



City of Somerville

PLANNING BOARD

City Hall, 93 Highland Avenue, Somerville MA 02143

TO: Planning Board
FROM: OSPCD Staff
SUBJECT: 222 Broadway, ZP26-000008
POSTED: September 24, 2026

RECOMMENDATION: No change

This memo is supplemental to the PPZ Staff Memo dated September 10, 2026 linked [here](#).

BACKGROUND

During the September 17, 2026 Planning Board hearing, Staff explained that they had received a neighborhood meeting report and the Planning Board continued the application to allow staff to review the document. The Applicant agreed to this continuation.

ANALYSIS

As mentioned in the September 10, 2026 staff memo, Planning Staff were waiting for the required Neighborhood Meeting Report to be submitted. That document has been received and while the applicant has provided responses and mitigation strategies to the neighbor concerns brought up at the meeting, Staff would like the applicant to discuss how effective the changes have been in reducing the detriment of the current business to the neighborhood.

Staff maintain that the applicant should follow the direction of the Ward 1 Councilor to host an on-site neighborhood meeting with the abutting properties to discuss the changes made since the August 12 Neighborhood Meeting. Should the applicant wish to schedule that meeting, it is best practice to request a withdrawal without prejudice and reapply after that meeting has occurred.

There are four (4) examples of 24-hour businesses in Somerville.

- McDonalds (14 McGrath Highway)
- Tropical Smoothie Café (14 McGrath Highway)
- Ever Fitness (14 McGrath Highway)
- Dunkin' (504 Broadway)

CONSIDERATIONS & FINDINGS

The Planning Board is required by the Somerville Zoning Ordinance to deliberate each of the following considerations at the public hearing. The Board must discuss and draw conclusions for each consideration but may make additional findings beyond this minimum statutory requirement.

Special Permit Considerations

1. *The comprehensive plan and existing policy plans and standards established by the City.*
2. *The intent of the zoning district where the property is located.*
3. *The extent and nature of the proposed alteration.*
4. *The ability of conforming alterations to meet the demonstrated need of the Applicant.*
5. *Consistency of the proposed alterations with the evolution of neighboring structures.*
6. *The impact of the alteration to the neighborhood when compared to the existing nonconforming use.*

Special Permit Considerations

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

Staff believe that while this proposal does not undermine the goals and standards of SomerVision 2040, this application does not support or further the goals of the City's comprehensive plan.

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

The intent of the MR5 Zoning District is in part: To create, maintain, and enhance areas appropriate for smaller scale, multi-use and mixed-use buildings, and neighborhood serving uses.

Staff believe that while this proposal does not undermine the goals and standards of the MR5 District, this application does not support or further the goals of the MR5 Zoning District.

3. *The extent and nature of the proposed alteration.*

The current operating hours of the Dunkin' are 5:00am – 8:00pm. The proposed alteration would extend the hours to operating 24 hours a day. There are no changes to the physical building deserving of Planning Board Review.

4. *The ability of conforming alterations to meet the demonstrated need of the Applicant.*

The Somerville Zoning Ordinance states that any change in hours of operation beyond the hours of 7:00am to 9:00pm requires a Special Permit. Any change in hours for this business would trigger the need for a Special Permit. The Applicant must also obtain an extended hours license from the City Council.

5. *Consistency of the proposed alterations with the evolution of neighboring structures.*

There are no physical changes to the exterior or interior of the building proposed. The surrounding neighborhood to the rear of the Dunkin' is largely residential. Commercial development in the neighborhood is limited to along Broadway, with no other 24-hour businesses in the immediate vicinity of the neighborhood.

6. *The impact of the alteration to the neighborhood when compared to the existing nonconforming use.*

Members of the neighborhood have submitted public comments stating that the impact of the proposed alteration would be negative. Abutters voiced concerns via the Neighborhood Meeting and written Public Comment regarding the negative impacts of rodents, trash, noise, and light that the current establishment produces.

PERMIT CONDITIONS

Should the Board approve the required Special Permit to alter an existing nonconforming use in the MR5 Zoning District, Planning Staff recommend the following conditions:

1. This Decision must be recorded with the Middlesex South Registry of Deeds.
2. A digital copy of the recorded Decision stamped by the Middlesex South Registry of Deeds must be submitted to the Planning Division for the public record.