



City of Somerville

PLANNING BOARD

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

DECISION

PROPERTY ADDRESS: 5 Autumn Street, 188-190 Broadway
CASE NUMBER: P&Z 23-051
OWNER: BTM Realty Trust
OWNER ADDRESS: PO Box 763, Middleton, MA 01949
APPLICANT: Susan Nazzaro, Trustee of BTM Realty Trust
APPLICANT ADDRESS: PO Box 763, Middleton, MA 01949
DECISION: Approved with Conditions
DECISION DATE: June 5, 2023

2023 JUN -5 P 2:09

CITY CLERK'S OFFICE
SOMERVILLE, MA

Pursuant the Somerville Planning Board's Rules of Policy & Procedure, land platting involving only a lot split, lot merger, or lot line adjustment, as defined by the Somerville Zoning Ordinance, requires only Minor Site Plan Approval, with the Director of Planning, Preservation, & Zoning serving as the decision-making authority in-lieu of the Planning Board.

This decision summarizes the findings made by the Director of Planning, Preservation, & Zoning regarding the Minor Site Plan Approval application submitted for 5 Autumn Street, and 188-190 Broadway.

SUMMARY OF PROPOSAL

Susan Nazzaro, Trustee of BTM Realty Trust, proposes to adjust the lot line separating 5 Autumn Street and 188-190 Broadway to decrease the lot size of 5 Autumn Street and increase the lot size of 188-190 Broadway.

RECORD OF PROCEEDINGS

On June 5, 2023 the Director of Planning, Preservation, & Zoning reviewed the submitted application materials.

PLANS & DOCUMENTS

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

Document Name	Pages	Prepared By	Date	Revision Date
Lot Line Adjustment Plan of Land, 5 Autumn St & 188-190 Broadway	1	Medford Engineering & Survey Angelo B. Veneziano Associates 15 Hall St., Medford, MA 02155	April 27, 2023	N/A
Somerville Land Title Survey 5 Autumn St & 188-190 Broadway	1	Medford Engineering & Survey Angelo B. Veneziano Associates 15 Hall St., Medford, MA 02155	April 27, 2023	N/A

FINDINGS

In accordance with the Somerville Zoning Ordinance and the Planning Board's Rules of Policy & Procedure for Minor Site Plan Approvals, the Director of Planning, Preservation, & Zoning may approve or deny a Minor 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 Director finds that this proposed land plat supports the objectives of SomerVision 2040, the City's Comprehensive Master Plan, including, but not limited to, the following:

- To preserve and enhance the character of Somerville's neighborhoods, and respect neighborhood form and patterns while expanding Somerville's architectural legacy.
- To encourage commercial development.

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

The Director finds that the proposed lot line adjustment is consistent with the intent of the Mid-Rise 5 (MR5) zoning district, which is, in part, "[t]o create, maintain, and enhance areas appropriate for moderate scale, multi-use and mixed-use buildings and neighborhood- and community-serving uses."

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

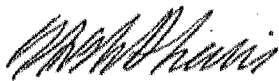
The Director finds that there are no impacts attributable to the proposed development that require mitigation.

DECISION

Following review of the submitted application materials and the statutorily required considerations, the Director of Planning, Preservation, & Zoning **APPROVED** the Minor Site Plan Approval on behalf of the Planning Board, subject to the following conditions:

Perpetual

1. This Decision and the approved Land Plat must be recorded with the Middlesex South Registry of Deeds.
2. Copies of the Recorded Decision and Recorded Land Plat, stamped by the Middlesex South Registry of Deeds, must be submitted for the public record.



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 _____