



City of Somerville

ZONING BOARD OF APPEALS

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

TO: Planning Board
FROM: Planning & Zoning Staff
HEARING DATE: December 15, 2021
RE: 494 Medford, P&Z 21-180

RECOMMENDATION: Conditional Approval

Staff memos are used to communicate background information, analysis, responses to public comments, review of statutory requirements and other information from the Planning & Zoning staff to the Review Board members.

This memo summarizes the development review application submitted for 494 Medford Street, identifies any additional discretionary or administrative development review that is required by the Somerville Zoning Ordinance (SZO), and provides related analysis or feedback as necessary. Any Staff-recommended findings, conditions, and decisions in this memo are based on the information available to-date prior to any public comment at the scheduled public hearing.

LEGAL NOTICE

James Rissling seeks to establish a General Building in the Mid-Rise 4 (MR4) district which requires Site Plan Approval.

SUMMARY OF PROPOSAL

The existing building on the lot is a pre-existing, non-conforming Detached House containing two residential units. This building has passed through the Historic Preservation Commission's (HPC) Demolition Review process and can be razed. The replacement structure that the Applicant proposes is a four-story, mixed-use General Building. The Applicant received a Hardship Variance from the ZBA on November 3, 2021, for narrow lot width.

The Applicant proposes a four-story General Building on the site. The proposal will provide a modest ground story commercial space as well as two residential parking spaces under the building. The Applicant states that the proposal includes a total of 1,284 net square feet (nsf) of commercial space distributed as follows: 685 nsf on the ground story and 599 nsf on the basement level. The proposed development will not result in an increased number of dwelling units as the existing structure currently has two residential units.

ADDITIONAL REVIEW NECESSARY

494 Medford Street is located on a Pedestrian Street and in the 0.5mi Transit Area in the Mid-Rise 4 (MR4) zoning district in the Magoun Square neighborhood, an area currently represented by Ward 5 Councilor Mark Niedergang. General Buildings are permitted by Site Plan Approval (SPA) in the MR4 zoning district. A Special Permit for the Household Living Use is not required because the use is already established on the site. Site Plan Approval is the administrative review and approval of conforming development projects to address any potential impacts as necessary. The Planning Board is the decision-making authority for all (non-variance) discretionary or administrative permits required for the MR4 zoning district.

DESIGN REVIEW

The proposal was reviewed by Somerville Urban Design Commission via the GoToWebinar meeting platform on October 27, 2020. The Commission provided its official recommendation on November 23, 2020.

NEIGHBORHOOD MEETINGS

The first neighborhood meeting was held virtually by Ward 5 Councilor Mark Niedergang and the development team on July 27, 2020. The second neighborhood meeting was held virtually by Ward 5 Councilor Mark Niedergang and the development team on January 5, 2021.

ANALYSIS

The Ordinance permits the construction of a new General Building in the MR4 zoning district, provided that it conforms dimensionally. The granting of the Hardship Variance by the ZBA for a narrow lot has allows for the 4-story General Building to be constructed.

While the proposed building at 494 Medford Street will not result in an increase in dwelling units, it will provide a new modest commercial space in Magoun Square. The Applicant has not indicated a proposed tenant for that commercial space at this time. If any changes to the signage or storefront building component are necessary when a tenant has been found, those changes can be addressed through Minor Site Plan Approval.

At the required neighborhood meetings for the building, attendees raised questions about parking, privacy, plantings, and building design, all of which were addressed by the Applicant team as a result of the neighborhood meetings and two appearances before the Urban Design Commission (UDC). Additional questions surrounded the access easements that exist at the right front of the property off of Medford Street and behind the existing building off of Trull Street. Both access easements will be retained and will remain unobstructed.

Due to its location within a Transit Area, the Applicant is permitted to provide a maximum of one on-site vehicular parking space for each dwelling unit. This project has provided two on-site spaces under the building with access off of Trull Street. The location of the building in the 0.5mi Transit Area means that the residential units in the new building will not be eligible for on-street residential parking passes.

Due to its 0.5mi Transit Area location, the Applicant is required to provide at least 0.1 short-term bicycle spaces and 1.0 long-term bicycle spaces per dwelling unit. This results in 0.2 short-term and 2.0 long-term bicycle spaces for the project. The Applicant has not shown the location of these spaces on the plan set and must do so.

The final building design submitted by the Applicant presents the preferred exterior treatment selected by the UDC.

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.

Site Plan Approval 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. Mitigation proposed to alleviate any impacts attributable to the proposed development.

Information relative to the required considerations is provided below:

Site Plan Approval

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

The proposal will help to achieve the following from SomerVision 2040, the comprehensive plan of the City of Somerville:

- Strengthen and support neighborhood commercial centers that integrate residential uses, offer lively destinations and contribute to Somerville's unique identity.
- Facilitate transit-oriented, neighborhood infill development when it enhances the lively, human-scaled and walkable character of Somerville blocks and neighborhoods.

SomerVision 2040 findings - [Somerville considerations for Site Plan Approval.xlsx](#)

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

The proposal is consistent with the intent of the MR4 zoning district which is, in part “[t]o create, maintain, and enhance areas appropriate for smaller scale, multi-use and mixed-use buildings and neighborhood serving commercial uses.”

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

As conditioned, the proposal does not produce any impacts that require mitigation. However, the Applicant does need to indicate the locations and number of spaces for short and long-term bicycle parking on their plan set.

PERMIT CONDITIONS

Should the Board approve the Hardship Variance, Planning & Zoning Staff recommends the following conditions:

Permit Validity

- This Decision must be recorded with the Middlesex County Registry of Deeds prior to applying for a Building Permit.
- Construction documents must be substantially equivalent to the approved plans and other materials submitted for development review.

Public Record

- A copy of the Recorded Decision stamped by the Middlesex South Registry of Deeds shall be submitted for the public record.
- Physical copies of all submittal materials as permitted by the Review Boards shall be submitted for the public record in accordance with the document format standards of the ISD/PB/ZBA Submittal Requirements.

Conditions

- A written narrative or descriptive checklist identifying the completion or compliance with permit conditions must be submitted to the Inspectional Services Department at least ten (10) working days in advance of a request for a final inspection.

Construction Documents

- 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.
- An outdoor lighting plan and supplier cut sheet specifications of chosen lighting fixtures must be submitted to confirm compliance with Section 10.7 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.

Parking

- Formal acknowledgement that residents are ineligible for on-street Residential Parking Permits, subject to the regulations of the Somerville Traffic Commission, must be filed with this Decision.
- Dwelling units must be advertised as ineligible for on-street Residential Parking Permits, subject to the regulations of the Somerville Traffic Commission.
- 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.

Site Design

- Two (2) long-term bicycle parking spaces must be provided in accordance with Section 11.1 Bicycle Parking of the Somerville Zoning Ordinance.

MEMO

To: Sarah M. White, *MDS-HP*
Ward 5 Zoning Case Review Planner
City of Somerville
93 Highland Avenue
Somerville, MA 02143

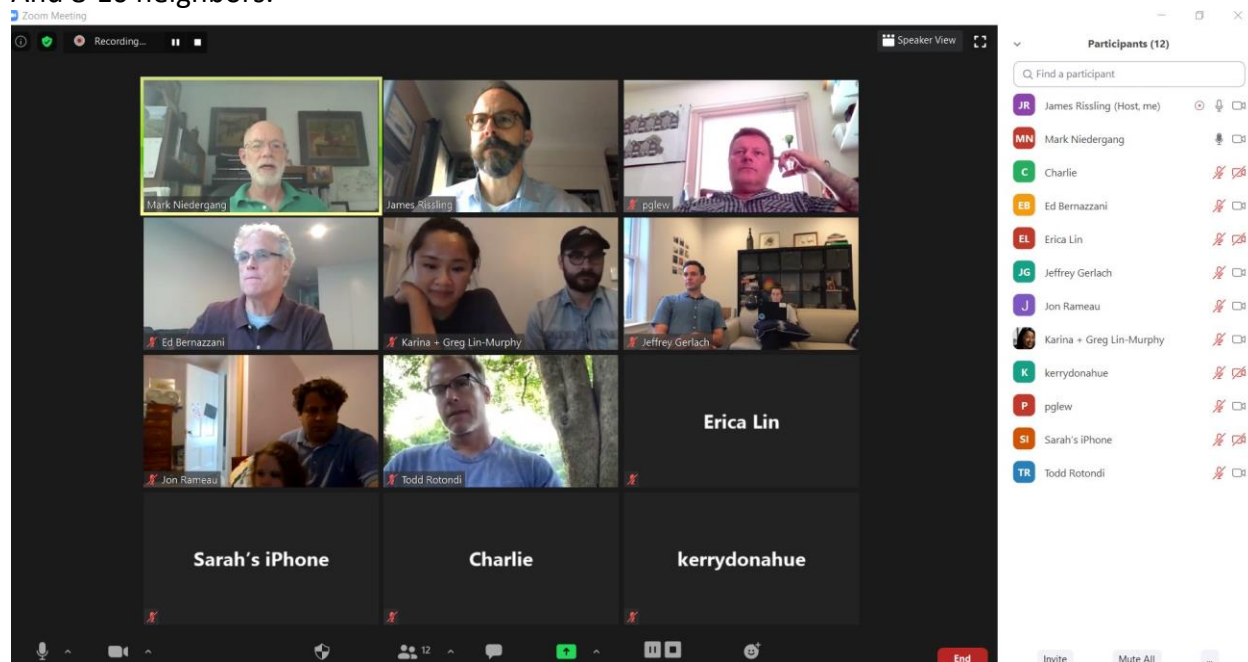
From: James Rissling NCARB
LR Designs, Inc.
64 Allston Street #3
Cambridge, MA 02139

Date: August 5, 2020

Subject: 494 Medford Street Neighborhood Meeting Report

On Monday July 27, 2020, a Neighborhood meeting was presented in conformance to Chapter 15 of the Somerville Zoning Ordinance, at 7pm, the meeting was held virtually on Zoom. The meeting was organized by Ward 5 Councilman Mark Niedergang. A recording of the meeting, presentation materials and screen captures are available at:
https://www.dropbox.com/sh/egr dj8zkf3e0e47/AAD82ana5MqCOXhGGDR7P_iOa?dl=0

In attendance were the design and development team: James Rissling, LR Designs; Peter Lewandowski, LR Designs; Ed Bernazzani, Owner; Todd Rotondi, Wellbuilt. Mark Niedergang, Councilman. Sarah White, Planner City of Somerville. And 8-10 neighbors.



A screen capture with all participants of the meeting.



Mark Niedergang made introductions and presented the purpose of the meeting; that it is an opportunity for the Neighbors to learn more about the proposed project, ask questions and make comments to inform the design of the project.

James Rissling presented photos of the building and site, as well as different street views and neighborhood context.

He then presented the current zoning for the Mid-Rise 4 District and outlined how the project conformed to the zoning with regards to the site, and proposed building.

The proposed floor plans and building elevations were presented along with a shade and shadow study of the proposed building and neighboring structures. The study showed shade and shadow from two views for December 21st and June 21st at different times of the day.

Mark opened the meeting to questions and comments.

The direct abutters at 74 Trull Street inquired about the balconies facing their home and whether there would be possible there be privacy screening incorporated in the design. It was replied that the zoning requires this, and it would be developed.

There was some discussion of the commercial space and some concern about the number of vacant spaces in the square.

There was an inquiry if this proposal matched the intent of the plan for the square. Because this is one of two smaller lots on Medford Street in the MR 4 District, if the owner of the adjacent lot had been approached to possibly do a larger project. It was indicated that some effort had been made to contact the owner of the adjacent lot but there was no response.

The three-bedroom units were a positive thing to keep families in the neighborhood.

The choice of grey used in the presentation was questioned and it was requested that we consider the color of the building.

There was a desire to see more planting, either on the building or that more street trees be added. And that a green roof be considered.

The general tone of the meeting was welcoming and receptive to the idea of the corner lot being redeveloped.

Some of the “chat” questions during the meeting and email addresses were shared below:

- 19:17:11 *From Kerry Donahue : Is it just the white building, or the white and blue building?*
- 19:17:44 *From Ed Bernazzani : Just the white building*
- 19:25:04 *From Karina + Greg Lin-Murphy : Are the residential units rentals or condos?*
- 19:59:17 *From Mark Niedergang : mniedergang@somervillema.gov 617-629-8033*
- 20:01:04 *From Kerry Donahue : It was helpful context. Thanks for the lesson in zoning*
- 20:01:48 *From Erica Lin : the sun-shade study was pretty cool :) thank you!*
- 20:02:20 *From James Rissling : jim@lrdesignsinc.com*
- 20:03:01 *From Todd Rotondi : todd@wellbuiltco.com*



MEMO

To: Sarah M. White, *MDS-HP*
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Somerville, MA 02143

From: James Rissling NCARB
LR Designs, Inc.
64 Allston Street #3
Cambridge, MA 02139

Date: March 16, 2021

Subject: 494 Medford Street Neighborhood Meeting #2 Report

On Tuesday, January 5, 2021, The Second of two Neighborhood meetings was presented in conformance to Chapter 15 of the Somerville Zoning Ordinance, at 6pm, the meeting was held virtually on Zoom. The meeting was organized by Ward 5 Councilman Mark Niedergang. A recording of the meeting, presentation materials and screen captures are available at: https://www.dropbox.com/sh/3sp5b9dr1tqjxwf/AACyKWrozvt_PfZBx54tZUDza?dl=0

In attendance were the design and development team: James Rissling (JR), LR Designs; Peter Lewandowski, LR Designs; Ed Bernazzani, Owner; Todd Rotondi, Wellbuilt. Mark Niedergang, Councilman. Sarah White, Planner City of Somerville. And about a dozen neighbors.

Mark Niedergang made introductions and reintroduced the project, and spent some time describing the approvals process and where we were in the process. Offering that this meeting is an opportunity for the Neighbors to learn how the project has been developed through the two meetings with the Urban Design Commission, ask questions and make comments to inform the design of the project.

James Rissling presented the revised scheme in elevations, floor plans, 3-d montages in site photos and in the massing model. This scheme included the exterior treatment selected by the UDC.

Mark Niedergang opened the meeting to questions and comments:
There was a question of how the easement to 496 Medford Street was being treated. JR explained it was to be paved with the driveway for 494 Medford Street.



There was concern about the proposed tree pits being a pinch point, and later discussion of sidewalk width for access.

There was a question about lighting the site. JR expressed it would be lit in a residential manner.

There was discussion about likely construction activity and sound generated. Sarah White indicated that the City had ordinances limiting the times of day of construction activities and any concerns should be referred to the ISD.

There was discussion of the block of Medford Street in the MR-4 zone eventually being 4 stories in height.

There was a general feeling that Magoun Square was a viable square and the demand for commercial property would pick-up.

In general the neighbors had questions and concerns but were not negative with regard to the project.

Some of the “chat” questions during the meeting and email addresses were shared below:

18:06:47 From T. L. Taylor : Same

18:32:49 From Grover Taylor : I own 67- 69 Partridge and im worried about the height..

18:32:49 From Grover Taylor : the building on the other side of Trull on Medford was illegal built to high all ready

18:33:19 From T. L. Taylor : Had been wondering that too re commercial space

18:40:28 From Mark Niedergang : You can find the new city zoning code at www.somervillezoning.com

18:42:00 From timbuntel : Thanks everyone - appreciate the overview

18:51:24 From justin reynolds : Thanks all

18:52:13 From T. L. Taylor : Have to run but thanks for the presentation and helpful answers.

18:55:02 From Kate Seeger : I have to jump off. I second Dean's concerns about sidewalk width and it being pedestrian friendly to those with wheelchairs, baby carriages, etc.

18:55:10 From Dean Spencer : As to height ... I'm wondering if Grover's comment about existing buildings as being too high was not about that commercial building across Medford Street but instead was about the residential building across Trull Street from this site.... that was a fairly notorious project in the construction phase

18:55:41 From Kate Seeger : Second the importance of using roof space in a green way, solar panels or something equivalent.

18:58:41 From Mark Niedergang : m.niedergang@comcast.net, 617-629-8033

18:59:20 From Kate Seeger : thank you all Kate



MEMO

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93 Highland Avenue
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From: James Rissling NCARB
LR Designs, Inc.
64 Allston Street #3
Cambridge, MA 02139

Date: March 16, 2021

Subject: 494 Medford Street Urban Design Review Meeting #1

The proposed Project at 494 Medford Street was presented to the Urban Design Commission on Tuesday, October 27, 2021 in a virtual meeting at 6pm.

In attendance were the design and development team: James Rissling (JR), LR Designs; Ed Bernazzani, Owner; Todd Rotondi, Wellbuilt; Daniel Bartman, Office of Strategic Planning and Community Development; Members of the UDC.

James Rissling presented the project and four treatments of the exterior. The Commission agreed we should proceed with development of the scheme that was more contemporary and utilized darker materials. This included dark green lap siding with stained wood features, and a red brick base.

It was recommended that that the brick base be developed to “hold” the façade, and the proposed raised brick planting bed helped with this.

There was some discussion of the landscape features and whether there was enough dimension to support some of the proposed planting.

The Commission looked forward to the further developed scheme.



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93 Highland Avenue
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From: James Rissling NCARB
LR Designs, Inc.
64 Allston Street #3
Cambridge, MA 02139

Date: March 16, 2021

Subject: 494 Medford Street Urban Design Review Meeting #2

The hearing of the Project at 494 Medford Street was continued before the Urban Design Commission on Monday, November 23, 2021 in a virtual meeting at 6pm.

In attendance were the design and development team: James Rissling (JR); Ed Bernazzani, Owner; Todd Rotondi, Wellbuilt; Daniel Bartman, Office of Strategic Planning and Community Development; Members of the UDC.

James Rissling presented the developed scheme that included a brick base, dark green lap siding and stained wood features. Also presented was a more developed site plan.

There was discussion of the number of curb cuts; the proposal closes a curb cut and utilizes an existing curb cut.

There was a question of the feasibility of the street trees presented. These would conform to the City's standards.

It was noted that the sidewalk on Medford Street was less than 12' in width. The sidewalk would need to be increased or a variance would need to be sought from the ZBA.

More Site Items Discussed:

1. Sidewalk width
2. Min. Tree pit sizes may vary.
3. Look at inaccessible areas round the building.
4. Look at a buffer on the property line.

A vote was taken whether the project met the Basic Design Guidelines.
It was agreed they were met.