approve the permit, subject to the following conditions:

Perpetual

- This Decision must be recorded with the Middlesex South Registry of Deeds.

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- Construction documents must be substantially equivalent to the approved plans and other materials submitted for development review.
- Development must comply with the approved Master Plan Special Permit dated February 4, 2021, as applicable.
- This Decision is not valid unless a land plat is approved to establish the 121 South Street (808 Windsor St) lot and recorded with the Middlesex South Registry of Deeds.
- The property owner and applicable future tenants shall comply with the Mobility Management Plan submitted May 21, 2021, as approved and conditioned by the Director of Mobility.
- The property owner is responsible for the construction and all regular and long-term maintenance, replacement, insurance, and other applicable costs associated with all necessary water and sewer utilities to service 121 South St (808 Windsor St)/ Building 2, including the stormwater management facilities that are proposed underneath abutting Civic Space 1.
- A pedestrian access easement must be provided in perpetuity for the full area of all the sidewalks and any portion of the Civic platform and ADA access ramp abutting the neighborhood park (Civic Space 1) as identified on the approved plans. Final easement language must be approved by the City Solicitor.
- Utility meters are not permitted on any facade or within the frontage area of the lot.
- The underground structured parking must be operated as a Commercial Parking facility principal use.
- The underground structured parking must have a parking access and revenue control system to manage vehicular access and collect parking revenues from patrons.
- The initial operations plan for the Commercial Parking facility identifying, at least, the type and pricing of various passes, rates, and fees must be submitted to the Director of Mobility.
- A pedestrian warning system must be provided for the vehicular entrance to the underground structured parking and loading docks to address potential conflicts between pedestrians, cyclists, and motor vehicles. Final design must be approved by the Director of Mobility and the City Engineer.
- An annual report, including documentation of any changes to the layout plan or operations plan of the parking facility, must be submitted to the Mobility Division to validate continued compliance with the Somerville Zoning Ordinance, this Decision, and the Director of Mobility's standards for monitoring and annual reporting.

Prior to Building Permit

- Physical copies of all development review submittal materials, as permitted by the Planning Board, must be submitted to the Planning & Zoning Division for the public record.
- A copy of the recorded Decision stamped by the Middlesex South Registry of Deeds must be submitted to the Planning & Zoning Division for the public record.

- The site plan approval application for Thoroughfare 1 (AQW), as permitted by the Master Plan Special Permit dated February 4, 2021, must be submitted prior to applying for a Building Permit.
- Material specifications from suppliers must be submitted to confirm fenestration glazing is compliant with the VLT and VLR ratings required by the Somerville Zoning Ordinance.
- An outdoor lighting plan and supplier cut sheet specifications of chosen lighting fixtures must be submitted to confirm compliance with Section 10.7 Outdoor Lighting of the Somerville Zoning Ordinance. The site photometric plan must include a keyed site plan identifying the location of all luminaires; total site lumen limit table (calculations from the SZO); lighting fixture schedule indicating the fixture type, description, lamp type, lumens, color temperature, color rendering index, BUG rating, mounting height, and wattage of all luminaires; and notation of any timing devices used to control the hours set for illumination.
- All Stage 2 documentation required by the LEED Certifiability Requirements must be submitted to the Office of Sustainability & Environment and must include the following:
 - The number of targeted points for each credit identified in the narrative
 - Identification of the land trusts or organizations under consideration for credits
 - Additional detail concerning the construction and demolition waste management credits
 - A detailed analysis on how daylight and quality view credits will be achieved.
- The OSE Low Load Calculator must be completed and submitted to the Office of Sustainability and Environment.
- A feasibility assessment for providing at least twenty five percent (25%) of the motor vehicle parking spaces with electric vehicle charging equipment must be submitted to the Office of Sustainability & Environment.

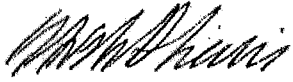
Prior to Certificate of Occupancy

- All Phase 2 conditions of the Master Plan Special Permit dated February 4, 2021 must be completed prior to applying for a Certificate of Occupancy.
- To mitigate transportation impacts, the southern side of South St must be improved with an interim roadway level protected bikeway along its full extent. Final design must be approved by relevant City departments.
- The throughfare permit application for Thoroughfare 1 (AQW) must be submitted prior to applying for a Certificate of Occupancy.
- All Stage 3 documentation required by the Office of Sustainability & Environment's LEED Certifiability Requirements.
- A written narrative or descriptive checklist identifying the completion or compliance with permit conditions must be submitted to the Inspectional Services Department at least ten (10) working days in advance of a request for a final inspection.

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Attest, by the Planning Board:

Michael Capuano, *Chair*
Rob Buchannan, Clerk
Jahan Habib
Erin Geno
Debbie Howitt Easton

A handwritten signature in black ink, appearing to read "Sarah Lewis", written over a horizontal line.

Sarah Lewis,
Director of Planning & Zoning

CLERK'S CERTIFICATE

Any appeal of this decision must be filed within twenty days after the date this notice is filed in the Office of the City Clerk, and must be filed in accordance with M.G.L. c. 40A, sec. 17 and SZO sec. 15.5.3.

In accordance with M.G.L. c. 40 A, sec. 11, no variance shall take effect until a copy of the decision bearing the certification of the City Clerk that twenty days have elapsed after the decision has been filed in the Office of the City Clerk and no appeal has been filed, or that if such appeal has been filed, that it has been dismissed or denied, is recorded in the Middlesex County Registry of Deeds and indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner's certificate of title.

Also in accordance with M.G.L. c. 40 A, sec. 11, a special permit shall not take effect until a copy of the decision bearing the certification of the City Clerk that twenty days have elapsed after the decision has been filed in the Office of the City Clerk and either that no appeal has been filed or the appeal has been filed within such time, is recorded in the Middlesex County Registry of Deeds and indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner's certificate of title. The person exercising rights under a duly appealed Special Permit does so at risk that a court will reverse the permit and that any construction performed under the permit may be ordered undone.

The owner or applicant shall pay the fee for recording or registering. Furthermore, a permit from the Division of Inspectional Services shall be required in order to proceed with any project favorably decided upon by this decision, and upon request, the Applicant shall present evidence to the Building Official that this decision is properly recorded.

This is a true and correct copy of the decision filed on _____ in the Office of the City Clerk, and twenty days have elapsed, and

FOR VARIANCE(S) WITHIN

_____ there have been no appeals filed in the Office of the City Clerk, or
_____ any appeals that were filed have been finally dismissed or denied.

FOR SPECIAL PERMIT(S) WITHIN

_____ there have been no appeals filed in the Office of the City Clerk, or
_____ there has been an appeal filed.

FOR SITE PLAN APPROVAL(S) WITHIN

_____ there have been no appeals filed in the Office of the City Clerk, or
_____ there has been an appeal filed.

Signed City Clerk Date