



City of Somerville

# PLANNING BOARD

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

## DECISION

**PROPERTY ADDRESS:** 325-375 Assembly Row  
**CASE NUMBER:** P&Z 22-101  
**OWNER:** Street Retail, LLC  
**OWNER ADDRESS:** 909 Rose Ave., Suite 200, N Bethesda, MD 20852  
**DECISION:** Approved with Conditions (Plan Revision Major Amendment to a Special Permit with Site Plan Approval)  
**DECISION DATE:** August 29, 2022

This decision summarizes the findings made by the Planning Board (the "Board") regarding the Plan Revision Major Amendment application submitted for 325-375 Assembly Row.

## LEGAL NOTICE

Street Retail, LLC proposes a revision to a previously issued Special Permit with Site Plan Approval (PB2016-14) in the Assembly Square Mixed-Use District to change the permitted design of ASQ Linear Park.

## RECORD OF PROCEEDINGS

On August 18, 2022, the Planning Board held a public hearing advertised in accordance with M.G.L. 40A and the Somerville Zoning Ordinance. Present and sitting at the public hearing were Board Members Chair Michael Capuano, Clerk Erin Geno, Jahan Habib, and Alternate Debbie Howitt Easton. The Applicant provided a brief overview of the changes and why they would benefit the park and increase activity at the park. The Chair allowed for public testimony, but none was given. The Board then reviewed the application and confirmed they had no concerns.

## PLANS & DOCUMENTS

Application plans, documents, and supporting materials submitted and reviewed are identified below.

Document	Pages	Prepared By	Date	Revision Date
Assembly Line Park – Fire Feature plan	7	Copley Wolff Design Group, 10 Post Office Sq. Suite 1315 Boston, MA 02109 VHB, 101 Walnut Street, PO Box 9151, Watertown, MA 02472-4026 WSP, 100 Summer Street 13th Floor Boston, MA 02110	February 11, 2022	March 22, 2022 March 31, 2022

## **SPECIAL PERMIT WITH SITE PLAN APPROVAL FINDINGS**

In accordance with the Somerville Zoning Ordinance, the Board may approve or deny a Special Permit with 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 proposed revision follows the intent of the Comprehensive Plan (SomerVision 2040) and existing relevant policy plans and standards.

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

The Board finds that the proposed revision follows the intent of the Assembly Square Mixed-Use District.

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

The Board finds that the proposed revision does not cause any impacts deserving of mitigation.

## **DECISION**

Following public testimony, review of the submitted plans, and discussion of the statutorily required considerations, Chair Capuano moved to approve the revision to a previously issued Special Permit with Site Plan Approval (PB2016-14) in the Assembly Square Mixed-Use District to change the permitted design of ASQ Linear Park. Jahan Habib seconded. The Board voted **4-0** to approve the permit, subject to the following conditions:

### **Permit Validity**

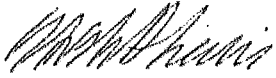
1. This Decision must be recorded with the Middlesex South Registry of Deeds.

### **Public Record**

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

Attest, by the Planning Board:

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



Sarah Lewis, Director of Planning, Preservation, & Zoning  
Office of Strategic Planning & Community Development

**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 \_\_\_\_\_