



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: ZP24-000122
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 (Special Permit)
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 Special Permit application submitted for 33 Mystic Avenue.

LEGAL NOTICE

Stellamoon LLC seeks a waiver from the building height dimensional standard in the Assembly Square Mixed-Use district, which requires a Special Permit.

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 Special Permit.

PLANS & DOCUMENTS

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

Document	Pages	Prepared By	Date	Revision Date
33 Mystic Avenue Special Permit 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

SPECIAL PERMIT FINDINGS

In accordance with the Somerville Zoning Ordinance, the Board approved the Special Permit upon making findings considering the following:

Special Permit Considerations for Waivers from Dimensional Standards

1. Consistency with the ASQ Plan.

The Board finds that this proposal is consistent with the 2000 ASQ Plan, especially around mixed-use development.

The Board also finds that this proposal is consistent with the draft ASQ Plan specifically around strategic infill development lining around 6-stories in height along the main street with green roofs and widening the street for pedestrianization.

DECISION

Following public testimony, review of the submitted plans, and discussion of the statutorily required considerations, Chair Capuano moved to approve the **Special Permit** for a waiver from the building height dimensional standard 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. 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.

Dimensional Standards

5. The maximum building height permitted is 69'-11 ½".

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 _____