



**CITY OF SOMERVILLE, MASSACHUSETTS**  
**MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT**  
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**PLANNING BOARD MINUTES**

A **public hearing** for all interested parties was held by the Planning Board on **Thursday, April 6, 2017** at 6:00 p.m. in the **Aldermanic Chambers** on the Second Floor of Somerville City Hall, 93 Highland Avenue, Somerville, MA.

**Previously Continued Cases to be Heard**

<b>118-120 Broadway: (Case #PB 2016-16)</b>	
Applicant:	GoodFood Restaurant Group, LLC
Property Owner:	GoodFood Restaurant Group, LLC
Agent:	Sean T. O'Donovan, Esq.
Legal Notice:	Applicant/Owner, GoodFood Restaurant Group LLC, seeks a Special Permit with Site Plan Review under SZO §5.2 to approve replacement of a one-story building with a new construction 5-story/3-story mixed-use building (retail ground floor and 24 residential units, 4 of which are inclusionary units) and §9.13 for an integral parking structure with 20 vehicle spaces (1 handicap, 3 parallel, and 16 compact). CCD Zone. Ward 1.
Date(s) of Hearing(s):	3/16, 4/6
Staff Recommendation:	Recommends conditional approval.
PB Action:	Voted on March 16, 2017 to continue the application to April 6, 2017.
Applicant submitted a request to continue the application to April 20, 2017. Michael Capuano made a motion to continue the application to April 20, 2017. Seconded by Rebecca Lyn Cooper. Motion passed 5-0.	

**New Cases to be Opened and Heard**

<b><u>Revision to Preliminary Master Plan Approval for Planned Unit Development - Assembly Square: (Case # PB 2006-59-R4-022017)</u></b>	
Applicant:	SRI Assembly Row B8, LLC
Property Owner:	Federal Realty Investment Trust, FR Assembly Square, LLC & Street Retail



Agent:	
Legal Notice:	The Applicant, SRI Assembly Row B8, LLC, and its Agent, Robert A. Fishman, Esq., seek approval of a Major Amendment of a Preliminary Master Plan (S.Z.O. §16.11.3.1) for a Planned Unit Development (PUD-PMP) approved by the Planning Board on December 14, 2006 and as revised on August 5, 2010 and June 19, 2014 to change the design guideline for Block 8. The Owners of the parcels within the boundaries of the proposed PUD include Federal Realty Investment Trust, FR Assembly Square, LLC, Street Retail Inc., SRI Assembly Row B7, LLC SRI Assembly Row B8, LLC, SRI Assembly Row B9, LLC, (Parcels: 86-A-1, 67-A-2, 67-A-6, 67-A-7, 85-A-5, 85-A-8, 85-A-9, 85-A-10, 85-A-11, 85-A-12, 85-A-13, 85-A-14, 85-A-15, 85-A-16, 85-A-17, 85-A-18, 99-A-8, 99-A-13, 99-A-14, 99-A-15, 99-A-16, 99-A-17, 99-A-18). Conveyed to MBTA: 85-A-19, 99-A-10a, 99-A-19. Department of Conservation and Recreation: Parcel 67-A-6, 67-A-7, 85-A-17, & 85-A-18. Assembly Square Mixed Use District (ASMD); Planned Unit Development Overlay District - A (PUD-A). Ward 1.
Date(s) of Hearing(s):	4/6
Staff Recommendation:	Recommends approval.
PB Action:	---
<p>Planning Director George Proakis: PUD Amendment for Block 8 Design Guideline for discussion and vote.</p> <p>Board: Presentations and public comment on other submissions only, no staff recommendation at this time. Special Permit waiver requests must be made at that time, no comments until those cases are opened.</p> <p>Patrick McMahon: PUD had to be amended for detailed design guidelines and inclusion/adjustment to address Assembly Line Park.</p> <p>Board: amount of square footage? Open space area of park? Susan Rendall: questions asked to be answered prior to closing testimony.</p> <p>Proakis: Assembly Line Park replaces original park on Block 8, was approved September 2015, total open space remained the same from previous application in February.</p> <p>McMahon; Assembly Line Park will have better sunlight access Assembly Row</p> <p>Kevin Prior made a motion to approve the request. Seconded by Joseph Favaloro. Motion passed 5-0.</p>	

<b>Assembly Row Block 5B – Grand Union Boulevard: (Case #PB 2017-05)</b>	
Applicant:	Street Retail, Inc.
Property Owner:	Street Retail, Inc.
Agent:	
Legal Notice:	Applicant and Owner, Street Retail Inc., seek a Special Permit with Site Plan Review–A, final level approval of “Block 5B” (identified as MBL 85-A-12) of the Planned Unit Development Preliminary Master Plan (PUD-PMP) approved by the Planning Board on December 14, 2006 and as revised on August 5, 2010 and June 19, 2014. Applicant and owner seek approval under SZO Article §16.8.3 and §5.2 to build an approx. 237,600 sf office space, 489 structured parking spaces for shared use with Block 5A. The uses include those approved in the PUD-PMP. The Applicant and Owner also seeks waivers (S.Z.O. §6.4.12 & 16.5.5) for unarticulated façade length at the garage enclosure under §6.4.7 and fewer loading spaces than required under §9.16.3 and §9.7. Assembly Square Mixed Use District (ASMD); Planned Unit Development Overlay District - A (PUD-A) / Ward 1.
Date(s) of Hearing(s):	4/6



Staff Recommendation:	No recommendation at this time.
PB Action:	---
<p>Patrick McMahon: Design team is Jacobs (formerly Kling Stubbins) who designed Block 2. Chris Leary: +/- 250,000 s.f. of office, 29,000 sf retail, 500 spaces of parking. Main vehicular access from Foley Street. Office component comes down to the street – narrower liner – then expands to be a regular floor plate over garage. Metal screen scrim over garage elevation still being designed.</p> <p>Board comments:</p> <ul style="list-style-type: none"> <li>- Board: DRC comments, especially on parking garage? Leary: DRC had great comments about lighting and patterning for the façade.</li> <li>- Board: Please spend more design intention as current renderings still looks like a parking garage. Be generous to the urban environment and the people. McMahon: definitely still working on designs and artistry or imagery and looking at examples in Miami and Baltimore. Board: will there be a new elevation at the next meeting? McMahon: yes.</li> <li>- Board: have you thought about a green screen as landscaping is sparse on full block? McMahon: yes, but the soil depth in this urban situation makes it difficult to get the vines to grow.</li> <li>- Board: likes the look of the building, glad it is commercial.</li> </ul> <p>In favor:</p> <ul style="list-style-type: none"> <li>- Wig Zamore: strongly in favor. DRC was in favor and had a good discussion. Perhaps the front door could be enhanced, made more prominent.</li> <li>- Tom Bent: agreeing 100% with Wig and strongly support.</li> <li>- David Dahlbacka: in favor of good commercial development and increase the tax base to support. Would like roof amenities accessible to the public. Perhaps wave pattern on garage like boathouse on Charles of wood panels.</li> <li>- Sadiya Akaoha: like the design and good opportunity to work with community and local artists on façade design. Lighting can be programmed to change color and motion.</li> <li>- Tori Antonino: generally in favor but concerned about green space for public benefit. Maintaining goal of carb neutral is important and like the idea of a green screen.</li> </ul> <p>No opposition. Board will take up the matter again on April 20<sup>th</sup>.</p> <p>Michael Capuano made a motion to continue the application to April 20, 2017. Seconded by Rebecca Lyn Cooper. Motion passed 5-0.</p>	

<b>Assembly Row Block 8 – 300-398 Assembly Row: (Case #PB 2017-06)</b>	
Applicant:	SRI Assembly Row B8, LLC
Property Owner:	SRI Assembly Row B8, LLC
Agent:	
Legal Notice:	Applicant and Owner, SRI Assembly Row B8, LLC, seek a Special Permit with Site Plan Review–A, final level approval of “Block 8” (identified as MBL 99-A-14) of the Planned Unit Development Preliminary Master Plan (PUD-PMP) approved by the Planning Board on December 14, 2006 and as revised on August 5, 2010 and June 19, 2014. Applicant and Owner seek approval under SZO Article §16.8.3 and §5.2 to construct a mixed-use building with approx. 26,500 sf retail space, 500 residential units, and approx. 500 parking spaces. The uses include those approved in the PUD-PMP. The residential development is subject to inclusionary housing requirements. The Applicant and Owner also seek waivers (S.Z.O. §6.4.12, & 16.11) for the signage height limit of 35’ along Great River Road under §6.4.14, the submission of a landscape and screening plan under §5.3.2.10, the Planning Board’s right of first refusal or option to purchase the inclusionary units under §13.3.5, and from the inclusionary housing requirements under §13.3.4 as permitted by §16.10.2 of the SZO. Assembly Square Mixed Use District (ASMD); Planned Unit Development Overlay District - A (PUD-A) / Ward 1.
Date(s) of Hearing(s):	4/6



Staff Recommendation:	No recommendation at this time.
PB Action:	---
<p>Patrick McMahon: 500 units, 23 stories at highest, 7 stories of low-rise, 500 cars parking in center of the block. BK Boley and Erin Hodges: Tower portion rotated from initial schematic in response to Partners Healthcare and set back from the Assembly Line Park to reduce shadows. Lighter materials and more contemporary towards Partners. Designed to be a collection of buildings to reduce massing.</p> <p>Board: Was the block always going to be residential? How many units? McMahon: has caps and numbers within the approved PUD. 448 occupied on Blocks 1 and 4; 447 rental units; 122 under construction for-sale units.</p> <p>Board: Is there a good reason for the waiver besides not liking that the law changed? McMahon: land value and investment was baked 15 years ago when the totality of the project was set and approved. The same set of economics applies today and infrastructure costs were determined and distributed to each block land value.</p> <p>Board: Clarification needed that if the waiver is not granted tonight, the project will not proceed. McMahon: That is correct.</p> <p>Don Briggs: Alderman approved option to request waiver, this is exercising that right. Since 2005 \$1 billion investment, \$240 million in community benefits when ASQ complete. At 12.5%, will have to build 180 affordable units at full build-out. The supply of housing to the pool of residential helps reduce the costs as demand can be met. All types of residential units need to be constructed. Wanted to continue the buildout of previously set agreements.</p> <p>Board: Federal Realty has been good citizens and the comments/questions are not meant to denigrate.</p> <p>Alderman comments</p> <ul style="list-style-type: none"> <li>- McLaughlin: in support of Block 5B commercial and linkage isn't set up yet so jobs will not be met. ASQ doesn't go through the same public process as other areas. PUD has been amended to benefit ASQ but not when it benefits the community. Against Block 8, has a problem with the waiver request for affordable housing. City mitigated risk by investing in T station to improve ASQ. Smaller projects are throwing in affordable units at 20%, why not the large company to go from 60 to 100 affordable units.</li> <li>- White: stressing commercial uses over residential increases taxes to reduce overall costs. If this is based on a hardship request, then need to open the books to see the rate of return. Must look at the SomerVision plan which was done after the PUD. Other criteria include preserving and protecting affordable housing under SZO.</li> <li>- Huston: will submit written comment as couldn't attend due to illness.</li> <li>- Rossetti: sat with Mr. Briggs during the inclusionary housing process and approval. Ordinance is one size fits all and this project should be held to same standards and keep the 20% affordable. Please do not vote in favor of this waiver request.</li> <li>- Ballantyne: affordability and jobs are the primary concerns of all constituents. All emails and phone calls this week are against the waiver request. Should be held to the 20% standard. FREIT and City are partners in long term investment and both sides benefit from relationship. Should be acknowledged.</li> <li>- Niedergang: proposed 5B commercial terrific project and should make a contribution to jobs linkage. Union labor should be a standard in Somerville as in Boston and Cambridge. Affordable housing waiver is well within their rights to request but asking not to grant request and take care of citizens of Somerville. 37 units is a large number of affordable units for this city and is the difference between 12.5% and 20%.</li> <li>- Davis: specific findings for special permit are clear on the intents of housing. Ability to afford housing is biggest challenge this community faces. The change to 20% is completely appropriate and the law, the will of the community, and ask not to support his waiver request.</li> <li>- Sullivan: City has help up our end of the bargain and holding firm on our rules and regulations. Please send the right message and deny this request.</li> <li>- Mike Connolly (state rep): Echo the statements of the Aldermen. Consider the investments of our residents, were becoming a region of wealthy people. Values have doubled/tripled/quadrupled. If Somerville is truly a partner of FREIT, then show us the books. Reject this request and stick with 20%.</li> </ul>	



In favor:

- Don Briggs: FREIT is a public company and documents are all available with numbers updated quarterly. State, City, and FREIT contributed to T station. City's \$25 million was deferred taxes, FREIT took Phase I large risks and only saw 5%.
- Steven Mackey: Chamber of Commerce believes transit is the key to jobs and housing. The rules were changed during the agreement. Big picture needs the units built and send clear message of fairness to other developers.
- Tom Bent: CTE program with High School and become employees of Bent Electric. Have performed a lot of work at ASQ and many people from Somerville have been part. Contractors live and die by agreements and trust.
- Wig Zamore: drafted agreement with FREIT, understands concerns but believe that we should stand by that agreement.

Opposition:

- David Dahlbacka: generally in favor of development but not in favor of additional residential in Somerville. Should stand up in our own interests and support more commercial.
- Rand Wilson: jobs issue was supposed to be labor agreement and violates building trades trust. Wages are too low as well as rents being too high. Need a commitment to union labor and please reject the waiver.
- Jesse Clingan: this is the law, not an agreement. Affordable housing crisis with a waitlist of years, please reject waiver request.
- Edward Paget: reject this waiver because housing in the community is a right and making profit is not.
- Vij Dang: urge to vote against waiver.
- Ben Ewen-Campen: 37 families affording housing in Somerville or developer profits.
- Daniel Madri: contractor in Somerville and would be laughed out if asked for a waiver based on clients.
- Christopher Lay: at 20%, FREIT can still make profit. Please deny the waiver.
- Ian Adelman: urge to vote against and not set a precedent. 20% is still not enough and not too much to ask.
- Payton Corbett: negotiations often has one party walk out – this is an insult, please vote against.
- Christian Branolt: echo comments. 37 additional units is not too much to ask and not buying that argument. These are luxury condos as a 2bedroom in Avalon is \$4000 and out of reach of most Somerville residents.
- Michael Grunko: additional height and luxury apartments or availability of transit was not part of original agreement. Please hold tight to 20%.
- Matt Lavelle: building luxury housing will not provide trickle down to increase affordable housing. This body is accountable to citizens of this community not any developers. Please vote against.
- Stephanie Toews Moeliy: 15 years ago single mom and had an affordable apartment in a community that was supportive. Please deny this waiver request.
- Harriotte Ranvig: blind all my life and raised 2, now adult, children as a single mother. Elders that are ending are being evicted every day. Any affordable housing can be generated but consider wheelchairs.
- JT Scott: constituents that are working people who are grateful for programs. Need to hold to 20%.
- Tori Antonino: please do not grant the affordable housing waiver. Also do not grant first refusal. And signage height. Landscape and screen should not be granted, waived to help combat pollution.
- Fr. Richard Curran: Catholic Charities shelter has 30 women every night. Split in USQ that splits commercial and residential 60/40. Please reject waiver.
- Katie Gradowski: ordinary people are dealing with 70% increase in rents for residential and commercial. If regular people are managing to subsidize, why can't the developers? Please reject.
- Teasha Feldman: please reject this waiver. It's important to have affordable units in those buildings.
- Will Mbah: immigrant from Cameroon and has had to move 6 times in 6 years and don't want to move out of Somerville. Developers claim to be generous, so could do 20%.
- Richard Hughes: role and responsibility as sanctuary city is to provide shelter even if it costs us.
- Amber Houghstow: sets precedent for future waivers under the law. Recent graduate and struggling to stay in Somerville
- Ellin Reisre: owns 2 family. FREIT hasn't done a real market study to understand the difference in numbers.
- Sean Haggerty: FREIT holds \$6.75 billion in assets. Rent at end of 2016 increased 13% over one year from 2015. Numbers are available and are doing well. Helping those who aren't doing well should be all our responsibility.

- Jacob Framer: artists are encouraged and sanctuary city, values of the city need to be maintained.
- Susan Fendell: oppose waivers of affordable housing. Also, do not waive first right of refusal.
- Danny LeBlanc: SCC builds affordable housing and understands the breakpoint but we're not close to that point. RKG's economic analysis is good and keeps it viable. I bet at 20% FREIT will still build.
- Robin Ackerman: this project will make a lot of money and waivers of 20% or right of first refusal should be denied.
- Courtney O'Connor: single moms and families crowded into studio apartments. "This is racism" this will disproportionately affect people of color and immigrants. Please respect our residents.
- Simon Hill: 20% implies that 80% is unaffordable and changes the social structure. We need to hold them to 20%.
- Sadiya Akasha: stick with the 20%
- Frank Lee: in housing market, with MIT degree and 6 figure means the debt to income ratio cannot support a mortgage. Stuck with 3 roommates for conceivable future.
- Alice Mello Cavallo: we all deserve the change to live here. Please keep 20% or require even more.

Public portion of meeting closed. Record will be kept open until next meeting.

Michael Capuano made a motion to continue the application to April 20, 2017. Seconded by Rebecca Lyn Cooper. Motion passed 5-0.

## Other Business

An updated amendment to the Zoning Ordinance to create new CCD-55 and CCD-45 Commercial subdistricts, a new Coordinated Development Special Permit, a new Union Square Overlay District, and related changes to Article 5 and the Zoning Map.

Dan Bartman gave overview of changes

- Pg. 12: additional review criteria for Coordinated Development Special Permit specific district criteria. Decision links approval to community benefits.
- Pg. 17: under civic space, % raised from 15% to 25%; 30% of that number is public realm improvement and can be in streets.
- Pg. 33: frontage types removes reference to "area"
- Pg. 43: language moved regarding storefronts for clarity
- Pg. 44: further language for arcades; edit E.iii. "paces"
- D7 design has overlapping of retail on this site only
- Maps including a new boundary line map of extents of district.

Kevin Prior made a motion to adopt the amendment. Seconded by Rebecca Lyn Cooper. Motion passed 5-0.

An updated Article 16B in the city's Zoning Ordinances, with attendant Zoning Map changes, to establish a minimum mixed use ratio in designated areas.

Kevin Prior made a motion to adopt the amendment. Seconded by Rebecca Lyn Cooper. Motion passed 5-0.

An amendment to the Zoning Ordinance to adjust the definition of Net Floor Area, clarify affordable housing required in RA and RB districts, and confirm the process to approve subdivisions, lot splits, lot mergers and lot line adjustments.

Kevin Prior made a motion to adopt the amendment. Seconded by Rebecca Lyn Cooper. Motion passed 5-0.

An amendment to the Zoning Ordinance map to rezone properties on Emerson Street and a portion of Everett Street to Residence B.

Alderman Heuston's proposal. Kevin Prior made a motion to adopt the amendment. Seconded by Dorothy Kelly Gay. Motion passed 5-0.

*NOTICE: While reasonable efforts have been made to assure the accuracy of the data provided in these minutes, do not rely on this information as the complete and accurate portrayal of the events in the meeting without first checking with the Planning Division staff. If any discrepancies exist, the decisions filed by the Board serve as the relevant record for each case. The Planning Division also maintains audio recordings of most Board meetings that are available upon request.*

*Plans and reports are available at the City of Somerville website at the following link:*

[www.somervillema.gov/planningandzoning/reports](http://www.somervillema.gov/planningandzoning/reports)

