



City of Somerville

# Planning Board

City Hall 3<sup>rd</sup> Floor, 93 Highland Avenue, Somerville MA 02143

## DECISION

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**PROPERTY ADDRESS:** 494 Medford Street  
**CASE NUMBER:** P&Z 21-180  
**APPLICANT:** James Rissling  
**APPLICANT ADDRESS:** LR Designs, 64 Allston St, Cambridge, MA  
**DECISION:** Approved with Conditions (Site Plan Approval)  
**DECISION DATE:** January 20, 2021

This decision summarizes the findings made by the Planning Board regarding the development review application submitted for 494 Medford Street.

## LEGAL NOTICE

James Rissling seeks to establish a General Building in the Mid-Rise 4 (MR4) district which requires Site Plan Approval.

## RECORD OF PROCEEDINGS

On January 6, 2022, the Planning Board (the "Board") held a public hearing advertised in accordance with M.G.L. 40A and the Somerville Zoning Ordinance (SZO). Present and sitting at the public hearing were Board Members Chair Michael Capuano, Vice Chair Amelia Aboff, Clerk Rob Buchannan, Jahan Habib, Erin Geno, Russell Pildes, and Alternate Debbie Howitt Easton. The Applicant provided an overview of the proposal. The Board expressed their dislike of the materials as well as their concerns regarding the sparseness of the proposed landscaping and requested that the Applicant make changes based on their feedback. The Board continued the public hearing to January 20, 2022.

On January 20, 2022, the Board resumed the public hearing. Present and sitting at the public hearing were Board Members Chair Michael Capuano, Vice Chair Amelia Aboff, Clerk Rob Buchannan, Erin Geno, Russell Pildes, and Alternate Debbie Howitt Easton. Jahan Habib was absent. The Applicant presented the changes that they made to the façade materials, the improvements to the trim details, and the improvements to the landscaping.

## SITE PLAN APPROVAL FINDINGS

In accordance with the Somerville Zoning Ordinance (SZO), the Board may approve or deny a site plan approval upon making findings considering, at least, each of the following:

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:

- Strengthen and support neighborhood commercial centers that integrate residential uses, offer lively destinations and contribute to Somerville's unique identity.
- Facilitate transit-oriented, neighborhood infill development when it enhances the lively, human-scaled and walkable character of Somerville blocks and neighborhoods.

*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 MR4 zoning district which is, in part “[t]o create, maintain, and enhance areas appropriate for smaller scale, multi-use and mixed-use buildings and neighborhood serving uses.”

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

- The Board finds that, as conditioned, the proposal does not produce any impacts that require mitigation.

## **DECISION**

Following public testimony, review of the submitted plans, and discussion of the statutorily required considerations, Chair Capuano moved to approve the application for Site Plan Approval for a 4-story General Building identified in the plans submitted to the Board and presented on January 20, 2022, with the conditions included in the Staff Memo and as discussed at the meeting. Vice Chair Aboff seconded. The Board voted 5-0 to approve the permit, subject to the following conditions:

### **Perpetual**

1. This Decision must be recorded with the Middlesex County Registry of Deeds.
2. Only full brick shall be used on all portions of the façade where brick is called for.

### **Prior to Certificate of Zoning Compliance**

3. A copy of the Recorded Decision stamped by the Middlesex South Registry of Deeds must be submitted for the public record.
4. Physical copies of all submittal materials as permitted by the Review Boards must be submitted for the public record in accordance with the document format standards of the ISD/PB/ZBA Submittal Requirements.

Attest, by the Planning Board:

Michael Capuano, *Chair*  
Amelia Aboff, *Vice Chair*  
Rob Buchannon, *Clerk*  
Ruddell Pildes  
Erin Geno

A handwritten signature in dark ink, appearing to read 'Sarah Lewis', is 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 \_\_\_\_\_