



City of Somerville

## PLANNING BOARD

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

### DECISION

2025 JUL 28 PM 3:41

**PROPERTY ADDRESS:** 483 Broadway  
**CASE NUMBER:** ZP25-000004  
**OWNER:** John Wood  
**OWNER ADDRESS:** 7 Meadow Lane, Topsfield, MA 01983  
**APPLICANT:** Babbitt Design c/o Tavis Babbitt  
**APPLICANT ADDRESS:** 85 McGuerty Road, Eastham, MA 02642  
**DECISION:** Approved with Conditions (Site Plan Approval)  
**DATE OF VOTE:** July 17, 2025  
**DECISION ISSUED:** July 28, 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 483 Broadway.

### LEGAL NOTICE

Babbitt Design proposes alcohol sales use in the MR4 zoning district, which requires a Special Permit.

### RECORD OF PROCEEDINGS

On June 5, 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 Chair Michael Capuano, Vice-Chair Amelia Aboff, Clerk Jahan Habib, Michael McNeley, Lynn Richards, and Alternate Luc Schuster. The applicant team described the project. Chair Capuano opened the floor for public testimony, and several members of the public spoke about items including the current state of the property and greening the roof along with the status of the liquor license. Chair Capuano closed the public testimony portion of the hearing. The Board noted the applicant team's concern about the timing of approvals relative to the status of the liquor license. The Board continued the public hearing until July 17, 2025, but left the opportunity available for the public to submit written comments.

On July 17, 2025, the Board resumed the public hearing. Present and sitting at the public hearing were board members Chair Michael Capuano, Vice-Chair Amelia Aboff, Clerk Jahan Habib, Michael McNeley, Lynn Richards, and Alternate Luc Schuster. There was no further discussion specific to the alcohol sales use Special Permit. Instead, Board discussion focused on the related Site Plan Approval application before them to which the alcohol sales use was related.

After brief discussion, the Board took a vote to approve the Special Permit for alcohol sales use with the conditions noted in the Staff Memo.

## PLANS & DOCUMENTS

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

| Document   | Pages     | Prepared By  | Date                     | Revision Date                             |
|--|-----------|--|--------------------------|---|
| Certificate of Received Materials – Office of Sustainability & Environment | 1         | Office of Sustainability and Environment   | 10/16/2024               | n/a                                       |
| Site Plan  | 2         | Ashkar Engineering & Surveying<br>70 Washington St, Suite 306<br>Haverhill, MA                                       | 7/26/2022                | n/a                                       |
| Shadow Study   | 15        | No preparer indicated  | 1/13/2025<br>(submitted) | n/a                                       |
| Project Narrative  | 1         | Babbitt Designs<br>85 McGuerty Rd.<br>Eastham, MA  | 1/13/2025<br>(submitted) | n/a                                       |
| Mobility (TAP) documents   | 3, 3, & 8 | Rise Architecture<br>71B Clinton St<br>Malden MA<br><br>and<br><br>Babbitt Designs<br>85 McGuerty Rd.<br>Eastham, MA | 5/24/2024                | 2/7/2025<br><br>3/3/2025<br><br>3/20/2025 |
| Architectural plans  | 19        | Rise Architecture<br>71B Clinton St<br>Malden MA   | 5/24/2024                | 4/8/2025                                  |
| Landscape plans  | 2         | Rise Architecture<br>71B Clinton St<br>Malden MA   | 5/24/2024                | 4/8/2025                                  |

## SPECIAL PERMIT 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:

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:

- Continue to support small businesses, and fight displacement by coordinating with an existing local business to remain in Somerville.
- Prioritize walking, biking, and transit options and minimize space dedicated to personal vehicles

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

The Board finds that this project meets the intent of the MR4 zoning district is, in part: "To create, maintain, and enhance areas appropriate for smaller scale, multi-use and mixed-use building and neighborhood serving commercial uses."

## 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 for alcohol sales use with the conditions included in the staff memo. Vice-Chair Amelia Aboff seconded. The Board voted unanimously **(5-0)** to **approve the Special Permit** for alcohol sales use, 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. Digital copies 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 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*  
Jahan Habib, *Clerk*  
Michael McNeley  
Lynn Richards  
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 \_\_\_\_\_