



City of Somerville

## PLANNING BOARD

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

2023 DEC 22 A 11:11

### DECISION

**PROPERTY ADDRESS:** 30 Bow Street  
**CASE NUMBER:** P&Z 23-068  
**OWNER:** 30 Bow LLC  
**OWNER ADDRESS:** 30 Bow Street, Somerville, MA 02143  
**APPLICANT:** Modern Love LLC d/b/a Wild Child  
**APPLICANT ADDRESS:** 1 Bow Market Way, Ste 32, Somerville, MA 02143  
**DECISION:** Approved with Conditions (Use Special Permit)  
**DATE OF VOTE:** December 21, 2023  
**DECISION ISSUED:** December 22, 2023

CITY CLERK'S OFFICE  
SOMERVILLE

This decision summarizes the findings made by the Planning Board (the "Board") regarding the Special Permit application submitted for 30 Bow Street.

### LEGAL NOTICE

Modern Love, LLC seeks to establish an Alcohol Sales principal use along a Pedestrian Street in the Mid-Rise 3 (MR3) District, which requires a Special Permit.

### RECORD OF PROCEEDINGS

On December 21, 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 Jahan Habib, and Alternate Luc Schuster. The Applicant provided a presentation to the Board on the proposed use. After the presentation by the Applicant, the Chair opened public testimony, where one member of the community expressed support for the proposal. After the Chair closed the public testimony portion of the hearing, the Board asked questions for both the Applicant and Staff. After a brief discussion, the Chair moved to approve the Special Permit application.

### PLANS & DOCUMENTS

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

Document	Pages	Prepared By	Date	Revision Date
30 Bow Street Narrative	2	Michael Barone, Jr, RIW, 255 State Street, 7 <sup>th</sup> Floor, Boston, MA 02109	October 20, 2023	n/a
30 Bow Street Floor Plan	3	Michael Barone, Jr, RIW, 255 State Street, 7 <sup>th</sup> Floor, Boston, MA 02109	October 20, 2023	n/a
30 Bow Street Map	2	Michael Barone, Jr, RIW, 255 State Street, 7 <sup>th</sup> Floor, Boston, MA 02109	October 20, 2023	n/a
30 Bow Street Neighborhood Meeting Report	45	Michael Barone, Jr, RIW, 255 State Street, 7 <sup>th</sup> Floor, Boston, MA 02109	October 20, 2023	n/a

## 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:

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:

- Invest in the growth of a resilient economic base that is centered around transit, generates a wide variety of job opportunities, creates an active daytime population, supports independent local businesses, and secures fiscal self-sufficiency.

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

The Board finds that the proposal meets the intent of the MR3 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 commercial uses."

3. *Concentration of packaged liquor uses in the neighborhood.*

There is one (1) other packaged liquor use (Jerry's Liquor Mart) within 300 feet of the site at 329 Somerville Ave: Jerry's Liquor Mart. This business is more characteristic of a traditional packaged liquor store as it sells typical liquor store products such as beer, wine, hard liquor, nips/shooter, etc. The proposed Alcohol Sales use at 30 Bow Street is more niche as it will specifically be selling rare and natural wines and beer.

## DECISION

Following public testimony, review of the submitted plans, and discussion of the statutorily required considerations, Chair Capuano moved to approve the **Special Permit** to establish an Alcohol Sales 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. This Decision must be recorded with the Middlesex South Registry of Deeds.
2. Approval is limited to Modern Love, LLC and is not transferrable to any successor in interest.

Prior to Building Permit


3. Digital copies of all required application material 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.

Prior to Certificate of Occupancy

5. A written narrative or descriptive checklist identifying the completion or compliance with permit conditions must be provided to the Inspectional Services Department at least ten (1) working days in advance of a request for final inspection.

Attest, by the Planning Board:

Michael Capuano, *Chair*  
Amelia Aboff, *Vice-Chair*  
Jahan Habib, *Clerk*  
Luc Schuster, *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 \_\_\_\_\_