



City of Somerville

## PLANNING BOARD

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

### DECISION

2023 JUL 27 A 9:19

**PROPERTY ADDRESS:** 16 and 20 Medford Street  
**CASE NUMBER:** P&Z 23-011  
**OWNER/APPLICANT:** Somerville Living, LLC  
**ADDRESS:** P.O. Box 780, Lynnfield, MA 019040  
**DECISION:** Approved with Conditions (Major Amendment to a previously approved Site Plan Approval and Special Permit for Household Living principal use)  
**DATE OF VOTE:** July 20, 2023  
**DECISION ISSUED:** July 27, 2023

CITY CLERK'S OFFICE  
SOMERVILLE, MA

This decision summarizes the findings made by the Planning Board (the "Board") regarding the Major Amendment Plan Revision application submitted for 16 and 20 Medford Street.

### LEGAL NOTICE

Major Amendment to a previously approved general building in the MR4 zoning district (P&Z 21-057), which required Site Plan Approval and a Special Permit for Household Living.

### RECORD OF PROCEEDINGS

On June 1, 2023, 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, Vice-Chair Amelia Aboff, Clerk Erin Geno, Jahan Habib, Michael McNeley, Alternate Debbie Howitt Easton, and Alternate Luc Schuster. The Board took up this case concurrently with a related case, P&Z 23-012, both associate with the same Applicant and address. The Applicant introduced the project and why they are returning to the Board for a Major Amendment and additional Special Permit request. After the presentation by the Applicant, the Board asked the Applicant some clarifying questions, which were addressed by both the Applicant and Staff. After a brief discussion between the Board, the Applicant and Staff, the Chair opened up the public testimony portion of the hearing where a few members of the public voiced their concerns including but limited to bedroom type, and traffic impacts. After the public testimony section of the hearing was closed, the Chair Board went into discussion.

The Board discussed that this project could use another neighborhood meeting to offer another opportunity for the public to provide comments and concerns to the Applicant. The Board asked the Applicant questions about the proposed bedroom mix, mobility and traffic items. Several of the Board's questions necessitated follow-up from the Applicant or Staff. The Board asked the Applicant to coordinate another neighborhood

meeting with the Ward Councilor before they come back to the Board and voted to continue the project to the next Planning Board meeting on June 15, 2023.

On July 20, 2023, the Board resumed the public hearing. Present and sitting at the public hearing were Board Members Chair Michael Capuano, Vice-Chair Amelia Aboff, Clerk Erin Geno, Jahan Habib, Michael McNeley, Alternate Debbie Howitt Easton, and Alternate Luc Schuster. Before the Applicant presented, Ward 2 Councilor JT Scott made remarks that he supports the project. After a follow-up presentation by the Applicant, the Board went into discussion with the Applicant. Several board members voiced their support but had some additional questions regarding parking and other traffic-related topics. After responses by both the Applicant and Staff, the Board moved to vote.

## PLANS & DOCUMENTS

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

Document	Pages	Prepared By	Date	Revision Date
16 and 20 Medford Street Design/Development Narrative	2	Khalsa Desing Incorporated, 17 Ivaloo Street, Ste 400, Somerville, MA 02143	January 9, 2023	n/a
16 and 20 Medford Street Planning Board Submission/Plans	38	Khalsa Desing Incorporated, 17 Ivaloo Street, Ste 400, Somerville, MA 02143	March 29, 2023	July 12, 2023
16 and 20 Medford Street Summary of Revisions	1	Khalsa Desing Incorporated, 17 Ivaloo Street, Ste 400, Somerville, MA 02143	January 9, 2023	n/a
16 and 20 Medford Street Neighborhood Meeting Report	10	DiBiase Companies, 144 Haven Street, Reading, MA 01867	March 29, 2023	July 13, 2023
16 and 20 Medford Street Design Revisions to the drawings plan set post March 29, 2023	1	Khalsa Desing Incorporated, 17 Ivaloo Street, Ste 400, Somerville, MA 02143	July 12, 2023	n/a
16 and 20 Medford Street LEED BD+C: Lowrise Draft Narrative	11	Somerville Living, LLC P.O. Box 780, Lynnfield, MA 01940	May 3, 2023	n/a
16 and 20 Medford Street Passive House Narrative	83	Somerville Living, LLC P.O. Box 780, Lynnfield, MA 01940	April 26, 2023	n/a
16 and 20 Medford Street Sustainable & Resilient Buildings Questionnaire	9	Somerville Living, LLC P.O. Box 780, Lynnfield, MA 01940	May 3, 2023	n/a

## SITE PLAN APPROVAL + SPECIAL PERMIT FINDINGS:

When considering a revision to a previously approved development review application that required either Site Plan Approval or a Special Permit, the Planning Board's review is limited to the proposed changes to the previously approved application(s). The considerations before the Board remain the same as the previously approved application for Site Plan Approval and a Special Permit for Household Living.

In accordance with the Somerville Zoning Ordinance, the Board may approve or deny a Site Plan Approval or Special Permit upon making finding 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 this project supports the goals laid out in SomerVision 2040, the City's Comprehensive Master Plan, including the following:

- Significantly increase housing stock to keep up with demand while pursuing the goals of increasing the proportion of affordable housing and housing stock diversity.
- Minimize the overall land use in Somerville dedicated to personal vehicles while encouraging alternative modes.
- Build a sustainable future through climate leadership, balanced transportation, engaging civic spaces, exceptional educational opportunities, improved health, varied and affordable housing options, and the responsible use of our natural resources.

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

The Board finds 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."

**SITE PLAN APPROVAL FINDINGS:**

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

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

**HOUSEHOLD LIVING SPECIAL PERMIT FINDINGS:**

*4. The suitability of the site for a household living principal use compared to other potential principal uses.*

The Board finds the development site is highly suitable for a residential use above a ground floor commercial space due to the project's location to the Boynton Yards neighborhood, one of the City's transform areas. The site's presence along a Pedestrian Street, and with the affiliated requirement to provide for an active use at the ground floor, makes it a good location for a general building, while the existing characteristics of the neighborhood make this location a less desirable to be strictly either a commercial or apartment building type.

*5. The ability of the development proposal to meet the demand for dwelling units of various types, sizes, and bedroom counts.*

The proposal includes ten (10) studios, thirty (28) 1-bedroom units, ten (10) 2-bedroom units, and two (2) 3-bedroom units. Both of the 3-bedroom units will be ADUs, as

required by the SZO, and the remaining eight (8) required ADUs will be distributed among the other unit sizes.

6. *The increase or decrease in the number or price of any previously existing ADUs.*

There are no previously existing ADUs on the site.

7. *The number of motor vehicle parking spaces proposed for development within a Transit Area.*

The property is not located within a Transit Area; therefore, the Board finds that this consideration is not applicable.

## DECISION

Following public testimony, review of the submitted plans, and discussion of the statutorily required considerations, Chair Capuano moved to approve the **MAJOR AMENDMENT** to a previously approved Site Plan Approval and Special Permit for Household Living principal use with the conditions included in the staff memo dated May 25, 2023. 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 South Registry of Deeds.
2. At least one (1) accessory vehicular parking spaces must be offered annually to all ADU households as a right of first refusal until each parking space is either rented or refused.

### Prior to Building Permit

3. One (1) digital copy of all required application materials reflecting any physical changes required by the Board, if applicable, must be submitted to the Planning, Preservation & Zoning Division for the public record. Materials must be submitted in accordance with the document format standards of relevant Submittal Requirements.
4. 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.
5. All materials specifications must be reviewed and approved by the Director of Planning, Preservation & Zoning.
6. All Stage 2 documentation required by the Office of Sustainability & Environment's Net Zero Ready Certifiability Requirements for the subject certification program must be provided.
7. Product details and design specifications for fifty-two (52) long-term bicycle parking spaces must be submitted to the Mobility Division to confirm compliance with Section 11.1 Bicycle Parking of the Somerville Zoning Ordinance.

## Prior to Certificate of Occupancy

8. Traffic count data must be taken for one of the following months: September 2023, or October 2023. Counts must be taken at the same location as previous traffic counts and the Mobility Division must be informed when the traffic counts occur prior to data collection.
9. All Stage 3 documentation required by the Office of Sustainability & Environment's Net Zero Ready Certifiability Requirements for the subject certification program must be provided.

Pursuant to the Planning Board's motion to approve the Major Amendment to a previously approved Site Plan Approval and Special Permit for Household Living principal use, the following conditions attached to the previously approved decision for P&Z 21-057 (Special Permit decision dated September 8, 2022) are no longer valid:

- At least two (2) parking spaces must be reserved for loading and drop-off uses on the surface level parking area. The spaces should be regulated with signage with the following language:
  - Loading Zone
  - Monday – Saturday
  - 8am-10pm
  - Commercial Plate 20 Min.
  - Passenger Plate 5 Min.
- At least four (4) accessory vehicular parking spaces must be offered annually to all ADU households as a right of first refusal until each parking space is either rented or refused.

Pursuant to the Planning Board's motion to approve the Major Amendment to a previously approved Site Plan Approval and Special Permit for Household Living principal use, the following conditions attached to the previously approved decision for P&Z 21-057 (Site Plan Approval decision dated August 18, 2022) are no longer valid:

- Traffic count data must be taken for one of the following months: September 2022, or October 2022. Counts must be taken at the same location as previous traffic counts and the Mobility Division must be informed when the traffic counts occur prior to data collection.
- Product details and design specifications for forty-two (42) long-term bicycle parking spaces must be submitted to the Mobility Division to confirm compliance with Section 11.1 Bicycle Parking of the Somerville Zoning Ordinance.

Attest, by the Planning Board:

Michael Capuano, *Chair*  
Amelia Aboff, *Vice-Chair*  
Erin Geno, *Clerk*  
Jahan Habib  
Michael McNeley



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 \_\_\_\_\_