

Middlesex South Registry of Deeds  
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Recording Information

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**Middlesex South Registry of Deeds**  
**Maria C. Curtatone, Register**  
208 Cambridge Street  
Cambridge, MA 02141  
617-679-6300  
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City of Somerville

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

2023 MAY 23 P 1:13

**PROPERTY ADDRESS:** 1 McGrath Highway  
**CASE NUMBER:** P&Z 21-028  
**OWNER/APPLICANT:** Somerbridge Hotel, LLC  
**OWNER ADDRESS:** 10 Cabot Road, Suite 209, Medford, MA 02155  
**DECISION:** Approved with Conditions (Site Plan Approval)  
 Approved with Conditions (Special Permit for Hotel Use)  
 Approved with Conditions (Special Permit for Parking Relief)  
**DATE OF VOTE:** May 18, 2023  
**DECISION ISSUED:** May 23, 2023 Deed Reference: Book 73874, Page 495

CITY CLERK'S OFFICE  
SOMERVILLE, MA

This decision summarizes the findings made by the Planning Board (the "Board") regarding the Site Plan Approval and Special Permits application submitted for 1 McGrath Highway.

**LEGAL NOTICE**

Somerbridge Hotel, LLC proposes to develop a six (6) story General Building and establish a Hotel use in the High Rise (HR) district, which requires Site Plan Approval and Special Permits for the Hotel use and relief from parking standards.

**RECORD OF PROCEEDINGS**

On April 20, 2023, 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, Clerk Erin Geno, Jahan Habib, Michael McNeley, Alternate Debbie Howitt Easton, and Alternate Luc Schuster. Following the Applicant's presentation of the proposal the Board took public testimony, with individuals speaking in support of the project. The Board asked questions about the zoning and ACE space, environmental factors, and parking. The Board continued the public hearing.

On May 4, 2023, the Board resumed the public hearing. Present and sitting at the public hearing were Board Members Jahan Habib, Michael McNeley, Alternate Debbie Howitt Easton, and Alternate Luc Schuster. The Board asked additional questions about the project and took public testimony, with individuals speaking in support of the project. The Board asked Staff to confirm that no additional neighborhood meetings are required as part of the application review process. The Board continued the public hearing.

On May 18, 2023, the Board resumed the public hearing. Present and sitting at the public hearing were Board members Chair Michael Capuano, Clerk Erin Geno, Michael McNeley, and Alternate Luc Schuster. As Members Capuano and Geno were absent from the hearing on May 4, 2023, both submitted affidavits confirming review of the

Adam Dash  
 48 Grove Street, Suite 304  
 Somerville, MA 02144

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CITY CLERK

evidence, and both were able to participate in the decision. The Applicant stated that the Building Inspector had confirmed that no additional neighborhood meeting was required, and that, as reflected by the public comments, the neighborhood was generally supportive of the application. Following discussion, the Board moved to vote on the application.

## PLANS & DOCUMENTS

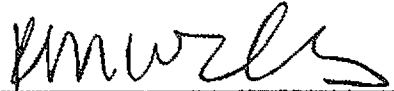
Application plans, documents, and supporting materials submitted and incorporated are identified below.

Document	Pages	Prepared By	Date	Revision Date
1 McGrath Highway Development Narrative	114	Adam Dash, Esq. Adam Dash & Associates 48 Grove Street, Suite 304 Davis Square Somerville, MA 02144	Undated, submitted January 25, 2023	N/A
Site Development Plans for 199 Room Dual Brand Hotel	20	Allen & Major Associates, Inc. 400 Harvey Road Manchester, NH 03103	January 25, 2023	March 10, 2023
Somerbridge Hotel [Architectural Plans]	17	Jal Hospitality Design, LLC 10 Cabot Road, Suite 209 Medford, MA 02155	November 5, 2021	September 1, 2022
Somerbridge Hotel [Landscape Plans]	13	Allen & Major Associates, Inc. 400 Harvey Road Manchester, NH 03103	November 5, 2021	April 3, 2023
1 McGrath Highway Context Analysis	179	Jal Hospitality Design, LLC 10 Cabot Road, Suite 209 Medford, MA 02155	November 5, 2021	January 25, 2023
Exterior Signage Elevation & Details 1 McGrath Highway	1	Jal Hospitality Design, LLC 10 Cabot Road, Suite 209 Medford, MA 02155	November 5, 2021	N/A
1 McGrath Highway Mobility Division Documents	221	Allen & Major Associates, Inc. 400 Harvey Road Manchester, NH 03103	January 25, 2023	N/A
1 McGrath Highway Transportation Impact and Access Study Appendix	280	Allen & Major Associates, Inc. 400 Harvey Road Manchester, NH 03103	January 25, 2023	N/A
1 McGrath Highway OSE Documents, Part 1	45	Jal Hospitality Design, LLC 10 Cabot Road, Suite 209 Medford, MA 02155	January 25, 2023	April 24, 2023
1 McGrath Highway OSE Documents, Part 2	2	Jal Hospitality Design, LLC 10 Cabot Road, Suite 209 Medford, MA 02155	January 25, 2023	N/A

## SITE PLAN APPROVAL & SPECIAL PERMIT FINDINGS

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

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

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The Board finds that the proposal will help achieve the following objectives and goals from SomerVision 2040, the comprehensive Master Plan of the City of Somerville:


- Invest in the growth of a resilient economic base that is centered around transit, generates a wide variety of job opportunities, creates an active daytime population, supports independent local businesses, and secures fiscal self-sufficiency.
- 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.
- Add jobs. Prioritize commercial development until the number of jobs in Somerville is equal to the number of working residents.
- Encourage more commercial development. Develop sufficient commercial property to generate 50% of property tax revenue from commercial sources.
- Promote sustainability in commercial development. Ensure that commercial development uses sustainable design, technology, and practices.
- Reduce [space dedicated to personal vehicles]. Minimize the overall space in Somerville dedicated to personal vehicles.
- Reduce demand [for vehicular parking and personal vehicle use]. Parking and personal vehicle use take up a lot of space and are not the best use of our land, [and] we should reduce the space available for parking and personal vehicle use.
- Prioritize walking, biking, and transit access. Cities are more enjoyable, safer, and more economically prosperous when more space is dedicated to people than cars. Use reclaimed space to create new public spaces, safe infrastructure for sustainable mode users, and other community uses.

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

The Board finds that the proposal meets the intent of the HR zoning district, which is, in part, “[t]o accommodate the development of areas appropriate for an intense mix of multi-story multi-unit, mixed-use, and commercial buildings; neighborhood-, community-, and region-serving uses; and a wide variety of employment opportunities.”

The Board also finds the proposal meets the intent of the SZO more generally, which includes, but is not limited to, the following:

- To require a strong connection and gradual transition between the public realm (sidewalks, thoroughfares, and civic spaces) and private realm (yards and building interiors).
- To encourage contemporary architectural design for new construction that [complements] the established character of existing buildings.
- To increase commercial tax base in support of the fiscal health of the City.
- To capture a fiscal return on investments made in transportation infrastructure by locating higher intensity development, employment opportunities, and a broad mix of uses along major corridors and within walking distance of transit stops.
- To ensure that off-street accessory parking for motor vehicles is provided in a manner consistent with the objectives and policies of the comprehensive plan of the City of Somerville.

<p>A TRUE COPY ATTEST:</p>  <p style="text-align: right;">3</p> <p style="text-align: center;">CITY CLERK</p>
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- To establish parking policies that support transit-oriented development and a walkable, human-scaled urban environment.
- To encourage the use of public transportation, bicycling, and walking in lieu of motor vehicle use when a choice of travel mode exists.
- To allow flexibility in how parking is provided by allowing shared and/or off-site arrangements in order to accommodate the parking of motor vehicles in a manner that is less disruptive to the urban environment
- To balance the supply of off-street parking with local thoroughfare network capacity.

### **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 and in addition to those described above, the following:

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

The Board finds that, as conditioned, the mitigation proposed properly alleviates any impacts attributable to the proposed development.

### **SPECIAL PERMIT FINDINGS – HOTEL OR HOSTEL USE**

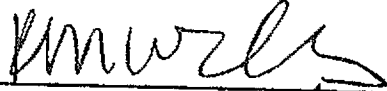
In accordance with the Somerville Zoning Ordinance, the Board may approve or deny a Special Permit for a hotel or hostel use upon making findings considering, at least and in addition to findings 1 and 2 above, each of the following:

4. *Compatibility with the level of activity associated with the surrounding properties.*

The Board finds that a Hotel Use on this site is compatible with the level of activity associated with the surrounding properties, which include existing and proposed commercial activities, including other hotel uses.

5. *Capacity of the local thoroughfare network providing access to the site and impact on pedestrian, bicycle, and vehicular traffic and circulation patterns in the neighborhood.*

The Board finds that the local thoroughfare network retains sufficient capacity to provide access to the site and, as conditioned and with the proposed mitigation, the Hotel Use will have minimal impacts on the vehicular traffic and circulation patterns in the neighborhood. As conditioned and with the proposed improvements to pedestrian and bicycle infrastructure and to the Community Path, the Board finds that the proposal will improve pedestrian and bicycle circulation.

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6. *Location and visibility of the principal entrance, guest drop-off area, taxi queuing station, outdoor amenity space for guests or employees, and pedestrian circulation from all exit points.*

The Board finds that the location of the principal entrance, guest drop-off area, vehicular queuing area and proposed valet parking service, outdoor amenity space, and pedestrian circulation are properly designed to maximize the functionality of the site, mitigate potential impacts, and support the Hotel Use.

### **SPECIAL PERMIT FINDINGS – PARKING RELIEF**

In accordance with the Somerville Zoning Ordinance, the Board may approve or deny a Special Permit for parking relief upon making findings considering, at least and in addition to findings 1 and 2 above, each of the following:

7. *The supply and demand of on-street parking in the neighborhood, as determined through a parking study.*

The Board finds that the McGrath/O'Brien Highway corridor does not allow for on-street parking in this area, and no on-street parking is present within Somerville in the immediate vicinity.

8. *Mobility management programs and services provided by the applicant to reduce the demand for parking.*

The Board finds that the programs and services proposed in the approved Mobility Management Plan, and the conditions in the related Approval Letter signed by the Director of Mobility, appropriately reduce the demand for parking.

9. *That parking provided in excess of any maximum permitted does not result in the increase in impervious lot area.*

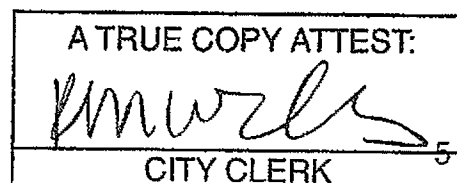
The Board finds that this consideration is not applicable to the proposal.

### **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 for a six (6) story General Building in the High Rise (HR) district** with the conditions included in the staff memo dated April 13, 2023. Clerk Erin Geno seconded. The Board voted **4-0** to approve the permit, subject to the following conditions:

Perpetual

1. This Decision must be recorded with the Middlesex South Registry of Deeds.

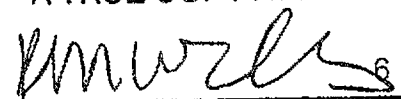


2. Development must comply with the Development Covenant by and between the City of Somerville and Somerbridge Hotel, LLC, dated May 18, 2023, as amended.
3. Utility and mechanical equipment is not permitted on any façade or within the frontage area.
4. Electrical transformers and other mechanical equipment are not permitted above ground within the frontage area.
5. This Decision does not qualify as approval of any signage for the proposed building. All signage must comply with the Somerville Zoning Ordinance.
6. The property owner is responsible for all the regular and long-term maintenance, replacement, insurance, and other applicable costs associated with all on-site sidewalk improvements.
7. All bicycle racks shown alongside a wall in the project Transportation Access Plan must be placed at least one foot away from the wall to allow for proper bicycle parking positioning.
8. The Applicant or their successor shall implement the mitigation strategies voluntarily committed to and identified in the Transportation Impact Study dated September 14, 2022, and submitted as part of this application.
9. The property owner(s) and applicable future tenants must comply with the Mobility Management Plan dated August 2022 (most recent revision date September 1, 2022), as approved and conditioned by the Director of Mobility's Final Approval dated November 29, 2022.

#### Prior to Building Permit

10. For any Board-required 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.
11. 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.
12. Construction documents must be substantially equivalent to the approved plans and other materials submitted for development review.
13. The Applicant shall return to the UDC to review the final materials palette and façade design and building mockup prior to the issuance of a Building Permit.
14. 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.
15. 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.

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16. The Applicant or their successor in interest must submit all Stage 2 documentation required by the Office of Sustainability & Environment's LEED Certifiability Requirements.
17. The Applicant or their successor shall submit a Construction Management Plan (CMP) for Engineering and Mobility Division review and comment at least twenty-one (21) days prior to submission of a Building Permit application. The CMP must be coordinated with MassDOT and the abutting project at 15 McGrath Highway to minimize construction impacts to the state highway.
18. The Applicant or their successor must submit final designs for all project elements on the McGrath Highway Right-Of-Way for review and approval by relevant City of Somerville departments (including, but not limited to, Engineering, Mobility, and PPZ) prior to application for any Building Permit and prior to application for a MassDOT Access Permit.
19. The Applicant or their successor shall modify the curb cut on McGrath Highway to include a continuous sidewalk-level crossing to be separated from the 15 McGrath Highway curb cut. Final design must be approved by relevant City of Somerville departments (including, but not limited to, Engineering, Mobility, and PPZ) prior to application for any Building Permit and prior to application for a MassDOT Access Permit.
20. To mitigate transportation impacts, the Applicant or their successor shall install a two-way bicycle facility along the frontage of the project to connect the pedestrian/cyclist crossing on the east side of the McGrath Highway/Rufo Road intersection to the Community Path Connector Ramp along the east side of the project. Final design must be approved by relevant City of Somerville departments (including, but not limited to, Engineering, Mobility, and PPZ) prior to applying for any Building Permit and prior to applying for a MassDOT Access permit.
21. To mitigate transportation impacts, the Applicant or their successor shall install a new crosswalk across McGrath Highway on the east side of the Rufo Road/McGrath Highway intersection. Final design must be approved by relevant City of Somerville departments (including, but not limited to, Engineering, Mobility, and PPZ) prior to applying for any Building Permit and prior to applying for a MassDOT Access permit.
22. The Applicant or their successor shall continue to coordinate with the City, MassDOT, and the proposed developments at 15 McGrath Highway and 35 McGrath Highway to ensure cohesive design and implementation of changes to the adjacent sections of McGrath Highway and the McGrath Highway/Rufo Road intersection. Final designs must be approved by relevant City of Somerville departments (including, but not limited to, Engineering, Mobility, and PPZ) prior to applying for any Building Permit and prior to applying for a MassDOT Access permit.

Prior to Certificate of Occupancy

23. A written narrative or descriptive checklist identifying the completion or compliance with permit conditions must be to the Inspectional Services

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CITY CLERK

- Department at least ten (10) working days in advance of a request for a final inspection.
24. The Applicant or their successor in interest must submit all Stage 3 documentation required by the Office of Sustainability & Environment's LEED Certifiability Requirements.
  25. 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. The easement must be recorded at the Middlesex Registry of Deeds prior to application for a Certificate of Occupancy.
  26. The Applicant or their successor shall coordinate with the Cities of Somerville and Cambridge to design and construct the ramp connection to the Community Path. Final designs must be approved by relevant City of Somerville departments (including, but not limited to, Engineering, Mobility, and PPZ) to ensure the design supports proper safety and connectivity to nearby bicycle infrastructure.
  27. PSUF Staff must inspect all landscaping and plantings within the Somerville municipal boundaries of the parcel, and must confirm compliance with species and Green Score requirements prior to the issuance of a Certificate of Occupancy.

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 the hotel use in the High Rise (HR) district** with the conditions included in the staff memo dated April 13, 2023. Clerk Erin Geno seconded. The Board voted **4-0** to approve the permit, subject to the following conditions:

Perpetual


28. This Decision must be recorded with the Middlesex South Registry of Deeds.

Prior to Building Permit

29. 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.
30. 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.

Prior to Certificate of Occupancy

31. 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.
32. The Applicant or their successor must apply for and obtain a Valet Parking Permit and comply with all related regulations, as established by the Traffic Commission, to operate the proposed valet parking service.

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CITY CLERK

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 relief from the minimum motor vehicle parking requirements in the High Rise (HR) district** with the conditions included in the staff memo dated April 13, 2023. Clerk Erin Geno seconded. The Board voted **4-0** to approve the permit, subject to the following conditions:

Perpetual

33. This Decision must be recorded with the Middlesex South Registry of Deeds.

Prior to Building Permit

34. 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.

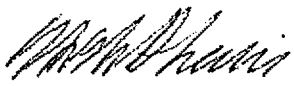
35. A digital copy of the recorded Decision stamped by the Middlesex South Registry of Deeds must be submitted to the Planning, Preservation, & Zoning Division for the public record.

Prior to Certificate of Occupancy


36. 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.

Attest, by the Planning Board:

Michael Capuano, *Chair*  
Erin Geno, *Clerk*  
Michael McNeley  
Luc Schuster, *Alternate*



Sarah Lewis, Director of Planning, Preservation, & Zoning  
Office of Strategic Planning & Community Development

A TRUE COPY ATTEST:  
  
CITY CLERK 9

**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 May 23, 2023 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.

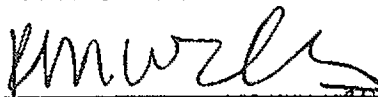
**FOR SPECIAL PERMIT(S) WITHIN**

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 June 13, 2023

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CITY CLERK <sup>10</sup>

Middlesex South Registry of Deeds  
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Recording Information

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Document Type	: DECIS
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**Middlesex South Registry of Deeds**  
**Maria C. Curtatone, Register**  
208 Cambridge Street  
Cambridge, MA 02141  
617-679-6300  
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City of Somerville  
**ZONING BOARD OF APPEALS**  
 City Hall 3<sup>rd</sup> Floor, 93 Highland Avenue, Somerville MA 02143

**DECISION**

2023 MAY - 1 P 11: 21

**PROPERTY ADDRESS:** 1 McGrath Highway  
**CASE NUMBER:** P&Z 23-032  
**OWNER/APPLICANT:** Somerbridge Hotel, LLC  
**ADDRESS:** 10 Cabot Road, Suite 209, Medford, MA 02155  
**DECISION:** Approved with Conditions (Hardship Variance)  
**DATE OF VOTE:** April 19, 2023  
**DECISION ISSUED:** May 1, 2023 Deed Reference: Book 73874, Page 495

CITY CLERK'S OFFICE  
 SOMERVILLE, MA

This decision summarizes the findings made by the Zoning Board of Appeals (the "Board") regarding the Hardship Variance application submitted for 1 McGrath Highway.

**LEGAL NOTICE**

Somerbridge Hotel, LLC proposes to develop a six (6) story General Building and establish a Hotel use in the High Rise (HR) district, and requests relief from façade build out requirements, which requires a Hardship Variance.

**RECORD OF PROCEEDINGS**

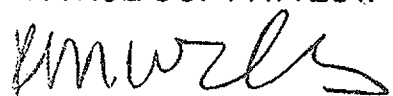
On April 19, 2023, the Zoning Board of Appeals held a public hearing advertised in accordance with M.G.L. 40A and the Somerville Zoning Ordinance. Present and sitting at the public hearing were Board Members Chair Susan Fontano, Vice-Chair Anne Brockelman, Clerk Katherine Garavaglia, Ann Fullerton, Zachary Zaremba, and Alternate Brian Cook.

The Applicant presented the project and with no questions from the Board, Chair Fontano opened public testimony. Three (3) people spoke in support, praising the team for on-going collaboration with both cities, Friends of the Community Path, adjacent property owners, and MassDOT. There was no testimony provided against the project, and public testimony was closed. Board discussion included clarification of the shared parking spaces in the adjacent 15 McGrath and discussion of the findings as listed below.

**PLANS & DOCUMENTS**

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

Document	Pages	Prepared By	Date	Revision Date
1 McGrath Highway Site Development Plans	19	Allen & Major Assoc. Inc., 400 Harvey Road, Manchester, NH 03103	November 5, 2021	January 6, 2023
1 McGrath Highway Somerbridge Hotel Additional Plans	17	JAL Hospitality Design Inc., 10 Cabot Road, Suite 209, Medford, MA 02155	November 5, 2021	September 1, 2022

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 CITY CLERK

Adam Dash  
 48 Grove Street, Suite 304  
 Somerville, MA 02144

**HARDSHIP VARIANCE FINDINGS**

In accordance with M.G.L. 40A and the Somerville Zoning Ordinance, the Board may grant a hardship variance only upon finding all of the following for each hardship variance:

Hardship Variance Criteria:

1. *Special circumstances exist relating to the soil conditions, shape, or topography of a parcel of land or the unusual character of an existing structure but not affecting generally the High Rise (HR) zoning district in which the land or structure is located.*

The Board finds that special circumstances exist related to the shape of the parcel due to the impacts that the Somerville/Cambridge municipal boundary, which runs through the parcel.

2. *Literal enforcement of the provision of this Ordinance for the district where the subject land or structure is located would involve substantial hardship, financial or otherwise, to the petitioner or appellant, Somerbridge Hotel, LLC, due to said special circumstances.*

The Board finds that literal enforcement of the façade build out requirement, subject to this parcel, creates a substantial hardship to the petitioners.

3. *Desirable relief could be granted without causing substantial detriment to the public good and without nullifying or substantially derogating from the intent and purpose of the High Rise (HR) district in this Ordinance or the Ordinance in general.*

The Board finds that desirable relief can be granted without causing substantial detriment to the public good and without nullifying or substantially derogating from the intent and purpose of the High Rise (HR) district in this Ordinance or the Ordinance in general.

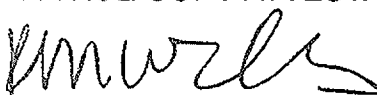
**DECISION**

Following public testimony, review of the submitted plans, and discussion of the statutorily required considerations, Clerk Katherine Garavaglia moved to approve the Hardship Variance to grant relief from the façade build out requirements with the conditions included in the staff memo dated April 13, 2023. Vice-Chair Anne Brockelman seconded. The Board voted **5-0** to approve the permit, subject to the following conditions:

Prior to Building Permit

1. This Decision must be recorded with the Middlesex South Registry of Deeds.

A TRUE COPY ATTEST:

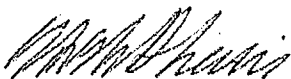


CITY CLERK

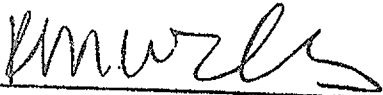
2. A digital copy of the recorded Decision stamped by the Middlesex South Registry of Deeds must be submitted to the Planning, Preservation, & Zoning Division for the public record.

Attest, by the Zoning Board of Appeals:

Orsola Susan Fontano, *Chair*  
Anne Brockelman, *Vice-Chair*  
Katherine Garavaglia, *Clerk*  
Ann Fullerton  
Zachary Zaremba  
Brian Cook, *Alternate*



Sarah Lewis, Director of Planning, Preservation, & Zoning  
Office of Strategic Planning & Community Development

A TRUE COPY ATTEST:  
  
CITY CLERK

**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 May 1, 2023 in the Office of the City Clerk, and twenty days have elapsed, and

**FOR VARIANCE(S) WITHIN**

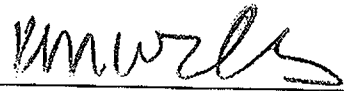
there have been no appeals filed in the Office of the City Clerk, or  
 any appeals that were filed have been finally dismissed or denied.


**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 May 22, 2023

A TRUE COPY ATTEST:  
  
CITY CLERK

Middlesex South Registry of Deeds  
Electronically Recorded Document

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Recording Information

Document Number	: 47030
Document Type	: DECIS
Recorded Date	: May 08, 2024
Recorded Time	: 11:39:33 AM
Recorded Book and Page	: 82748 / 158
Number of Pages(including cover sheet)	: 4
Receipt Number	: 2995923
Recording Fee	: \$105.00

**Middlesex South Registry of Deeds**  
**Maria C. Curtatone, Register**  
208 Cambridge Street  
Cambridge, MA 02141  
617-679-6300  
[www.middlesexsouthregistry.com](http://www.middlesexsouthregistry.com)



City of Somerville  
**ZONING BOARD OF APPEALS**  
City Hall 3<sup>rd</sup> Floor, 93 Highland Avenue, Somerville MA 02143

**DECISION**

2024 APR 17 P 2:32

CITY CLERK'S OFFICE  
SOMERVILLE, MA

**PROPERTY ADDRESS:** 1 McGrath Hwy  
**CASE NUMBER:** ZP24-000011  
**OWNER:** Somerbridge Hotel, LLC  
**OWNER ADDRESS:** 10 Cabot Road, Suite 209, Medford, MA 02155  
**DECISION:** Approved  
**DATE OF VOTE:** April 3, 2024  
**DECISION DATE:** April 17, 2024

This decision summarizes the findings made by the Zoning Board of Appeals (the "Board") regarding the Hardship Variance extension application submitted for 1 McGrath Hwy.

**LEGAL NOTICE**

Somerbridge Hotel, LLC seeks to extend the validity of the Hardship Variance (P&Z 23-032) for six (6) months.

**RECORD OF PROCEEDINGS**

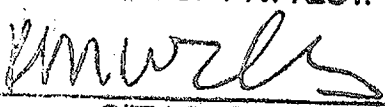
On April 3, 2024, the Zoning Board of Appeals held a public hearing advertised in accordance with M.G.L. 40A and the Somerville Zoning Ordinance. Present and sitting at the public hearing were Board Members Chair Susan Fontano, Clerk Anne Brockelman, Ann Fullerton, and Alternates Brian Cook and Sisia Daglian. The Applicant presented a summary of why they were requesting the 6-month extension and the work they have been doing over the last year. After the presentation by the Applicant, Chair Fontana opened the floor to public testimony, and none was given related to the Application.

After the close of the public testimony section of the hearing, the Board went into discussion. The Board was supportive of the Applicant's request for this extension of six (6) months and expressed no concerns. All conditions from any original or previous approvals related to the Application remain valid.

**PLANS & DOCUMENTS**

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

Document	Pages	Prepared By	Date	Revision Date
Narrative by Applicant	1	Adam Dash 48 Grove St #304, Somerville, MA 02144	February 22, 2024	N/A

A TRUE COPY ATTEST:  
  
CITY CLERK

Deed Reference: Book 73874, Page 495

ZP24-000011

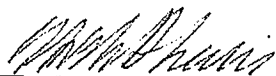
1 McGrath Hwy

**DECISION**

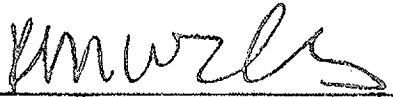
Following public testimony, review of the submitted plans, and discussion of the statutorily required considerations, Vice Chair Brockelman moved to approve a **6-MONTH EXTENSION** for the previously-granted Hardship Variance. Ms. Fullerton seconded. The Board voted **5-0** to approve the extension.

Attest, by the Zoning Board of Appeals:

Orsola Susan Fontano, *Chair*  
Anne Brockelman, *Vice Chair*  
Ann Fullerton  
Brian Cook, *Alternate*  
Sisia Daglian, *Alternate*



Sarah Lewis, Director of Planning, Preservation, & Zoning  
Office of Strategic Planning & Community Development

A TRUE COPY ATTEST:  
  
CITY CLERK

ZP24-000011

1 McGrath Hwy

**CLERK'S CERTIFICATE**

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**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 *mmwzls* City Clerk Date May 8, 2024

A TRUE COPY ATTEST:  
*mmwzls*  
CITY CLERK