



City of Somerville

PLANNING BOARD

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

DECISION

PROPERTY ADDRESS: 199 Elm Street
CASE NUMBER: ZP25-000031
OWNER: Wisdom Publications
OWNER ADDRESS: 199 Elm St, Somerville, MA 02143
APPLICANT: Picker Construction/Pablo Picker
APPLICANT ADDRESS: 15 Paul Gore St, Jamaica Plain MA 02130
DECISION: Approved with Conditions (Site Plan Approval)
DATE OF VOTE: August 21, 2025
DECISION ISSUED: September 3, 2025

CITY CLERK'S OFFICE
SOMERVILLE, MA

2025 SEP -3 P 1:52

This decision summarizes the findings made by the Planning Board (the "Board") regarding the Site Plan Approval application submitted for 199 Elm Street.

LEGAL NOTICE

Picker Construction seeks to develop a General Building in the MR4 zoning district, which requires Site Plan Approval.

RECORD OF PROCEEDINGS

On August 7, 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. The applicant gave a brief presentation on the project. Chair Capuano opened the public testimony portion of the hearing. One neighbor spoke about the trash conditions of the new building. At the hearing, the board discussed the unit count and sizes, the opportunity for public art, and the transformer location. Chair Capuano requested that the following condition be added to the list of conditions: "Dwelling units must be advertised as ineligible for on-street Residential Parking Permits, subject to the regulations of the Somerville Traffic Commission." The Board continued the public hearing to the August 21, 2025 meeting.

On August 21, 2025, the Board resumed the public hearing. Present and sitting at the public hearing were Board Members Chair Michael Capuano, Clerk Jahan Habib, Michael McNeley, Lynn Richards, and Alternate Luc Schuster. Alternate Luc Schuster was absent from the hearing on August 7, 2025, but submitted an affidavit confirming review of the evidence, and was able to participate in the review and decision. The applicant presented updated plans accounting for the Board's comments from the August 7th meeting. The board discussed the changes and asked for updates on their comments. There was no public comment, and the public comment portion of the hearing was closed. The board discussed that if any change to the transformer location

should occur, the change would not be de minimis and would need to be reviewed by the board. The board then moved to approve the application with conditions.

PLANS & DOCUMENTS

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

Document	Pages	Prepared By	Date	Revision Date
ElmSt199_ZP25-000031_SitePlan	1	Neighbor Architects LLC 32R Essex St Cambridge, MA 02139	March 12, 2025	n/a
ElmSt199_ZP25-000031_Narrative	28	Neighbor Architects LLC 32R Essex St Cambridge, MA 02139	March 12, 2025	n/a
ElmSt199_ZP25-000031_BuildingPlans	16	Neighbor Architects LLC 32R Essex St Cambridge, MA 02139	March 12, 2025	June 9, 2025
ElmSt199_ZP25-000031_ShadowStudy	9	Neighbor Architects LLC 32R Essex St Cambridge, MA 02139	March 12, 2025	n/a
ElmSt199_ZP25-000031_UDCRecommendation	4	Neighbor Architects LLC 32R Essex St Cambridge, MA 02139	May 13, 2025	n/a
ElmSt199_ZP25-000031_NeighborhoodMeetingReports	56	Neighbor Architects LLC 32R Essex St Cambridge, MA 02139	March 12, 2025	n/a
ElmSt199_ZP25-000031_LandscapePlan	5	Ground Inc. 285 Washington St Somerville, MA 02143	May 15, 2025	n/a
ElmSt199_ZP25-000031_TAP	14	Howard Stein Hudson 11 Beacon St Suite 1010 Boston, MA 02108	May 2025	n/a
ElmSt199_ZP25-000031_Sustainability_Documents	19	Pablo Picker & Shelley Cates 33 Mystic Ave Somerville, MA 02145	March 12, 2025	n/a

SITE PLAN APPROVAL 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 the project supports the comprehensive plan and existing policy plans and standards established by the City, including the following:

- Encourage more commercial development.
- Prioritize walking, biking, and transit options and minimize space dedicated to personal vehicles.
- Increase the housing supply.

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

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

The Board finds that this project meets the broader intent of the Somerville Zoning Ordinance, 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 day.
 - 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.
 - To preserve and enhance the design of Somerville's public realm.
3. *Mitigation proposed to alleviate any impacts attributable to the proposed development.*

The Board finds that the proposed conditions mitigate any significant impacts attributable to the proposed development.

DECISION

Following public testimony, review of the submitted plans, and discussion of the statutorily required considerations, Chair Michael Capuano moved to approve the Site Plan Approval to develop a General Building in the MR4 District with the conditions included in the staff memo dated July 19, 2025, and discussed at the hearing. Jahan Habib seconded. The Board voted **5-0** to **approve the Site Plan Approval** permit, subject to the following conditions:

General

1. This Decision must be recorded with the Middlesex South Registry of Deeds
2. Utility and mechanical equipment is not permitted on any façade or within the frontage area of the lot.
3. Electrical transformers and other mechanical equipment are not permitted above ground within the frontage area of any lot.
4. The Applicant or their successor must consider utility conflicts with proposed tree plantings when designing civil plan. Building utilities must be routed to avoid tree drip lines, as possible.
5. The final design will need to eliminate groundwater dewatering for permanent conditions; if minor dewatering is required, calculations must show that they can be discharged onsite, without entering the City storm drainage system. Construction dewatering may be required and will be acceptable to the City in compliance with all state & federal requirements.

6. Inflow and infiltration sewer mitigation is required for all projects that increase Sewer flows to the City wastewater system. By City ordinance & policy, the City only accepts I&I mitigation via fee.
7. This project must be in compliance with the Engineering Site Construction Rules and Regulations and implement stormwater management BMPs to meet runoff requirements as necessary. Any piped, direct connection to the City sewer and drainage system will automatically classify this project as a Large Project Review per the regulations.
8. Intensive green roofs with a planting medium depth in excess of 6" that include tree or shrub species shall have an irrigation system, as stated in the GreenScore guide. Please coordinate irrigation permits, compliance, and approvals with ISD and Water & Sewer.
9. The Applicant and all contractors shall take all necessary precautions to avoid damaging any tree to remain, including trees on abutting properties. This includes the tree structural roots (roots 2 inches in diameter or greater). Tree roots extend to at least the dripline of the tree, and damage to the root system may result in tree instability and/or death. To preserve the structural integrity and health of any trees to remain (including trees on abutting properties), the Applicant or their successor shall establish a Tree Protection Zone at the dripline of each tree at a minimum (the dripline is the outside edge of the tree branch tips). The Tree Protection Zone will be established using a chain-link, wire-mesh, or wooden fence, which must be installed prior to any work and must be maintained throughout construction. The fencing will be 4-6 feet high and solidly anchored to the ground. This fencing shall be clearly marked with signs stating that this area is a Tree Protection Zone and that no one is allowed to enter or disturb this area without authorization from a specified certified arborist. Signs must be posted in English AND in native language(s) of the workers on site. If at all possible, NO WORK should occur within the Tree Protection Zone. If any work must occur within the Tree Protection Zone, it must be done carefully and by hand, and shall be overseen by a Massachusetts Certified Arborist (MCA) or International Society of Arboriculture (ISA) Certified Arborist or equivalent.
10. Dwelling units must be advertised as ineligible for on-street Residential Parking Permits, subject to the regulations of the Somerville Traffic Commission.
11. 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.

Prior to Building Permit

12. Given the ongoing design of the City's Elm-Beacon Connector project adjacent to the property, the Applicant shall coordinate with the Mobility Division on the final streetscape design prior to issuance of Building Permit.
13. The Applicant shall submit a Construction Management Plan (CMP) for Engineering and Mobility Division review and comment twenty-one (21) days prior to submission of the Foundation Permit. Zero lot line construction on an Urban Principal Arterial street will require engineered site logistic plans to minimize construction impacts to the high-volume public right of way.
14. 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. Materials must be submitted in accordance with the document format standards of relevant Submittal Requirements.
15. 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.
16. Construction documents must be substantially equivalent to the approved plans and other materials submitted for development review.
17. 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.
18. 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 luminaires; 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 luminaires; and notation of any timing devices used to control the hours set for illumination.
19. Plans reflecting the incorporation of public art presented at the August 21, 2025 Planning Board hearing shall be uploaded to CitizenServe file ZP25-000031 and included in any building permit application.

Prior to Certificate of Occupancy

20. A written narrative or descriptive checklist identifying the completion or compliance with permit conditions at least ten (10) working days in advance of a request for a final inspection.

21. The Applicant or their successor must infill the existing curb cut as part of this project, and must apply for a Sidewalk Reconstruction Permit prior to executing the work.
22. The Applicant or their successor must apply for an Address Modification Permit to establish addresses for new units on this parcel as proposed in the drawings.
23. 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 placing 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 mass only and should not include any detailed architectural features of the proposed building, including building components or materiality.

Attest, by the Planning Board:

Michael Capuano, *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 _____