



City of Somerville

PLANNING BOARD

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

DECISION

2025 APR 30 P 4: 25

PROPERTY ADDRESS: 33 Mystic Avenue
CASE NUMBER: ZP24-000114
OWNER: Stellamoon LLC
OWNER ADDRESS: 15 Paul Gore St. Jamaica Plain, MA 02130
APPLICANT: Stellamoon LLC
APPLICANT ADDRESS: 15 Paul Gore St. Jamaica Plain, MA 02130
DECISION: Approved with Conditions (Site Plan Approval)
DATE OF VOTE: April 17, 2025
DECISION ISSUED: April 30, 2025

CITY CLERK'S OFFICE
SOMERVILLE, MA

This decision summarizes the findings made by the Planning Board (the "Board") regarding the Site Plan Approval application submitted for 33 Mystic Avenue.

LEGAL NOTICE

Stellamoon LLC proposes to develop a six (6) story General Building in the Assembly Square Mixed-Use district, which requires Site Plan Approval.

RECORD OF PROCEEDINGS

On March 20, 2025, 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 Vice-Chair Amelia Aboff, Clerk Jahan Habib, Luc Schuster, Michael McNeley, and Lynn Richards. The Board opened the hearing and continued it to the April 3 2025 meeting without any deliberation.

On April 3, 2025, the Board resumed the public hearing. Present and sitting at the public hearing were Board Members Chair Michael Capuano, Vice-Chair Ameila Aboff, Clerk Jahan Habib, Luc Schuster, Michael McNeley, and Lynn Richards. The Applicant presented the project, including the geographic context, existing planning documents, and proposed improvements to the public realm. The Chair opened public testimony; public comments included support for the project but concern about proximity to the highway. The Board deliberated on open space in proximity to the highway. The Board left the written testimony period open and continued the hearing to the April 17, 2025 meeting.

On April 17, 2025, the Board resumed the public hearing. Present and sitting at the public hearing were Board Members Chair Michael Capuano, Vice-Chair Ameila Aboff, Clerk Jahan Habib, Luc Schuster, Michael McNeley, and Lynn Richards. The Applicant described efforts to mitigate the impacts of the highway proximity. The Board moved to grant the Site Plan Approval.

PLANS & DOCUMENTS

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

Document	Pages	Prepared By	Date	Revision Date
33 Mystic Avenue SPA Narrative	26	Neighbor Architects 32R Essex Street, Suite 5 Cambridge, MA 02139	November 1, 2024	n/a
33 Mystic Avenue Site & Building Plans	13	Neighbor Architects 32R Essex Street, Suite 5 Cambridge, MA 02139	June 25, 2024	November 1, 2024
33 Mystic Avenue Utility Site Plan (Land Title Survey)	1	Boston Survey, Inc. Unit C-4 Shipway Place, Charlestown, MA 02129	September 12, 2024	n/a
33 Mystic Avenue Landscape Plans	4	Neighbor Architects 32R Essex Street, Suite 5 Cambridge, MA 02139	November 1, 2024	n/a
33 Mystic Avenue Transportation Access Plan	15	Howard Stein Hudson 11 Beacon Street Suite 1010 Boston, MA 02108	October 2024	November 2024
33 Mystic Avenue Shadow Study	9	Neighbor Architects 32R Essex Street, Suite 5 Cambridge, MA 02139	November 1, 2024	n/a
33 Mystic Avenue Neighborhood Meeting Report #1	14	Neighbor Architects 32R Essex Street, Suite 5 Cambridge, MA 02139	November 1, 2024	n/a
33 Mystic Avenue Neighborhood Meeting Report #2	39	Neighbor Architects 32R Essex Street, Suite 5 Cambridge, MA 02139	November 1, 2024	n/a
33 Mystic Avenue Design Review Report	13	Neighbor Architects 32R Essex Street, Suite 5 Cambridge, MA 02139	November 1, 2024	n/a

SITE PLAN APPROVAL FINDINGS

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

Site Plan Approval

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:

- Promote a dynamic urban streetscape that embraces public transportation, reduces car dependence, and is accessible, inviting, and safe for all pedestrians, bicyclists, and transit riders.
- 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 this project meets the intent of the ASMD zoning district, which is, in part: "To redevelop underutilized areas within close walking distance to the Assembly Square T-station with mixed-use, mid-rise and high-rise, transit-oriented development that will support the transformation of Assembly Square into an urban commerce center."

The Board also finds that this project meets the intent of the SZO overall, including the following:

- To develop and maintain complete, mixed-use, walkable, transit-oriented, and environmentally sustainable neighborhoods that foster a strong sense of community throughout the city.
- To provide a range of housing types, unit sizes, and price points to accommodate the diverse household sizes and life stages of Somerville residents at all income levels.

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

The Board finds that, as conditioned, the proposal does not create any impacts which require further mitigation.

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** to develop a six (6) story General Building in the Assembly Square Mixed-Use district with the conditions included in the staff memo and discussed at the hearing. Vice-Chair Aboff seconded. The Board voted **6-0** 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. 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. Material must

be submitted in accordance with the document format standards of relevant Submittal Requirements.

3. A written narrative or descriptive checklist identifying the completion or compliance with permit conditions must be to the Inspectional Services Department at least ten (10) working days in advance of a request for a final inspection.

Public Record

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.

Mobility

5. The applicant must finalize regulations for the proposed loading zone with relevant City Departments, prior to Certificate of Occupancy.

Site & Building Design

6. The site must meet the minimum Green Score for a general building in an MR6 zoning district. Green Score documentation must be reviewed and approved by the Public Space and Urban Forestry Division prior to applying for a Building Permit.
7. Utility and mechanical equipment is not permitted on any façade or within the frontage area of the lot.
8. Electrical transformers and other mechanical equipment are not permitted above ground within the frontage area of any lot.
9. A Digital Massing Model of only the building's massing, in SketchUp format (.skp), that is to scale and properly geo-located and oriented for use in place and viewing the project within the City's digital model of existing buildings in the city must be submitted to the Planning, Preservation, & Zoning Division prior to the issuance of a Building Permit. The model should be the main massing only and should not include any detailed architectural features of the proposed building, including building components or materiality.
10. Frontage areas provided for a widened sidewalk along Mystic Avenue and North Union Streets must be designed and paved to properly correspond with any sidewalk improvements approved within the public right-of-way.
11. A physical mock-up of the building shall be submitted to the Urban Design Commission for review and comment prior to applying for a Building Permit.
12. A detailed materials palette shall be submitted to the Urban Design Commission for review and comment prior to applying for a Building Permit.

Housing

13. 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.

14. An affordable housing implementation plan (AHIP) must be submitted to the Director of Housing for review and approval prior to applying for a Building Permit.

Parking

15. Dwelling units must be advertised as ineligible for on-street Residential Parking Permits, subject to the regulations of the Somerville Traffic Commission.
16. 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.

Maintenance

17. The property owner is responsible for all of the regular and long-term maintenance, replacement, insurance, and other applicable costs associated with all on-site sidewalk improvements.

Legal Agreements

18. A public right-of-way or pedestrian access easement must be provided in perpetuity by a covenant or other deed restriction for the full area of the sidewalk provided within the frontage area of the lot. Final easement language must be approved by the City Solicitor.

Construction Documents

19. Construction documents must be substantially equivalent to the approved plans and other materials submitted for development review.
20. Material specifications from suppliers must be submitted to confirm fenestration glazing is compliant with the VLT and VLR ratings required by the Somerville Zoning Ordinance.
21. An outdoor lighting plan and supplier cut sheet specifications of chosen lighting fixtures must be submitted to confirm compliance with Section 10.6 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 table (Calculations from the SZO); lighting fixture schedule indicating the fixture type, description, lamp 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 hour set for illumination.

Attest, by the Planning Board:

Michael Capuano, *Chair*
Amelia Aboff, *Vice-Chair*
Jahan Habib, *Clerk*
Lynn Richards
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 _____