



City of Somerville

PLANNING BOARD

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

2024 OCT 18 A 9:49

DECISION

PROPERTY ADDRESS: 120 Beacon Street
CASE NUMBER: ZP24-000096
OWNER: 120 Beacon Street Limited Partnership
OWNER ADDRESS: Eastport Real Estate Services, 107 Audubon Road, 2-301, Wakefield, MA 01880
APPLICANT: Animal Care Innovations Ltd.
APPLICANT ADDRESS: 22 Water Street, Apt. 413, Cambridge, MA 02141
DECISION: Approved with Conditions (Use Special Permit)
DATE OF VOTE: October 17, 2024
DECISION ISSUED: October 18, 2024

CITY CLERK'S OFFICE
SOMERVILLE, MA

This decision summarizes the findings made by the Planning Board (the "Board") regarding the Special Permit application submitted for 120 Beacon Street.

LEGAL NOTICE

Animal Care Innovations Ltd. seeks to establish a Veterinarian Use on a Pedestrian Street in the Mid-Rise 4 (MR4) district, which requires a Special Permit.

RECORD OF PROCEEDINGS

On October 17, 2024, 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, Michael McNeley, and Alternate Luc Schuster. The attorney for the Applicant gave a brief presentation about the proposed business, a veterinarian clinic to be located within an existing commercial space. The Chair opened public testimony; one member of the public spoke in support of the application. There was some discussion amongst the Board, in which the Board Members expressed their support for the application. 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
Tandem Vet - Site & Floor Plans	3	Rauhaus Freedenfeld & Associates 97 Broadway St, Boston, MA 02116	June 27, 2024	n/a
Development Narrative	4	Adam Dash, Esq. 48 Grove St #304, Somerville, MA 02144	Undated	n/a

Signage Proposal (Elevations)	7	BHDM 307 7th Ave, New York, NY 10001	August 19, 2024	n/a
Neighborhood Meeting Report	2	Adam Dash, Esq. 48 Grove St #304, Somerville, MA 02144	Undated	n/a
Abutting Context Analysis	18	Adam Dash, Esq. 48 Grove St #304, Somerville, MA 02144	Undated	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:

- i. *The comprehensive plan and existing policy plans and standards established by the City.*

The Board finds that the proposal is compatible with the values of SomerVision 2040, the City's Comprehensive Master Plan, including:

- Protect and foster the diversity of our people, culture, and economy.
- Create an environment that enables existing small businesses to thrive and produce entrepreneurial opportunities for new ones. Ensure that the regulatory environment supports the innovative business models necessary for businesses to adapt.

- ii. *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, "To create, maintain, and enhance areas appropriate for smaller scale, multiuse and mixed-use buildings, and neighborhood serving uses."

Section 4.2.13.b.i.b)

- i. *The maintenance of a diverse blend of commercial uses within the neighborhood.*

The Board finds that the Abutting Context Analysis submitted by the Applicant contains a complete list of businesses within 300' of the proposed site -- including a dentist's office, multiple restaurants, a day care, a specialty foods store, and a gallery space -- and that a veterinarian use will maintain this diverse blend.

- ii. *The existing concentration of uses from the same use category within the neighborhood.*

Animal Services is a Commercial Use Category; these services include Commercial Kennels, Pet Grooming, Pet Day Care or Training, and Veterinarian. The Board finds that there are few of these existing businesses in the vicinity -- RiverDog Daycare is

located in Union Square one half mile to the east, and Huron Veterinarian Hospital is temporarily located on Beacon Street one quarter mile to the south.

iii. The availability of the same services within the neighborhood.

The Board finds that the nearest similar business is Huron Veterinarian Hospital at 70 Beacon Street, which according to their website is in the process of moving to another location in Union Square.

iv. The availability of comparable commercial spaces within the neighborhood.

Based on available information, the Board finds that the structure at 120 Beacon Street is the only commercial building with adequate available floor space in the neighborhood for a veterinary office of this scale

DECISION

Following public testimony, review of the submitted plans, and discussion of the statutorily required considerations, Chair Michael Capuano moved to approve the Special Permit to establish a Veterinarian Use on a Pedestrian Street in the Mid-Rise 4 (MR4) district with the conditions included in the staff memo dated October 8th, 2024. Vice Chair Amelia Aboff seconded. The Board voted **4-0** to approve the permit, subject to the following conditions:

Permit Validity

1. This Decision must be recorded with the Middlesex South Registry of Deeds.
2. 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 (10) working days in advance of a request for a final inspection.

Public Record

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 digital 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.

Attest, by the Planning Board:

Michael Capuano, *Chair*
Amelia Aboff, *Vice-Chair*
Michael McNeley
Luc Schuster, *Alternate*

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 _____