



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

Somerville High School Auditorium, 81 Highland Avenue
Thursday, August 22, 2019
6:00 P.M.

Previously Continued to a Future Date:

<u>176-182 Broadway (PB 2017-22)</u>	
Applicant:	Yihe Patsy's Corporation
Property Owner:	Yihe Patsy's Corporation
Agent:	Richard G. DiGirolamo
Legal Notice:	Applicant and Owner, Yihe Patsy's Corporation, seeks a Special Permit with Site Plan Review (SPSR) to construct a 26-unit mixed-use building with commercial space along the street frontage and residences above. CCD-55 zone. Ward 1.
Date(s) of Hearing(s):	2018: 6/21, 8/23, 10/4, 11/8, 11/29, 12/13 2019: 1/9, 1/24, 2/7, 2/21, 3/7, 3/21, 4/4, 4/18, 5/2, 5/16, 6/6, 6/20, 7/11 (re-advertised), 8/8
Staff Recommendation:	None at this time.
PB Action:	Voted on August 8, 2019 to continue to September 5, 2019.
Current Status:	Voted on August 8, 2019 to continue to September 5, 2019.



Previously Opened Cases to Request a Continuance:

346 Somerville Avenue (PB 2019-08)	
Applicant:	346 Somerville Avenue, LLC
Property Owner:	Palmac Realty Corp
Agent:	Richard G. DiGirolamo
Legal Notice:	Applicant, 346 Somerville Avenue, LLC, and Owner, Palmac Realty Corp, seek Special Permits and Special Permit with Site Plan Review (SPSR) to construct a 100-unit residential structure with inclusionary housing. SZO sections and articles including §4.4.1, §8.5, §7.11, Article 9, Article 13. CCD55 zone. Ward 2.
Date(s) of Hearing(s):	3/7, 4/4, 4/18, 5/2, 5/16, 6/6, 6/20, 7/11 (re-advertised), 8/8, 8/22
Staff Recommendation:	None at this time.
PB Action:	Voted on August 8, 2019 to continue to August 22, 2019.
Current Status:	Voted on August 22, 2019 to continue to September 5, 2019.

57 Broadway: (PB 2018-08)	
Applicant:	Centrie Realty, LLC
Property Owner:	Centrie Realty, LLC
Agent:	Richard G. DiGirolamo
Legal Notice:	Applicant and Owner, Centrie Realty, LLC, seek Special Permits to alter a non-conforming property. The existing structure will be demolished and a new building with three residential units and ground floor retail will be constructed. Parking relief. Articles 4, 5, 7, 8, & 9 of the SZO. CCD45. Ward 1.
Date(s) of Hearing(s):	5/2, 5/16, 6/6, 6/20, 7/11 (re-advertised), 8/8, 8/22
Staff Recommendation:	None at this time.
PB Action:	Voted on August 8, 2019 to continue to August 22, 2019.
Case Status:	Voted on August 22, 2019 to continue to September 5, 2019.

Previously Opened Cases to be Heard:

9 Sanborn Court (PB 2019-17)	
Applicant:	Sara Markey
Property Owner:	EJH Realty LLC c/o Edward Kepnes
Agent:	N/A
Legal Notice:	Applicant, Sara Markey, and Owner, EJH Realty LLC c/o Edward Kepnes, seeks a special permit under SZO §6.1.22.D.6 to conduct a portion of the business outdoors by installing a patio. CCD-55/Arts Overlay Zone. Ward 3.
Date(s) of Hearing(s):	8/8, 8/22
Staff Recommendation:	Conditional approval.
PB Action:	Conditionally approved
Case Status:	Will be heard.

Sara markey field and vine restaurant

Seasonal patio

MCAP

Board requested Fire Department report due to concerns about fire lane access and Sanborn Court access



Patio more permanent than cars that would have parked there

Fire chief report says less burdensome, better access, less space taken up than cars

What were dimensions? Looking at dimensions to achieve same function

SMarkey

Saw letter and dimensions Warner is proposing

MCapuano any thoughts

SMarkey concern with drawing is that in his drawing it is cutting back on 10' to 8 feet and widening from 15 to 23 to get same seats, very kind but 23 feet encroaches on another business, so would like to move forward with proposal as is

Excited to have met with opposing abutters, great conversations and good ideas about collaborating to address issues in the court, look forward to dealing with other tenants not able to attend last time

MCapuano – thanks for addressing, appreciate you can't encroach on other property

Board has other comments or questions of staff?

Amaral waiting on fire dept, happy with result, hope that applicant can work with abutters to work thing out

JFavarello asked staff to get opinion, received, he says comfortable, that's good enough for me, greater good is that there seems to be energy to have communication amongst abutters and that can only lead to better things

Aboff – plan was received from someone knowledgeable, truck delivery shown,

Markey – yes, correct, reinforced with delivery that not supposed to come down that alley, use carts to deliver, will enforce as closely as possible

MCapuano -other questions?

AMello – documents submitted by someone interesting given testimony?

MCapuano show of hands? Three people, will open briefly for the three

This board would like to move on this when we can

Open

Don Warner, 66 Union Sq, directly across, 45 Willow Crescent, represent abutters on west side, read brief statement summary, point out inconsistency in applicant said



Owner 66 union for 30 years, restored and kept open with services and businesses, good friend to city with use of parking lot for festivals, back of lot is directly across, in opposition to project, as it is configured, specifically 11 foot depths

Sanborn only 30 feet, use and misuse problem for many years,

MCapitano: submit in writing

Warn pogoing conflict with access into parking, truck drivers, dumpsters and patio, court is owned by three abutters Ken Kelly's widow and Kepnis family, nothing can occur on court without permission of abutters,

MCapitano time expired,

Warner could not attend last meeting, did not have notification of last meeting

AMello – went out 13 days

Warner, only arrived a week before meeting, had to go out of town, only fair that abutter major abutter isn't allowed to speak

MCapitano: several pieces of written testimony, from abutters to last meeting, we have testimony

Going to shut, open for future testimony, you have taken 2 minutes, have taken into consideration, have drawing, asked occupant to address it,

Be taking vote tonight?

MCapitano – yes

So alternative plan not considered

MCapitano will consider when we vote

David Gibbs Community action of Somerville, west side of Sanborn court, oppose because though conversation which wasn't at but others were, difficulties with accessing parking and emergency access have continues for years, every time approached when there was a track, response has been to wait, point existence of loading, no effect

Like to have patio after some time of good faith

Henry Patterson 42 years into 50 year lease on east side, manager for Kepnis family who owns building, had exciting meeting with Mr. Warner and Kim rood, and Jessica, are going to make headway with problem that we have to have dumpsters on Sanborn court for 12 years have shared trash with abutters, in parking lot, was abruptly terminated in 2013, as consequence we have trash trucks to come to Sanborn to receive trash, as soon as we can meet of minds for revival of plan, will gladly do it again, never charged admin fees, want to cooperate for traffic and sanitation issues

MCapitano anyone else wants to speak? Close to public, open for discussion



Staff recommendation for conditional approval, vetted and approved by fire and emergency vehicles, asked and received, move to adopt staff recommendation as conditioned, mike, 2 by joe, 4 – 0 in favor

365 Somerville Avenue: (PB 2018-08):	
Applicant:	Nikhilsh Rao Goruknati
Property Owner:	Riggins Holdings, LLC
Agent:	N/A
Legal Notice:	Applicant, Nikhilsh Rao Goruknati, and Property Owner, Riggins Holdings, LLC, seek special permits to convert from a café use to dentist office. Parking relief under Article 9. CCD-55. Ward 2
Date(s) of Hearing(s):	7/11, 8/8, 8/22
Staff Recommendation:	Conditional approval.
PB Action:	Voted on August 22, 2019 to continue to September 5, 2019.
Case Status:	Voted on August 22, 2019 to continue to September 5, 2019.

20 Prospect Street (PB 2019-06)	
Applicant:	Union Square RELP Master Developer LLC
Property Owner:	The City of Somerville and the Somerville Redevelopment Authority
Agent:	N/A
Legal Notice:	Applicant, Union Square RELP Master Developer LLC and Owners, the City of Somerville and the Somerville Redevelopment Authority, seek Design & Site Plan Review under SZO §5.4 and SZO §6.8 to construct a general building and a Special Permit under SZO §6.8.10.A.4 to authorize a principal entrance for ground floor residential uses oriented toward a side lot line. TOD 100 underlying zoning district. Union Square Overlay District and High-Rise sub district. Ward 2.
Date(s) of Hearing(s):	6/20, 7/11 (re-advertised), 8/8, 8/14, 8/22
Staff Recommendation:	Conditional approval
PB Action:	Voted to approve on August 22, 2019.
Case Status:	Voted to approve on August 22, 2019.

20 prospect street D2.2

MCapuano – further discussion? Had comments last week

Aboff – additional information?

GregK – did provide memo

On approach to sustainability, describe approach to project as a whole, misconception that we're not overachieving, requirements of project related to sustainability require LEED gold, committed to certifying

Process, all planning work has been rooted in sustainability MEPA process covered many issues, was reviewed by many agencies went through in great detail, MEPA office certified that adequate level of treatment, included smart growth factors, emphasis on mode shift, foundational to thinking, went to climate change Somerville report intends to limit building transportation and transit emissions to mitigate



impacts, thinking about this, 60% mode share is most aggressive of anything in Somerville, annual monitoring commitment is unique, 600 bike units, commitments to green line

Elevator? We jumped in to say that we wanted to continue after t took it out

<>

Buildings are above code in terms of suitability, LEED silver in many neighboring projects, committed to above code for other buildings

Addition to that, for urban heat island, plaza appreciate action, includes more green space and coverage to mitigate, soil underneath to allow trees to grow to full height

Taking site that was an environmental problem, eliminating that characteristic, directly targeting goals of Somervision, feel very strongly, feel committed, furthest from truth that we are not taking sustain into account

Aboff – thanks for memo and additional, sheds a lot of light

Variety of ques to discuss and maybe of staff

Want to make sure understand, not trying to be obstructionist, have concerns want to make sure clear

Previous meeting GProakis was clear about funding with CBA, challenging to revisit, understand, publicly available, what mechanisms are there for looking more closely at measures as other pieces of the pizza are built, 17 buildings, does that mean we can't ask for higher exactions on any of these?

Reviewed environmental impact report, if this is not the right phase to discuss this when? As tech advances, how do we keep on top?

SLewis – city is not party to CBA, strictly between developer and neighborhood council, have assisted, facilitated, provided info, not active participation, process went on for 18 months, neighborhood is quite happy with what they signed and commitments from developer, to best of knowledge good with where it stands now, do not know, given that this is letter of agreement wither can be revisited later or not

D4.3 which anticipate all affordable housing

Aboff – doesn't answer question

Based on MEPA filing, city has set goal by 2050, this suggests that there was a dialog that should have happened, want to make sure we're not setting precedent for next 17 buildings

GProakis – need to separate benefits and MEPA for a minute, to extent that we have questions about that, have to ask someone other than staff

< gap see ca 1 hour on recording >

Stepping stone not line in the sand, march forward on long term process, each a little better

SLewis: this project, MEPA application happens concurrent with applications, came in and was reviewed after project was in process for d2, was difficult to make switch, moving forward, will definitely incorporate a lot of those comments,

Aboff – don't have concern about CBA, was curious because of gpro comments, precisely aligned with comments that we have been given, not looking for additional stringency, fully aligned with CBA

Original staff report has passive house certification, higher standard for residential buildings, admirable for 4.3, but that is only a piece

Not quite ready to vote tonight, environmental report, because 8 year payback was not challenging, understand that there were questions, fully respect that conclusion that not feasible, but was sustainability director not aware that revised from 8 to 2.5 years

<reading>

Opportunity to consider if comfortable with walking back? Key info that would have been relevant

MCapitano: was raised last week, for benefit of all,

GregK – big focus of MEPA process, and DSPR process, was questionnaire, responded with additional info and had additional meetings, pathways to carbon neutrality, market can't support tech right now, need incentives to allow, those don't exist in Union Square, full expectation is each building goes forward will be looking for ways for project to contribute

During MEPA, went through extensive assessment of passive house, engaged ph licensed professional, met with folks, looked at some projects, very limited set of experience in MA, what we learned testing feasibility, if executed, can provide benefits, but very new tech, limited experience with contractors, have to have airtight envelope, one of reasons it drives up cost, varies greatly from 2% to 10%, have data from developer that showed 8%, significant amount to overcome

Way you overcome is to save energy cost, those costs aren't captured by us, we have no way to capture the savings that will pay back developer

Has not been high rise done PH, particularly difficult with some geometry, square tower as requirement of zoning, can't have mechanical units outboard per zoning, that is another penalty,

Ran some analysis looking at payback, if incentives come through, if able to capture savings that tenant is benefitting from, payback from midrise was lower end of a couple years, on high rise was more like 12 years on low end, on higher end becomes 25 30 years, looked at applicability, wasn't time to do it on a high rise, commitment we made was to use d4.3 as test project, use that as a way to move forward,

Hopefully that was helpful

Gpro our perspective, we're encouraged to do in future, want to move forward, had healthy convoy after last meeting, inconsistent with each other, staff conclusion was that placing passive house on top of other things this project achieving wasn't realistic option at this time

Will continue to work with this developer to move forward

Aboff – other concern is façade,

Not one to try to impose architectural preferences but strongly feel that this is not a contextual building, understand effort that went into coming up with palette, went to guidance document from USQ overlay district, doesn't strengthen district character, not simple, goes against design guidelines as laid out

Would love more clarity about orange and white stripes vs red and grey, would like to hear about how it does not meet requirements

MCapuano –

Aboff – understanding that did not go through design review

MCapuano discussion

Eric Howler

Precast concrete panel façade, windows inserted, to make building scale perception, broken into pieces conform to base middle top with innovative ways to interpret vocabulary

Bowtie plan geometry

Worked hard to give building character, lot of articulation within, interest and character

Worked with construction tech that are available, precast donuts, two concrete mixes to give spandrel and vertical, treating with different textures, will appear different colors but will appear different

Barcode expression

“eyedropper” concept to bring in colors into mosaic, thought quite clever, Somerville is so many different types of people so different textures and colors, funky and fun

Don’t understand the logic

Aboff don’t disagree with many of statements, but don’t think document is pick some but not all

MCapitano – discuss where we are at, where we were, GProakis explained aspects on these two buildings

Façade had these buildings in front of us for months, multiple revisions, tonight is not the night to relitigate, if the board was dissatisfied, should have been raised with applicant in last meetings or when first brought to us, not the time to relitigate, guidelines are those, not requirements, allow applicants to work broadly within or go away from them, sometimes they work sometimes they don’t, have been broadly supportive, this is not the time to revisit

Agree broadly that we want buildings to be held to high standard, what was applicants standard when they applied, where are they today, what will we expect going down the road, in perfect world, would have underground, passive house and everyone would be riding around on bird scooters

Applicant has worked well with board and community to achieve buildings we want them to be, every single time they have some back people have said they are better, very few incidents of people not happy, even people not supportive of these, we can always do more but to what end, if we say tonight must be passive house, will not get built, not sure that this building is the appropriate building to see if this works

In other places, where we have tried creative ways to see if we can make changes, we have achieved some, not sure if tonight is possible to achieve aspirational standards for future,

Haven’t held applicant to that standard from start, Greg had good response, considered, worked with third party, explained this is why, I respect what they have said, can’t meet the standard with this building, as much as I want to see us more forward in advancing sustainability, don’t think these are the buildings we’ll make it on

Appreciate that you speak knowledgably, don’t think that tonight is where you draw that line

All testimony is that applicant has moved in right direction, not everything can be achieved to where we want, want to make sure that Union Square can be developed in a thoughtful way, tonight is the night for a vote on this project, I am ready, this board should be ready, we’ve been through this for a long time on this



Would like to call for a vote,

20 prospect, d2.2

Move to adopt staff rec as conditioned, second by joe

Gpro Can't vote down a site plan review

50 Prospect Street (PB 2019-07)	
Applicant:	Union Square RELP Master Developer LLC
Property Owner:	The City of Somerville and the Somerville Redevelopment Authority
Agent:	N/A
Legal Notice:	Applicant, Union Square RELP Master Developer LLC and Owners, the City of Somerville and the Somerville Redevelopment Authority, seek Design & Site Plan Review under SZO §5.4 and SZO §6.8 to construct a mid-rise podium tower building and a Special Permit under SZO §6.8.10.A.5 to authorize a 5% increase to the dimensions permitted for the point tower of the building. TOD 100 underlying zoning district. Union Square Overlay District and High-Rise sub district. Ward 2.
Date(s) of Hearing(s):	6/20, 7/11 (re-advertised), 8/8, 8/14, 8/22
Staff Recommendation:	Conditional approval
PB Action:	Special Permit was approved on July 11, 2019. Voted on August 14, 2019 to continue the Design and Site Plan Review portion to August 22, 2019.
Case Status:	Will be heard.

10-50 Prospect Street (PB 2019-05)	
Applicant:	Union Square RELP Master Developer LLC
Property Owner:	The City of Somerville and the Somerville Redevelopment Authority
Agent:	N/A
Legal Notice:	Applicant, Union Square RELP Master Developer LLC and Owners, the City of Somerville and the Somerville Redevelopment Authority, seek Design & Site Plan Review under SZO §5.4 and SZO §6.8 to construct a Plaza civic space type. TOD100 underlying zoning district. Union Square Overlay District and High-Rise sub district. Ward 2.
Date(s) of Hearing(s):	6/20, 7/11 (re-advertised), 8/8, 8/14, 8/22
Staff Recommendation:	Conditional approval
PB Action:	Voted on August 22, 2019 to approve.
Case Status:	Voted on August 22, 2019 to approve.



JFavarello, was not at last weeks meeting but did listen to testimony and discussion, prepared to weigh in and vote if that is the pleasure of the chair

MCapuano updated staff report on civic space only few minor revisions and strike outs, but addition of a few conditions at the end, brief presentation from staff

Will open civic space only

SLewis planning director

3 conditions were ones that had been previously discussed, not included in draft to address changes from public testimony at last meeting, include MBTA elevator, applicant working with t to provide elevator, as they are not the only ones to benefit, we propose cost shared by other developers to make sure equitable

Park location on 2.4 has changed from what cdsp had showman, continued to study with adjacent stakeholders

Coordinate with t and GLX constructors, area from edge to property abutting civic space will be 10 conc walkway and gravel on either side, final condition to make sure coord happens so project happens with appropriate materials and look designed rather than left over,

Open for support to civic space only

Scott Hayman SCC urging that civic space as amended with conditions be approved tonight, through due diligence and work from us2, beautiful and all can be excited about, tons more housing 90 affordable, lots of jobs, want to start soon

Tom Bent Bent electric glad to hear, all changes made it much better

Jessica Union Sq Main Streets affirm full support for board, excited to fill businesses with vibrancy of all people who will arrive

Tim Devine 259 Lowell acknowledge that will be good to have buildings to revitalize us2 and have elevator installed, good for city, mother used to live in Union Sq wish she could have seen it happen

Closed,

Speak in opposition to civic only

Tori Antonino Boston street, before allowing to co forward, want to point out location, intractable harm to people in space, need more vegetation, should install air quality sensors, to advice people where to walk, news who has advised city, need low impact and bios wales because raised beds and planters don't allow water into ground, water into sewers and out to Deer Island, makes no sense not do it, like to see habitat for raptors, hawks and raptors for help with pigeons, need to have passive house, as we move into future, not enough EV charging stations

Closed, open to board discussion

MCapuano meeting every week for last few weeks, will reserve comment until Joe Favaloro has a chance to speak



JFavaloro thanks for comments and hold open the meeting so I could participate,

Many months ago as process started, was loudest voice for concerns for underground parking, pushed and pushed, appreciated that all arguments came forward about would be better but didn't work on site, wasn't thrilled but understand, one of issues outstanding, hearing dot's comments about how she would vote

Easy thing would be for me to come in and be bad person to come in and say not going to vote, but had to weigh plusses and minuses

What has struck me is that with every meeting, development got better, incorporated many changes, many components, less and less individuals were coming to say no underground parking, pretty much every other person who testified spoke of positive aspects, pounded away at comments, had to look at priorities, someone spelled it out in a couple of sentences, affordable units that we are so in need of, jobs and additional dollars coming in, green space, getting off the ground, as dot said last week, have in writing that underground parking where it will make more sense

With all of that, if we are to vote, will be voting in favor of moving forward

Having said that, can you do more, really think that in hearing from Amelia and others, there is still room for improvement, don't just strive for good, strive for best, all that money we are saving in underground parking, can go to sustainability, can be addressed as we go forward

Plaza has mutual needs but reality is that we have to protect people in that place, need to manage traffic flow, there are electronic ways to address that. With those concessions, I can move forward to make my second vote to have more housing come in to that area of the city for what will be 20 year total transformation of that area, which will protect people in neighborhood as well

MCapuano: piggy back on one thing. Condition 6 that board worked to have staff approve, have Bennett as pedestrian friendly as possible

Includes but not limited to can inside things that joe was talking about., applicant can work with city staff to max pedestrian use while still allowing to function as it was intended to function, not limit just to signs asking for them not to turn down, add umpf to those needs, thanks for drafting that condition

Aboff appreciate responsiveness, have heard community concerns about environmental, taking into account about this set of projects as a whole, civic space si greate and will be a freat addition

MCapuano future blocks will expect more of sustainability aspects that we have expressed, will be addressed in future

Ben did you want to speak?

Ben Ewan, Capen – no thank you

MCapuano when elected are there, give time for us to speak, ben has left it for us

Any comment from staff



SLewis not at this time, will be for others

MCapuano chair moves to accept, second by joe 3 – 0 in favor

Other Business

Approval of Minutes:

June 13, 2019, approved

July 11, 2019 , approved

Plans and reports are available at the City of Somerville website at the following link:
<https://www.somervillema.gov/departments/ospcd/planning-and-zoning/reports-and-decisions>