



City of Somerville

# PLANNING BOARD

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

## DECISION

**CASE NUMBER:** MPSP 2020-0001  
**OWNER:** 74 Middlesex Ave. Owner LLC  
c/o Ryan Sullivan, Edge Technologies  
122 Hudson Street, Floor 2 New York, NY 10013  
**PROPERTY:** **74 Middlesex Avenue, Edge Assembly**  
**PUBLIC HEARING:** May 21, June 5, and June 11, 2020  
**DECISION DATE:** June 11, 2020  
**DECISION FILING:** June 22, 2020  
**REQUIRED PERMITS:** **MPSP, SP**  
**DECISION:** **APPROVED WITH CONDITIONS**

This decision summarizes the proceedings and findings of the Planning Board regarding the Master Plan submitted for “EDGE Assembly”, which requires a Master Plan Special Permit and a Special Permits for exceeding the maximum Floor Area Ratio (FAR) of 10.0, exceeding the maximum permitted building height of 125 feet, and any single commercial use over 10,000 square feet. The Master Plan application was deemed complete on April 14, 2020. The first public hearing was held on May 21, 2020. On June 11, 2020 the Planning Board voted to approve with conditions the required Master Plan Special Permit and Special Permit. This decision was filed with the City Clerk on June 22, 2020.

## SUMMARY OF PROPOSAL

The proposal of this MPSP is a high-rise commercial building (office/lab/R&D) with a full block footprint, a new Civic Space at the edge of the ASMD, effectively bounded by Interstate 93 and Middlesex Avenue. It is approximately a 10-minute walk from the MBTA Assembly Orange Line Station, providing an important transit connection to downtown Boston and the suburbs to the north. The site is a short walk from the restaurants, amenities, and employment opportunities associated with Assembly Row and close to the on-going planned development associated with XMBLY at 5 Middlesex Avenue. The design of the project is intended to integrate into the fabric of ASMD and the context of the continued buildout of the neighborhood.

As part of this Master Plan, public open space around the site will provide gathering areas and visual permeability for community connection. There are several additional proposed improvements that will enhance the larger neighborhood and the connection between Assembly and the riverfront open spaces to the commercial uses and residential neighborhoods of East Somerville. The first is a proposed public-private partnership to provide the Civic Space required by the Somerville Zoning Ordinance. The project envisions repurposing Kensington Avenue adjacent to the building site to

create a new Through Block Plaza (called “Kensington Plaza” in the application package) including new hardscape materials, trees, plantings, seating, public bicycle storage, signage, and lighting to create an active and safe space. The City of Somerville would retain ownership of the Kensington Avenue right-of-way, and the Applicant is prepared to design, install, and maintain the improvements. It is anticipated that the City would grant an easement that dedicates the new civic space to the public in perpetuity.

Additional off-site improvements are also proposed. The Applicant is proposing an upgrade to the adjacent City-owned Kensington Park (referred to as “Middlesex Avenue Open Space” in the application package) to create an attractive gateway to the ASMD for pedestrian and bicycle access from the T station and Foley Street through the Kensington Connector (I-93 underpass) to the Stop and Shop and Garfield Avenue neighborhood to the west. This project will be combined with the design of the Through Block Plaza to create a Neighborhood Park as identify by the Civic Space Study (Appendix F of the application package). This area is not used to contribute to the project’s Civic Space commitment; this upgrade will be considered off-site improvements to City-owned land. The Applicant will improve (design, process through approvals and permitting, and construct) and maintain these off-site improvements. Integrated design of these spaces will yield a more connected, safe, and vibrant public realm and integrated with the adjacent existing hardscaped seating area north of the Public Storage building.

Retail storefronts along Middlesex Avenue and an entry lobby along Kensington Avenue will activate the ground plane. The retail and lobby facades recede from the pedestrian space, providing an enlarged sidewalk width along east and south frontages, enhancing the public realm. The Middlesex Avenue streetscape will continue to be coordinated with the Mobility and Engineering divisions as the revised section for that thoroughfare is still being refined. Once a final design section is understood, the Applicant will need to design the landscape areas in conjunction with the Division of Public Space & Urban Forestry (PSUF).

The proposal is represented in the following documents and drawings:

- Master Plan Special Permit EDGE Assembly Square Somerville, MA submitted by 74 Middlesex Ave Owner LLC c/o EDGE and dated February 19, 2020
- Final Decision of the Director of Mobility for the Mobility Management Plan dated April 14, 2020
- Lot & Block Plan prepared by VHB and dated June 5, 2020

## **RECORD OF PROCEEDINGS**

On June 11, 2020 the PB held a public hearing. Present and sitting at the public hearing were Members Michael Capuano, Amelia Aboff, Jahan Habib, Sam Dinning, and Alternate Rob Buchanan.

Following public testimony and consideration of the statutory requirements to approve or deny the Master Plan Special Permit and additional Special Permits, Michael

Capuano moved to approve the Master Plan Special Permit and additional Special Permits with conditions. Sam Dinning seconded. The Board voted 5 to 0 and the motion passed.

## **FINDINGS**

Following review of the submitted Master Plan application materials, public testimony, and consideration of the statutory requirements to approve or deny a Master Plan Special Permit and a Special Permits to exceed the maximum Floor Area Ratio (FAR) of 10.0, exceed the maximum permitted building height of 125 feet, and any single commercial use over 10,000 square feet, the Planning Board makes the following findings:

### **MPSP findings**

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

The EDGE Assembly Master Plan is consistent with the objectives of SomerVision. As this Master Plan is a single commercial building and civic space, not all the goals – such as housing - can be achieved. However, the project strengthens an existing neighborhood within a transit-oriented growth (transformation) district and contributes to the public realm.

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

The EDGE Assembly Master Plan meets the intent of the ASMD Special District. This project continues to redevelop underutilized areas within close walking distance to the Assembly Square T-station with mixed-use, mid-rise and high-rise, transit-oriented development that will support the transformation of Assembly Square into an urban commerce center and will improve physical connections to surrounding areas, including East Somerville, Ten Hills, and Sullivan Square.

3. The proposed alignment and connectivity of the thoroughfare network

The EDGE Assembly Master Plan is a single block commercial building, surrounded on all sides by existing thoroughfares. The existing Kensington Avenue will be replaced with a Through-Block Plaza civic space that retains vehicular access for emergency vehicle while forming the main lobby entrance to the building.

4. The gross floor area allocated to different use categories

The EDGE Assembly Master Plan will contain retail (potentially including food & beverage), office, and lab (research & development) uses.

5. Mitigation proposed to alleviate any adverse impacts on utility infrastructure.

The EDGE Assembly Master Plan will have a LEED Platinum certifiable Commercial Building and a Through-Block Plaza designed to mitigate stormwater run-off. The sustainability and energy goals of the project will continue to investigate the feasibility of on-site energy generation and flood resiliency is an important component to the building design including designing a stormwater retention system throughout the landscaped open space.

6. Proposed development phasing.

The EDGE Assembly Master Plan will be one phase but with two parts – the building and the civic space.

7. Proposed on-street parking to address demand by customers of Retail Sales, Food & Beverage, or Commercial Services principal uses.

The EDGE Assembly Master Plan will retain the on-street parallel parking spaces on Middlesex Avenue as coordinated with the Divisions of Mobility and Engineering redesign of the thoroughfares cross section.

**SP findings**

**Exceeding the maximum Floor Area Ratio (FAR)**

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

The EDGE Assembly Master Plan meets the intent of SomerVision by requesting more density in a Transform Area within walking distance to public transit.

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

The EDGE Assembly Master Plan meets the intent of the ASMD Special District. This project continues to redevelop underutilized areas within close walking distance to the Assembly Square T-station with mixed-use, mid-rise and high-rise, transit-oriented development that will support the transformation of Assembly Square into an urban commerce center.

3. Considerations indicated elsewhere in this Ordinance for the required Special Permit.

The EDGE Assembly Master Plan meets the building type and open space requirements of the ordinance. As this is the first step in the approvals process, more details will be provided with the subsequent Site Plan Approval applications.

4. Compatibility with the intensity of activity associated with the surrounding land uses.

The EDGE Assembly Master Plan is immediately adjacent to I-93 so additional density in this location does not create any adverse impacts on adjacent parcels or surrounding land uses.

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

The EDGE Assembly Master Plan is appropriate for this site and area of the city. The surrounding land uses are in flux as the neighborhood transforms from a former manufacturing facility to a shopping center to a regional commercial destination and employment hub. The transit-orientation and the network of people-powered transportation to and from this site has been carefully considered, along with vehicular circulation, and has been addressed in the Mobility Management Plan.

### **Exceeding the maximum building height requirement of 125 feet**

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

The EDGE Assembly Master Plan meets the intent of SomerVision by requesting more density in a Transform Area within walking distance to public transit.

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

The EDGE Assembly Master Plan meets the intent of the ASMD Special District. This project continues to redevelop underutilized areas within close walking distance to the Assembly Square T-station with mixed-use, mid-rise and high-rise, transit-oriented development that will support the transformation of Assembly Square into an urban commerce center.

3. Considerations indicated elsewhere in this Ordinance for the required Special Permit.

The EDGE Assembly Master Plan meets the building type and open space requirements of the ordinance. As this is the first step in the approvals process, more details will be provided with the subsequent Site Plan Approval applications.

4. Compatibility with the intensity of activity associated with the surrounding land uses.

The EDGE Assembly Master Plan is immediately adjacent to I-93 so additional height in this location does not create any adverse impacts on adjacent parcels.

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

The EDGE Assembly Master Plan is appropriate for this site and area of the city. The surrounding land uses are in flux as the neighborhood transforms from a former manufacturing facility to a shopping center to a regional commercial destination and employment hub. The transit-orientation and the network of people-powered transportation to and from this site has been carefully considered, along with vehicular circulation, and has been addressed in the Mobility Management Plan.

**Any single permitted commercial use over 10,000 SF of leasable floor area**

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

The EDGE Assembly Master Plan meets the intent of SomerVision by requesting more density in a Transform Area within walking distance to public transit.

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

The EDGE Assembly Master Plan meets the intent of the ASMD Special District. This project continues to redevelop underutilized areas within close walking distance to the Assembly Square T-station with mixed-use, mid-rise and high-rise, transit-oriented development that will support the transformation of Assembly Square into an urban commerce center.

3. Considerations indicated elsewhere in this Ordinance for the required Special Permit.

The EDGE Assembly Master Plan meets the building type and open space requirements of the ordinance. As this is the first step in the approvals process, more details will be provided with the subsequent Site Plan Approval applications.

4. Compatibility with the intensity of activity associated with the surrounding land uses.

The EDGE Assembly Master Plan is immediately adjacent to I-93 so large employment uses in this location does not create any adverse impacts on adjacent parcels.

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

The EDGE Assembly Master Plan is appropriate for this site and area of the city. The surrounding land uses are in flux as the neighborhood transforms from a former manufacturing facility to a shopping center to a regional commercial destination and employment hub. The transit-orientation and the network of people-powered transportation to and from this site has been carefully considered, along with vehicular circulation, and has been addressed in the Mobility Management Plan.

## **CONDITIONS**

Following review of the submitted Master Plan application materials, public testimony, and the above findings, the Planning Board **APPROVES** the required Master Plan Special Permit and Special Permits, subject to the following conditions:

### **Perpetual**

1. The property owner shall comply with the Mobility Management Plan submitted for the EDGE Assembly Square Master Plan dated April 2020, as approved and conditioned by the Director of Mobility.

### **Prior to Site Plan Approval**

2. At issuance of the notice to vacate, the Applicant must provide two months rent to the existing restaurant tenant ("Sunrise Cuisine" at 76 Middlesex Avenue) and then provide reasonable relocation expenses, up to \$25,000, to secure a space and assist with the transition to that new location in Somerville (or an immediately adjacent municipality), to mitigate community impacts attributable to the proposed development.
3. Prior to any subsequent Site Plan Approval application being opened by the Planning Board, the Applicant must execute and provide evidence of recording at the Middlesex South Registry of Deeds, a Development Covenant by and between the City of Somerville and the Applicant.
4. The Applicant must provide evidence to the Director of Planning & Zoning that easement rights to the City right-of-way currently referred to as Kensington Avenue has been acquired prior to a subsequent Site Plan Approval application for the Through Block Plaza Civic Space.
5. Included with the subsequent Site Plan Approval application for the proposed commercial building, the Applicant shall continue to provide information in each LEED certifiability narrative required for the proposed commercial building detailing efforts to utilize building systems technology, to every extent practicable, to reduce the building's energy use intensity and increase net zero capability.
6. The Applicant shall continue to provide information with the subsequent Site Plan Approval application detailing the sites potential flood risk (sea level rise or precipitation-based) and how flooding will be managed within the underground parking structure, including how the electric vehicle charging equipment and other electrical infrastructure will be protected from damage in the development review application for the proposed Commercial Building.
7. Prior to application for the subsequent Site Plan Approval of the Through Block Plaza Civic Space, the Applicant shall continue to coordinate the design with the Division of Public Space & Urban Forestry to address potential pedestrian and bicycle conflicts on the proposed shared paths (which must provide a safe travel way for all users, rather than a dedicated bike lane) from the Kensington Connector under I-93 to Middlesex Avenue.

### **Prior to Building Permit**

8. The Applicant must continue working with the Divisions of Engineering and Mobility to determine the curb location required as by the Middlesex Avenue redesign and with the Divisions of Engineering and Public Space & Urban Forestry on the landscaping of the new sidewalk area to mitigate infrastructure impacts attributable to the proposed development.
9. The Applicant must provide a performance bond for one hundred and twenty five percent (125%) of the estimated costs of the proposed Through Block Plaza Civic Space prior to receiving a Building Permit for the proposed Commercial Building.
10. Upon approval of a subsequent Site Plan Approval for the Through Block Plaza Civic Space, the Applicant must execute and provide evidence of recording at the Middlesex South Registry of Deeds, a Land Disposition Agreement, Maintenance Agreement, including any easements necessary to effectuate Applicant's maintenance obligations, for that parcel between the City of Somerville and Applicant
11. Upon approval of a subsequent Civic Space Permit for the Through Block Plaza, the Applicant will work with the Legal Department and Division of Public Space & Urban Forestry to combine the area of the Through Block Plaza and the existing Kensington Park. The Applicant and the Division of Public Space & Urban Forestry will design the combined parcels as a Neighborhood Park in accordance with the provisions of the Somerville Zoning Ordinance. Emergency vehicle access must remain within the Through Block Plaza. The Applicant is solely responsible for the costs of the design, the review and approval process of a subsequent Site Plan Approval application, all permitting, and construction (including any utility or underground infrastructure relocation) to City standards or greater for the Neighborhood Park as an off-site improvement to this MPSP.

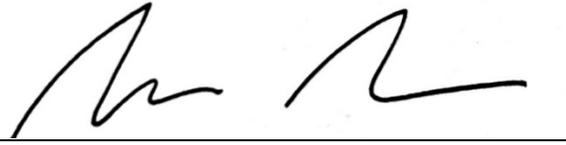
### **Prior to Certificate of Occupancy**

12. The Applicant must fund the purchase and installation of a 19-bike Bluebikes bike share station to mitigate transportation impacts attributable to the proposed development.

Attest, by the Planning Board:



Michael Capuano, Chair



Amelia Aboff, Vice Chair



Sam Dinning, Clerk



Jahan Habib



Rob Buchanan, Alternate

Copies of this decision are filed in the Somerville City Clerk's office.  
Copies of all plans referred to in this decision and a detailed record of the  
Planning Board's proceedings are filed with the Planning & Zoning Division.

**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 \_\_\_\_\_ 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.

Signed \_\_\_\_\_ City Clerk Date \_\_\_\_\_