



City of Somerville

PLANNING BOARD

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

DECISION

PROPERTY ADDRESS: 7 Washington Street
CASE NUMBER: P&Z 21-147
OWNER/APPLICANT: WashDev 2, LLC
ADDRESS: 2 Lincoln Street, Somerville, MA 02145
DECISION: Approved with Conditions (Site Plan Approval)
Approved (Use Special Permit)
DATE OF VOTE: September 21, 2023
DECISION ISSUED: September 27, 2023

2023 SEP 27 A 10:32

CITY CLERK'S OFFICE
SOMERVILLE, MA

This decision summarizes the findings made by the Planning Board (the "Board") regarding the Site Plan Approval and Special Permit application submitted for 7 Washington Street.

LEGAL NOTICE

Wash Dev2, LLC proposes to develop a four (4)-story Net-Zero Ready apartment building and establish a Household Living principle use in the Mid-Rise 4 zoning district, which requires Site Plan Approval and one (1) Special Permit for the Household Living use.

RECORD OF PROCEEDINGS

On September 7, 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, Jahan Habib, Michael McNeley and Alternate Luc Schuster. After a presentation by the Applicant, Chair Capuano opened public testimony. One public comment was made asking what the proposal was for. After the closing the public testimony section of the hearing, the Board went into discussion with the Applicant. Items discussed included sustainability, building accessibility, parking, architectural materials and loading/unloading activities. The Board asked for additional information from the Applicant regarding the building materials and the building's passive house strategy. After discussion, the Board continued the public hearing.

On September 21, 2023, the Board resumed the public hearing. Present and sitting at the public hearing were Board Members Chair Michael Capuano, Vice-Chair Amelia Aboff, Jahan Habib, and Alternate Debbie Howitt Easton. Vice-Chair Aboff and Alternate Howitt Easton were both absent from the hearing on September 7, 2023, but submitted affidavits confirming review of the evidence, and were both able to participate in the decision. The Applicant provided follow-up information regarding passive house feasibility and more details regarding the building's materials. Staff provided information on how loading and unloading activities will occur at this site. The Board asked the

Applicant additional questions regarding the projects passive house strategy, site resiliency, and tree protection. Following discussion, the Chair moved to approve the project.

PLANS & DOCUMENTS

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

Document	Page	Prepared By	Date	Revision Date
7 Washington Street Project Narrative	1	Joe The Architect, 343 Medford St, Suite 4C, Somerville, MA 02145	March 1, 2023	n/a
7 Washington Street Drawings	19	Joe The Architect, 343 Medford St, Suite 4C, Somerville, MA 02145	February 15, 2023	March 1, 2023 April 11, 2023 July 18, 2023
7 Washington Street Landscape Concept	8	Michael D'Angelo Landscape Architecture LLC, 840 Summer St, Suite #201A, Boston, MA 02127	February 17, 2022	April 5, 2023 May 9, 2023 May 25, 2023
7 Washington Street First Neighborhood Meeting Report	1	Joe The Architect, 343 Medford St, Suite 4C, Somerville, MA 02145	April 11, 2023	n/a
7 Washington Street Second Neighborhood Meeting Report	1	Joe The Architect, 343 Medford St, Suite 4C, Somerville, MA 02145	March 1, 2023	n/a
7 Washington Street Design Review Recommendations	2	Joe The Architect, 343 Medford St, Suite 4C, Somerville, MA 02145	April 11, 2023	n/a
7 Washington Street Net Zero Narrative	2	Joe The Architect, 343 Medford St, Suite 4C, Somerville, MA 02145	February 15, 2023	n/a
7 Washington Street Sustainable & Resilient Buildings Questionnaire	18	Koskores Real Estate Corp, 2 Lincoln St, Somerville, MA 02145	October 28, 2022	n/a
7 Washington Street Transportation Access Study	6	Joe The Architect, 343 Medford St, Suite 4C, Somerville, MA 02145	February 15, 2023	n/a
7 Washington Street Plan of Land	1	PFS Land Surveying Inc, 20 Balch Ave, Groveland, MA 01834	January 15, 2019	n/a
7 Washington Street Material Board	4	Joe The Architect, 343 Medford St, Suite 4C, Somerville, MA 02145	September 14, 2023	n/a
7 Washington Street Passive House Feasibility Memo	6	RDH Building Science Inc, 18 Tremont Street #530 Boston, MA 02108	September 14, 2023	n/a

SITE PLAN APPROVAL & SPECIAL PERMIT FINDINGS

In accordance with the Somerville Zoning Ordinance, the Board may approve or deny a Site Plan Approval and Special Permit 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 goals from SomerVision, the comprehensive Master Plan of the City of Somerville:

- 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.

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."

SITE PLAN APPROVAL FINDINGS

In accordance with the Somerville Zoning Ordinance, the Board may approve or deny a Site Plan Approval upon making findings considering, at least, each of the following:

- 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 additional mitigation.

SPECIAL PERMIT FINDINGS

In accordance with the Somerville Zoning Ordinance, the Board may approve or deny a special permit upon making findings considering, at least, each of the following:

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

The Board finds that the development site is highly suitable for a residential use as it within the 0.25 mile transit area, close to multiple bus stops, and located along a major corridor that contains many districts zoned for mixed-use development and high-density residential development.

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

The proposal is comprised of a range of dwelling types including one (1) studio unit, three (3) 1-bedroom units, five (5) 2-bedroom units, and one (1) 3-bedroom unit.

- 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.

No motor vehicle parking is proposed for this development; thus the Board finds that this finding 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 Site Plan Approval for an apartment building in the MR4 district with the conditions included in the staff memo. Vice-Chair Aboff seconded. The Board voted **4-0** to approve the permits, subject to the following conditions:

Perpetual

1. This Decision must be recorded with the Middlesex South Registry of Deeds.
2. Utility meters are not permitted on any façade or within the frontage area of the lot.

Prior to Building Permit

3. If the Board requires any changes to the submitted plans, digital copies of all applicable application materials reflecting those changes 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. Construction documents must be substantially equivalent to the approved plans and other materials submitted for development review.
5. A copy of the Recorded Decision stamped by the Middlesex South Registry of Deeds must be submitted for the public record.
6. All Stage 2 documentation required by the Net Zero Ready Certifiability Requirements must be submitted to the Office of Sustainability & Environment prior to applying for a Building Permit.
7. The Applicant must submit a material palette to the Urban Design Commission for their review and comment.
8. The Applicant must submit a revised landscape plan that includes updated tree planting details, a larger planting bed for the proposed southwestern Beacon Oak tree, and a new proposed native species to replace the proposed *Liriope spicata*, to be reviewed and approved by PSUF.
9. Materials specifications from suppliers must be submitted to confirm fenestration glazing is compliant with the VLT and VLR ratings required by the Somerville Zoning Ordinance.
10. An updated outdoor lighting plan and supplier cut sheet specifications of chosen lighting fixtures must be submitted to confirm compliance with Section 10.7 Outdoor Lighting of the Somerville Zoning Ordinance. The site photometric plan

must include a keyed site plan identifying the location of all luminaries; total site lumen limit tale (calculations form the SZO); lighting fixture schedule indicating the fixture type, description, lam type, lumens, color temperature, color rendering index, BUG rating, mounting height, and wattage of all luminaries; and notation of any timing devices used to control the hours set for illumination.

11. Detailed plans for protecting street trees intended to remain during construction must be approved by PSUF.

Prior to Certificate of Occupancy

12. A written narrative or descriptive checklist identifying the completion or compliance with permit conditions must be submitted to the Inspectional Services Department at least ten (10) working days in advance of a request for a final inspection.
13. All Stage 3 documentation required by the Net Zero Ready Certifiability Requirements must be submitted to the Office of Sustainability & Environment.

Following public testimony, review of the submitted plans, and discussion of the statutorily required considerations, Chair Capuano moved to approve the Special Permit to authorize a Household Living Principal Use with the conditions included in the staff memo. Vice-Chair Aboff seconded. The Board voted **4-0** to approve the permit, subject to the following conditions:

Perpetual

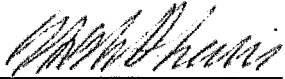
1. All 3-bedroom affordable dwelling units must comply with the Director of Housing's quality standards for 3-bedroom ADU's.
2. A deed restriction limiting the sale or rental of all affordable dwelling units to eligible households in perpetuity must be executed and recorded with the Middlesex South Registry of Deeds.
3. Dwelling units must be advertised as ineligible for on-street Residential Parking Permits, subject to the regulations of the Somerville Traffic Commission.
4. All buyers, grantees, lessees, renters, and tenants must be notified in writing prior to sale or lease of any dwelling unit that the residents are ineligible for on-street Residential Parking Permits, subject to the regulations of the Somerville Traffic Commission.

Prior to Building Permit

5. An Affordable Housing Implementation Plan (AHIP) must be submitted and approved by the Director of Housing
6. Formal acknowledgement that residents are ineligible for on-street Residential Parking Permits, subject to the regulations of the Somerville Traffic Commission, must be filed with this decision.

Attest, by the Planning Board:

Michael Capuano, *Chair*
 Amelia Aboff, *Vice-Chair*
 Jahan Habib
 Debbie Howitt Easton, *Alternate*

A handwritten signature in dark ink, appearing to read "Sarah Lewis", is written over a horizontal line.

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 _____