



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

APRIL 6, 2023 MEETING MINUTES

This meeting was conducted via remote participation on GoToWebinar.

NAME	TITLE	STATUS	ARRIVED
Michael Capuano	Chair	<i>Present</i>	
Amelia Aboff	Vice Chair	<i>Present</i>	
Erin Geno	Clerk	<i>Present</i>	
Jahan Habib	Member	<i>Present</i>	
Michael McNeley	Member	<i>Present</i>	
Debbie Howitt Easton	Alternate	<i>Absent</i>	
Luc Schuster	Alternate	<i>Absent</i>	

City staff present: Raisa Saniat (Planning, Preservation & Zoning Division), Sarah Lewis (Director of Planning, Preservation & Zoning Division), Emily Hutchings (Planning, Preservation & Zoning Division), Justin Schreiber (Mobility Division)

The meeting was called to order at 6:02pm and adjourned at 9:22pm.

GENERAL BUSINESS: Meeting Minutes

Following a motion by Chair Capuano, seconded by Vice Chair Aboff, the Board voted unanimously (5-0) to approve the 5 January 2023 meeting minutes.

Following a motion by Chair Capuano, seconded by Vice Chair Aboff, the Board voted unanimously (5-0) to approve the 19 January 2023 meeting minutes.

PUBLIC HEARING: 200 McGrath Hwy (P&Z 22-097)

(continued from 16 March 2023)

Vice Chair Aboff recused herself from this item.

Director Lewis addressed the Staff Memo that was provided to the Board and described the meeting that she and Staff held with City Councilor Ewen-Campen and City Councilor Wilson, as well as several neighbors and members of the Union Square Neighborhood Council. Director Lewis reviewed the changes that the proposal has undergone since its inception, the proposed conditions to mitigate mobility concerns, as well as the site constraints and discussions that have occurred between the applicant team and City Staff. She spoke about the challenges outlined in the Staff Memo, including the ownership of the adjacent roads and the anticipated need to work with MassDOT, and noted the City's goals related to pedestrian and vehicular traffic.

Chair Capuano stated that this area appears to be a more significant mobility problem that goes beyond the boundaries of this site/project and will require a larger discussion, which appears to have already begun. Director Lewis agreed that it is a difficult area of the city, and the Mobility and Engineering Divisions have undertaken significant work to address concerns and they have signed off on the proposed mitigation.

Director Lewis then briefly reviewed how the Milk Square goals from the Union Square Neighborhood Plan have been incorporated into the review, and that there have been conversations with the Mayor's Office about this site. She reviewed the current zoning of the site, and how the zoning changed during the zoning ordinance overhaul. She also reviewed the goals for Milk Square and Union East and what the process was that led to the parcel being zoned in the High-Rise district.

Chair Capuano stated that this project came about from a lengthy public planning process; noting the significant public participation process that occurred during the zoning ordinance overhaul and the neighborhood planning process. He also noted that there is not currently a signed development covenant, although Director Lewis stated that she believed it will be signed this evening and she could reach out to Acting Executive Director Galligani to confirm. Chair Capuano noted that it is the Planning Board's practice not to vote on these types of cases prior to having a signed covenant, but asked Director Lewis to keep the Board in the loop, noting that they may move forward on the project if the covenant is signed before the meeting ends.

The applicant team stated that they are very close to having a signed covenant and asked that the Planning Board wait to continue the case and possibly vote on the matter this evening.

The Board and Staff spoke about the additional community meeting, how many community members attended, and meeting discussion topics.

Following a motion by Chair Capuano, seconded by Clerk Geno, the Board voted unanimously (4-0) to continue the case until the Planning Board reopens the case later this evening, or to the 20 April 2023 meeting.

RESULT:

CONTINUED

Vice Chair Aboff returned to the meeting.

PUBLIC HEARING: 46 Broadway (P&Z 23-026)

The applicant team presented a rendering of the building and the proposed signage.

Chair Capuano noted that Member McNeley may have had technical difficulties and left the meeting; there are currently 4 board members present, which is still a quorum.

The Board, applicant team, and Staff discussed the sign lighting, if this type of signage is common in the area, and how the sign complies with the zoning ordinance. They also spoke about a proposed condition that states that the sign lighting will be turned down or off at 11:00pm; the applicant team stated that they have no concerns regarding the condition.

Chair Capuano opened public testimony.

Tori Antonino (65 Boston St) - reviewed the AMA's standards for lighting and asked if the lighting temperature could be changed if necessary to limit sleep interruptions.

Member McNeley rejoined the meeting.

Chair Capuano closed public testimony.

Following a motion by Chair Capuano, seconded by Vice Chair Aboff, the Board voted unanimously (5-0) to approve a Site Plan Approval to develop a one-story commercial building in the Commercial Core (CC5) district, with the conditions outlined in the Staff Memo.

Staff corrected the motion, as it did not capture the applicant team's request. Chair Capuano agreed and stated that his notes were off; Chair Capuano withdrew his motion.

Following a motion by Chair Capuano, seconded by Vice Chair Aboff, the Board voted unanimously (5-0) to approve a Major Amendment to a previously approved application that required a Special Permit (PB-2017-07) in the Mid-Rise 6 district, with the conditions outlined in the Staff Memo.

RESULT:

APPROVED WITH CONDITIONS

PUBLIC HEARING: 114-120 Broadway (P&Z 22-171)

The applicant team explained that they are seeking an extension to their Special Permit as they are preparing to apply for a Building Permit. They noted that they are also requesting two amendments to the Special Permit: a reduction in the amount of soil per tree pit from 2,500 cubic feet to 1,000 cubic feet and a change to the fire department access at the rear of the building. The team reviewed where they are in the process, how they've been working with Eversource, and confirmed that they have requested the extension out of an abundance of caution.

Chair Capuano opened public testimony. No one indicated that they wished to speak. Chair Capuano closed public testimony.

The Board and Staff started to discuss condition #30 and Members Geno and McNeley both had technical difficulties. Member Geno left the meeting briefly and then returned. Once the technical issues were sorted, Staff confirmed that the 1,000 cubic feet of soil per tree is what is required by the current zoning ordinance, so the previously approved condition of 2,500 cubic feet appears excessive; the proposed change meets the current standard. Member McNeley experienced technical difficulties once again.

Chair Capuano suggested a brief recess in recognition of Ramadan and to allow anyone that observes to break their fast. The Board went into recess at 7:05pm and reconvened at 7:23pm. All members of the Board were back in attendance.

The Board, applicant team, and Staff discussed the change to condition #38. Staff confirmed that the fire department has approved the updated plans, which is why Staff is comfortable with a change to the condition language.

Following a motion by Chair Capuano, seconded by Vice Chair Aboff, the Board voted unanimously (5-0) to approve the request to extend the validity of a Major Amendment to a previously approved Special Permit (PB2019-13) in the Mid-Rise 5 district, with the conditions outlined in the Staff Memo.

RESULT:

APPROVED WITH CONDITIONS

PUBLIC HEARING: 256-260 Elm St (P&Z 21-039)

(continued from 16 March 2023)

Member McNeley confirmed that although he was absent from the previous meeting, he reviewed the recording and submitted a completed affidavit.

The Board and applicant team spoke briefly about the proposed native plantings.

The Board and applicant team discussed the community engagement they have participated in, how they have an agreement with the Davis Now group, how they have a signed development covenant with the city, and how they would be comfortable incorporating those agreements as conditions of approval. Chair Capuano noted that the Board cannot incorporate those conditions legally, and that the biosafety level is not within the Board's jurisdiction, but the Board is pleased that the subject has been addressed.

The Board and applicant team then discussed the level of lab use that would be permitted; a BSL3 lab or above would not be allowed.

The Board discussed including the following conditions: that non-invasive species be used in the plaza area, that the area that is most ADA compliant in the plaza be kept free of programming activities, and that any amendment to the Site Plan Approval due to a change in lab type be considered a major amendment. The Board also discussed amending the condition related to the protection of street trees to include "...AP Davis Square Plaza LLC or their successor must follow the plans as approved by the Tree Warden" at the end.

The Board and Staff discussed the ramifications if the application team breaks the agreement with the Davis Now neighborhood group, how an increase in a biosafety level (going from a BSL2 to a BSL3) would be deemed a Major Amendment and would require the applicant team to return to the Board for approval, and how the Board could include a condition that relates to this but it can not include biosafety levels as that is outside of the purview of the Planning Board. The Board continued to discuss possible condition language and the possibility of requiring the same public notification as Planning Board meetings should the team return to the Biosafety Committee. The Board agreed on a condition that stated that any minor or major amendment made to this application pertaining to bio-safety levels must return to the Planning Board for approval.

Following a motion by Chair Capuano, seconded by Vice Chair Aboff, the Board voted unanimously (5-0) to approve the Site Plan Approval to develop a LEED Platinum 4-story Lab Building in the Commercial Core 4 (CC4) district, with the conditions outlined in the Staff Memo and as amended during the discussion this evening.

RESULT:

APPROVED WITH CONDITIONS

PUBLIC HEARING: 270 Elm St (P&Z 21-042)

(continued from 16 March 2023)

This case was discussed concurrently with 256-260 Elm Street.

Following a motion by Chair Capuano, seconded by Vice Chair Aboff, the Board voted unanimously (5-0) to approve the Site Plan Approval to modify an existing through block plaza in the Commercial Core 4 (CC4) district, with the conditions outlined in the Staff Memo and as amended during the discussion this evening.

RESULT:

APPROVED WITH CONDITIONS

PUBLIC HEARING: 200 McGrath Hwy (P&Z 22-097)

(continued from 16 March 2023)

Chair Capuano reopened the hearing for 200 McGrath Highway. Vice Chair Aboff recused herself again from this item.

The applicant team was present and reviewed several of the considerations agreed upon in the signed development covenant, including mobility and community benefits contributions, as well as including a green wall

and examining the feasibility of adding a green roof to the project. They also stated that the covenant outlines an option for the city to acquire Lot C to generate more open space in the Milk Square neighborhood.

Chair Capuano reviewed the neighborhood planning process and reiterated that the mobility issues in the neighborhood are not only due to this one project but are part of a bigger issue that the city has plans to address in conjunction with MassDOT.

The Board encouraged the applicant team to continue to work with various city departments to address potential floodwater concerns in the area. The Board confirmed that this is a proposal for a Master Plan Special Permit, therefore this is the first step in the process and the applicant team will return to the Board as the project moves forward with Site Plan Approval applications. The Board added that additional impacts should be mitigated during that stage in the process.

Following a motion by Chair Capuano, seconded by Member Geno, the Board voted unanimously (4-0) to approve the proposed Master Plan Special Permit in the Union Square East Sub-Area in the Master Plan Development Overlay district, with the conditions outlined in the Staff Memo and supplements thereto.

RESULT:	APPROVED WITH CONDITIONS
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Vice Chair Aboff returned to the meeting.

PUBLIC HEARING: 620 Broadway (P&Z 21-145)

(continued from 16 March 2023)

The applicant team introduced the project history and presented the site topography, soil conditions, and described the goal of constructing an appropriate building for the site. The team noted that due to market and site conditions, there was not enough financing for a larger building.

The Board asked the applicant team to confirm that the Hardship Variance granted by the Zoning Board of Appeals was based on the inability of the soil to support a 4-story building. The applicant team confirmed that they do not have any geotechnical data on any abutting properties, but the data they have on this property states that the soil/fill will not be able to support a building much higher than 1-story.

The applicant team then presented the site context, floor plan, building design, materiality, and several renderings, noting that the building is solar-ready. They then presented the landscape plan, touching upon the urban realm, proposed streetscape, native plantings, bicycle parking, trash/recycling area, and public patio area.

The Board asked Staff if there are any outstanding items on this application. Staff confirmed that there are no longer any outstanding items; the applicant team also confirmed that all outstanding items have been satisfied.

The Board and Staff discussed conditions related to cannabis retail use and how the Board would like to stay consistent with the condition language they have been using related to appointment-only sales. Staff confirmed that a standard condition has been included that requires all cannabis retail use applicants to return to the Planning Board for approval should they wish to change from appointment-only to walk-in sales.

The Board asked the applicant team if they are willing to commit to installing solar panels. The team stated that the space will be solar ready and reviewed the typical process for installing rooftop solar panels. They also discussed the trash/recycling pickup process and the security of the space.

Chair Capuano opened public testimony.

David Gibbs (Lindon Place) - expressed his support for the applicant team. He stated that they have demonstrated their concern for the vulnerable members of the community and noted that they have a vested interest in the quality of life for people in the city and supporting those community members that really need extra help.

Tori Antonino (65 Boston St) – stated that if David Gibbs supported the project, she was also in support. She appreciated the team’s selection of native plants and asked if the applicant team would consider a bio-solar roof. She also asked the team to submit a plant palette.

Michael Cassesso (40 Wisconsin Ave) – stated that he is a lifelong resident and spoke in favor of the project. He stated that all the people that are involved in this project are Somerville people, are committed to the community, and have deep roots within the community. He stated that he would prefer to have someone from Somerville in this type of business, rather than a large corporation.

Al DeAngelis (36 Illinois Ave) – stated that he is a lifelong resident as well and spoke in favor of the project. He stated that this family (applicant) has been involved with charities, youth sports, and the schools their whole lives and they aren’t going anywhere. He stated that these owners will be active and proactive for the betterment of the community.

Mike Rossetti (82 Highland Rd) – stated that he is also a lifelong resident and spoke in support of the project. He also noted that the applicant appears to have complied with every requirement.

Fred Bass (28 Walker St) – stated that he has been in favor of the project since its inception, with one of the reasons being the location. He felt that the location was ideal due to the surrounding uses and really liked the building design. He also noted that the quality of the people involved is outstanding, they have been involved with the community for a long time and many people know them.

Debbie Canoa (600 Broadway) – stated that she had several concerns that have been brought up at the public hearings. She noted the federal charges pending against the applicant’s previous attorney. She also noted her concerns with the Special Permit criteria. She noted Criterion #2, and stated the neighborhood needs more options, such as food or fitness options, and bringing in another option that isn’t healthy is a concern for her as a resident. She also stated there is another retail cannabis store just 500 feet away. She reviewed Criterion #3, and noted that the applicant stated that there will be no negative impacts and refuted that claim. She stated this is a loss of opportunity of engaging storefronts and a loss of parking, both regular and for Zipcar. She also stated her concern regarding security. She then reviewed Criterion #4, and stated her concern about the capacity of the local thoroughfare and stated that the application will impact local traffic.

Chair Capuano closed public testimony. Chair Capuano left written testimony open until noon on Friday, 14 April 2023.

The Board asked about the neighborhood meeting reports, stating that they do not clearly describe the community engagement; the Board asked the applicant team to present a clearer picture of what was discussed at the meetings at the next Planning Board meeting. The applicant team reviewed what was discussed at each meeting and confirmed that they will provide a more comprehensive report on the neighborhood meetings.

The applicant team raised concerns regarding the last proposed condition on page 8 of the Staff Memo. Chair Capuano suggested that the applicant team have a conversation with Staff regarding this matter prior to the next meeting.

Following a motion by Chair Capuano, seconded by Vice Chair Aboff, the Board voted unanimously (5-0) to continue the case to 20 April 2023.

RESULT:

CONTINUED

NOTICE: These minutes constitute a summary of the votes and key discussions at this meeting. A recording of these proceedings can be accessed at any time by using the registration link at the top of the meeting agenda.