



City of Somerville

ZONING BOARD OF APPEALS

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

MINUTES

Wednesday, September 2, 2020 at 6:00 pm

GoToWebinar

Pursuant to Governor Baker's March 12, 2020 Order suspending certain provisions of the Open Meeting Law, G.L. C. 30A, s. 18, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, as well as Mayor Curtatone's Declaration of Emergency, dated March 15, 2020, this meeting of the Zoning Board of Appeals was conducted via remote participation. We will have an audio recording available upon request as soon as possible after the meeting.

Board Members present: Susan Fontano (Chair), Danielle Evans (Clerk), Josh Safdie, Anne Brockelman

Board Members absent: Elaine Severino

City staff present: Charlotte Leis (Planner), Rebecca Cooper (Senior Planner)

Meeting was opened at 6:02pm.

PUBLIC HEARINGS

DRA2020-0134 (continued from August 19, 2020)
374a Medford Street

The Board recapped the questions from last time and asked how early baking will start and about the properties next door. Rachel Murphy said as early as 4am, and that no one lives directly above the retail location but there are 3 residential units on the property; the exhaust hood is approx. 15' from the nearest residence.

The Board asked if the bakery will be retail only or also do wholesale. Ms. Murphy said she is looking to work with nearby businesses for wholesale.

The Board then asked Planning Staff about the memo the Board had received addressing how conditions on use special permits are handled under the new code. They understand that staff have not found any adverse conditions that need to be conditioned away in this case, but don't understand where things are in ordinance or under purview of other boards enough to defer to them yet. Ms. Cooper explained that all construction work being done at this time would be considered "normal maintenance" under zoning (e.g., painting, interior clean up) and does not require review. Article 9 of the SZO lists the standards that each type of use must meet and the only applicable special permit standards for this use are related to the purpose of the neighborhood and overlay district. No outdoor seating, signage, or awnings are being proposed at this time; those have their own development review process.

Chair Fontano asked for public testimony. Ms. Leis stated that she saw no members of the public expressing a desire to speak.

Ms. Evans made a motion to approve the use special permit. Ms. Brockelman seconded. The Board took a roll-call vote: Anne Brockelman - aye; Danielle Evans - aye; Susan Fontano - aye; Josh Safdie - aye. Motion passed 4-0.

40B2020-001 (continued from August 19, 2020)

34 North St (Clarendon Hill)

Ms. Leis noted that the applicant team was present, but that first staff had prepared a presentation for the Board. Ms. Leis provided a broad overview of the draft conditions list for this project. She noted that there were a handful of “placeholder” conditions in the draft list which indicated the issues and topics that staff were working on developing conditions for, but that were complicated enough that staff did not yet have draft language ready. She asked if the Board had any questions for staff or the applicant team.

Cory Mian added that the applicant team have reviewed the draft conditions and are close to agreement with City Staff; she looks forward to presenting the final conditions soon.

The Board asked to be sent a table summarizing the waivers requested (like had been included in previous applicant presentations) so the Board could review that alongside the conditions. Ms. Leis said the applicant and staff would coordinate on this.

The Board noted that the red typed placeholder conditions seemed important and was glad they were being worked on; said that LEED and stormwater needed to be handled before occupancy of buildings. Ms. Leis noted that the SZO requires LEED documentation at specific stages and staff has copied those requirements.

The Board agreed with the general approach that all phases need to be completed; it may not be the most efficient, but the goal is to have habitable, complete project in phases. Civic spaces are shared amenities – are they also phased? Ms. Leis said the main civic space (Lot D1) is on its own parcel and has its own conditions; there are also smaller open space areas on the Building A/B and D lots. Staff are trying to make sure that completion of the central civic space is tied into the rest of the project.

The Board asked that the block/lot plan be attached to the conditions for ease of reference. The Board asked about the most recent waivers list. Ms. Leis noted that the waivers list was up to date except for the Neighborhood Park permeability issue; the applicant and PSUF had agreed on a waiver for 70%, midway between the proposed waiver of 55-60% and the SZO requirement of 85%.

The Board asked that that waiver be updated prior to the Board being sent the summarized waivers list. The Board also asked for a list of the most recent/up-to-date plans; there have been multiple revisions and not all plans are clearly dated. Wants fewer, cleaner documents to review. The Board understands that the applicant is eager to get a decision and asked what the expected delivery date for the requested information would be.

Ms. Leis said she has been adding updates to the website as they come in. She is working on compiling the list of most recent documents but wanted to make sure it was fully correct before sending it; it has recently taken a back seat to working on conditions but can reprioritize. She may not be able to combine submissions into one PDF, but will work to group them in a coherent manner.

Ms. Evans made a motion to continue the case to September 16, 2020. Ms. Brockelman seconded. The Board took a roll-call vote: Anne Brockelman - aye; Danielle Evans – aye; Susan Fontano - aye; Josh Safdie - aye. Motion passed 4-0.

Ms. Evans made a motion to adjourn. Ms. Brockelman seconded. The Board took a roll-call vote: Anne Brockelman - aye; Danielle Evans – aye; Susan Fontano - aye; Josh Safdie - aye. Motion passed 4-0.

Meeting adjourned at 7:04pm.