



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

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DOROTHY A. KELLY GAY
AMELIA ABOFF
GERARD AMARAL, (ALT.)

Case #: PB 2019-03
Site: 10-50 Prospect Street (Alley)
Date of Decision: July 11, 2019
Decision: *Approved with Conditions*
Date Filed with City Clerk: July 25, 2019

PLANNING BOARD DECISION

Site: 10-50 Prospect Street
Applicant Name: Union Square RELP Master Developer LLC
Owner Name: City of Somerville and the Somerville Redevelopment Authority
Agent Name: N/A
City Councilor: Jefferson Thomas (J.T.) Scott

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 create an alley on Block D2 (as identified in the Union Square Revitalization Plan and the Union Square Neighborhood Plan) as proposed in the previously approved Coordinated Development Special Permit. TOD 100 and CCD 55-C underlying zoning district. Union Square Overlay District and CC7, HR, and MR4 sub districts. Ward 2.

Zoning District/Ward: Union Square Overlay District and CC7 sub district. Ward 2.
Zoning Approval Sought: Design & Site Plan Review
Application Date(s): February 11, 2019; Revised April 16
Public Hearing Date(s): April 4, 2019; April 18, 2019; May 5, 2019; May 16, 2019; June 6, 2019; June 13, 2019; June 20, 2019; July 11, 2019
Decision Date: July 11, 2019
Vote: 3-1

Case number **PB 2019-03** was opened before the Planning Board at the Visiting Nurse Association 3rd Floor Community Room, 259 Lowell Street. Notice of the Public Hearing was given to persons affected and was published and posted, all as required by M.G.L. c. 40A, sec. 11 and the Somerville Zoning Ordinance. On July 11, 2019, the Planning Board took a vote.



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I. PROJECT DESCRIPTION

The subject property is a portion of Block D2 (as identified in the Union Square Revitalization Plan and the Union Square Neighborhood Plan) and consists of the newly-platted "Lot 1" of the Subdivision Plat of Land approved by the Planning Board on March 21, 2019 (Case #PB2019-02). Lot 1 is comprised of all or portions of former parcels A, B, D, E, F, H, I, & K, along with portions of the discontinued Bennett Street.

On April 16, 2019, the Applicant submitted a revision to the previously approved Subdivision Plat to the Planning Director. The revision was to perform a "Lot Split" of Lot 1 into two portions. The Planning Director determined that the revision was a minor amendment and approved the revision, per Section 5.4.8 of the Somerville Zoning Ordinance, on April 18, 2019. The revised Lot 1 is highlighted in the figure at right:

The proposal is to create a service and vehicular access alley that consists of three distinct lengths: Milk Alley, Bennett Court, and Charlestown Place. In its totality, this alley will allow for service and delivery vehicles to access loading bays proposed at the rear of the D2.1 building and those proposed for the D2.2/D2.3 buildings. Passenger vehicles will also be allowed use of the alley in order to access the proposed commercial vehicular parking facility integrated into the D2.2 and D2.3, proposed pick-up and drop-off areas at the D2.2 general buildings along Bennett Court, and designated "T" pick-up/drop-off area at the western terminus of Charlestown Place. All intersections internal to the alley system and with Prospect Street and Somerville Avenue will be stop controlled. Pedestrian crossing signs are proposed for both sides of Bennett Court and Charlestown Place crosswalks. Parking enforcement signs are proposed for the short-term drop-off/pick-up at Bennett Court and the turnaround of Charlestown Place.

Each segment of the alley is addressed individually below:

Milk Alley

Milk Alley will extend southward from its intersection with Somerville Avenue through to Charlestown Place. This 20-foot wide alley will allow for two-way traffic to-and-from Somerville Avenue. Although sidewalks exist on the rear of the D2.1, D2.2, and D2.3 buildings, pedestrian access will be discouraged along Milk Alley.

Bennett Court

Bennett Court will extend westward off of Milk Alley between the D2.1 Commercial Building and the D2.2 General Building, terminating at Prospect Street. As proposed, Bennett Court will be a 20-foot wide alley facilitating two-way vehicular and bicycle traffic between Prospect Street and Milk Alley. Bennett Court will provide access to a drop-off/pick-up area that is part of the D2.2 property. In total, with sidewalks provided as part of the D2.1 and D2.2 buildings, Bennett Court will be a shared space.

Charlestown Place

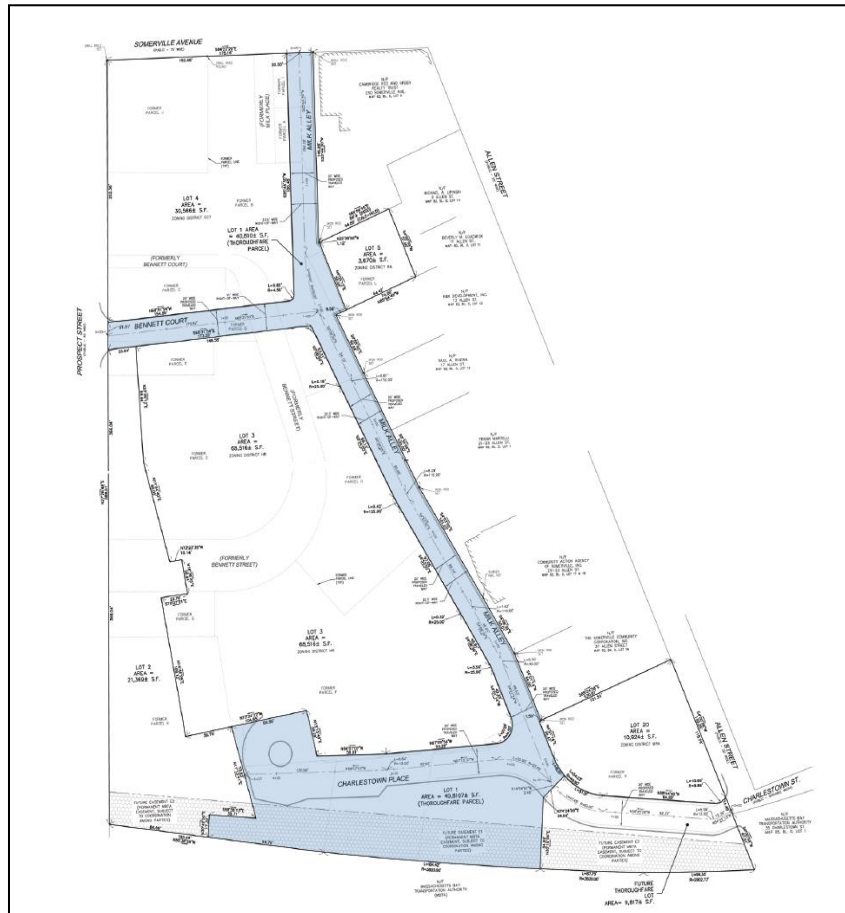
As with the rest of the proposed alley area, Charlestown Place will also be 20-feet in width. This portion of the alley area will also extend westward off of Milk Alley at its southern terminus, culminating in a cul-de-sac where it meets the proposed D2 plaza. The cul-de-sac area will accommodate the MBTA's paratransit service ("The Ride") due to its proximity to the entrance to the Green Line Union Square "T" Station. The cul-de-sac area will allow for vehicular turnaround in order to exit the "T" drop-off/pick-up



area. Bicycle parking will be provided along the cul-de-sac as well as near the ADA ramp to the “T” platform. Bicycle parking will be provided at the head of the cul-de-sac and along the ADA access ramp to the “T” platform. Pedestrian access to Charlestown place will be from the public plaza and Charlestown Street.

Further, the proposal also includes a “stub” that will permit the future extension of Charlestown Place in a south-easterly direction off of Milk Alley towards Charlestown and Allen Streets.

Lastly, the alley proposal also includes a required permanent public access easement along the lower portion of Charlestown Place where it abuts MBTA property (see image *below*).



II. FINDINGS:

The Planning Board must approve a development review application requiring Design and Site Plan Review (DSPR) upon verifying that the application is compliant with the review criteria required for all Design & Site Plan Reviews and for the additional criteria of §6.8.5.D.5 of the Union Square Overlay District. The Planning Board may add conditions to any approvals and/or have the Applicant make alterations to the alley proposal.

Standard Review Criteria of §5.4.6:

1. Consistency with the adopted comprehensive Master Plan of the City of Somerville, existing policy plans and standards established by the City, or to other plans deemed to be appropriate by the Planning Board;
2. Consistency with the purpose of this Ordinance in general;
3. Consistency with the purpose of the district where the property is located; and
4. Considerations indicated elsewhere in this Ordinance for the required Design and Site Plan Review. (See §6.8.5.D.5)

Additional Review Criteria of §6.8.5.D.5:

1. Compliance with the standards of [Section 5.4](#) Design and Site Plan Review (*see above*)
2. Consistency with the approved Coordinated Development Special Permit and any previously approved Special Permits, as applicable;
3. Consistency with the 2012 Union Square Revitalization Plan and the 2016 Union Square Neighborhood Plan, as amended; and
4. Conformance with all applicable provisions of this Ordinance.

SZO §5.4.6

- 1. Consistency with the adopted comprehensive Master Plan of the City of Somerville, existing policy plans and standards established by the City, or to other plans deemed to be appropriate by the Planning Board.**

Planning Board finds that the Application is consistent with SomerVision, the comprehensive Master Plan of the City of Somerville in that the development will help to achieve the following plan Goals:

- a) Increase active and alternative transportation options; reduce congestion; and promote workplace-based policies and incentives for mode choice, work hours, and employment location by implementing an aggressive Mobility Management Plan for the building and requiring future tenants of significant size to implement their own mobility management plans.*

- 2. The purpose of this Ordinance in general.**

Planning Board finds that the Application is consistent with the purpose of the Somerville Zoning Ordinance, including to provide for and maintain the uniquely integrated structure of uses in the City, to lessen congestion in the streets, and to encourage the most appropriate use of land throughout the city.

- 3. The purpose of the district where the property is located.**

Planning Board finds that the Application is consistent with the purpose of the Union Square Overlay District, including the redevelopment of a parcel located within close walking distance to the future Union Square T-Station, accommodating high-rise development that will support the transformation



of Union Square into an urban employment center, and fulfilling the goals of SomerVision, the 2003 Union Square Master Plan, the 2012 Union Square Revitalization Plan, and the 2016 Union Square Neighborhood Plan, as amended.

4. Considerations indicated elsewhere in this Ordinance for the required Design and Site Plan Review.

See findings 2-4 for SZO §6.8.5.D.5 below.

SZO §6.8.5.D.5

1. Compliance with the standards of Section 5.4 Design and Site Plan Review

See findings 1-4 for SZO §5.4.6 above.

2. Consistency with the approved Coordinated Development Special Permit (CDSP) and any previously approved Special Permits, as applicable.

The Planning Board finds that, as-proposed, the Application is consistent with the approved Coordinated Development Special Permit (CDSP) that was approved by the Planning Board on December 14, 2017, and any previously-approved Special Permits. Specifically, the proposal complies with the following conditions set forth in the December 14, 2019 CDSP (case # PB 2017-21) approval:

#	Condition	Timeframe for Compliance	Responsible Party(ies)
4	New thoroughfares must be developed as detailed on p122-123 and illustrated in Figure 62 of the application materials both as to the general location and specific dimensions of the new alleys and reconfiguration of Everett Street. The Board also approves, in concept, the proposed 50' scale new thoroughfares plan provided to the City digitally on November 7, 2017. The Applicant shall work with City staff to finalize the details of each proposed new thoroughfare to ensure proper design and intersection with the existing thoroughfare network.	DSPR	T&I/Planning/Engineering
14	The development of any lot as a building or civic space and the construction or reconstruction of any thoroughfare requires DSPR	DSPR	Planning
15	Each building, civic space, and thoroughfare (including streetscape details) and associated physical improvements requires design review per the SZO prior to the submittal of a DSPR application. Design review will take into account not only the parcel under review, but also the larger context in terms of relationships, sight-lines, compatibility of materials, pedestrian access, and consistency with the intent of the Neighborhood Plan.	DSPR	Planning
16	DSPR applications for thoroughfares, civic spaces, and buildings may be processed simultaneously with DSPR applications for adjacent thoroughfares, civic spaces, and buildings on the same D-Block.	DSPR	Planning



81	The street-facing portions of D2.1 and the alley way to the east of D2.2 and D2.3 should make accommodations for flooding during extreme storm events. These accommodations must be coordinated with the Engineering Department.	DSPR	Planning/Engineering
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3. Consistency with the 2012 Union Square Revitalization Plan and the 2016 Union Square Neighborhood Plan, as amended.

The Planning Board finds that the Application is consistent with the 2012 Union Square Revitalization Plan and the 2016 Union Square Neighborhood Plan, as amended, by providing a service alley to facilitate redevelopment of parcels abutting Prospect Street, Somerville Avenue, and Allen Street.

4. Conformance with all applicable provisions of this Ordinance.

The Planning Board finds that the Application is conforming to all applicable provisions of the Somerville Zoning Ordinance.



III. DECISION:

Present and sitting were Michael Capuano, Joseph Favaloro, Dorothy Kelly Gay, Amelia Aboff. Gerard Amaral recused himself. Upon making the above findings, Michael Capuano made a motion to approve the application for Design & Site Plan Review. Dorothy Kelly Gay seconded the motion. The Board voted **3-1**, with Joseph Favaloro voting against, to **APPROVE** the request **WITH THE FOLLOWING CONDITIONS:**

#	Condition	Compliance Timeframe	Verification	Notes						
A. Overall										
1	<p>Development must comply with the plans and other application materials submitted by the Applicant:</p> <table border="1"> <thead> <tr> <th>Date (Stamp Date)</th> <th>Submission</th> </tr> </thead> <tbody> <tr> <td>February 13, 2019</td> <td>Initial application submitted to the City Clerk's Office</td> </tr> <tr> <td>April 16, 2019</td> <td>Revised application submitted to Planning Staff</td> </tr> </tbody> </table> <p>Any changes to the submitted plans and other materials, as approved and conditioned, that is not determined to be <i>de minimis</i> by the Planning Director are considered a Major Amendment to the approved plans and must be processed as a revision to previously approved plans.</p>	Date (Stamp Date)	Submission	February 13, 2019	Initial application submitted to the City Clerk's Office	April 16, 2019	Revised application submitted to Planning Staff	Perpetual	ISD/ PIng.	
Date (Stamp Date)	Submission									
February 13, 2019	Initial application submitted to the City Clerk's Office									
April 16, 2019	Revised application submitted to Planning Staff									
2	This approval certifies that the proposed alley (comprised of Milk Alley, Bennett Court, and Charlestown Place), if constructed and operated in conformance with this decision, as conditioned, complies with the previously approved CDSP Decision (<i>Case# PB2017-21</i>) issued on December 14, 2017.	Perpetual	ISD							
3	This approval absolves all previous approvals and conditions related to 50 Prospect Street, except for the previously approved CDSP (Case # PB2017-21).	Perpetual	ISD							
B. Legal Agreements										
1	Development must comply with the Development Covenant by and between the City of Somerville and Union Square Station Associates LLC dated June 17, 2017, as amended.	Perpetual	ISD/ PIng.							
2	Development must comply with the Master Land Disposition Agreement by and between the Somerville Redevelopment Authority and Union Square Station Associates LLC dated May 2, 2017, as amended.	Perpetual	ISD/ PIng.							



#	Condition	Compliance Timeframe	Verification	Notes
3	The property owner shall, for no additional compensation, grant a permanent public access easement over the full width of the sidewalk that abuts the southern portion of Charlestown Place. Easement language must be approved by the City Solicitor and recorded with the Middlesex County Registry of Deeds prior to the issuance of the first Certificate of Occupancy for the building.	CO	City Solicitor/ISD	
A. Engineering				
1	The Applicant shall comply with all Engineering Department requirements relative to alley construction and associated drainage.	Paving Permit	Eng.	
B. Transportation				
1	Pedestrian and vehicular access (particularly for the MBTA's paratransit service) must not be impeded due to construction of the D2.1 Laboratory Building once revenue service begins at Union Square Station. In such a circumstance, the Applicant shall provide detailed plans of proposed interim vehicular, pedestrian, and bicycle access to Union Square Station (including any access to be provided from the Prospect Street Bridge) to the Director of Mobility for approval prior to the issuance of a building permit. Particular care must be taken to provide a legal and fully accessible path to Union Square Station during construction so that safe, convenient, and uninterrupted access is provided to the Station at all times.	BP/CO	Mobility/ISD	
2	To satisfy Condition #38 of the previously approved CDSP, the Applicant must purchase and install a bike-share docking station with at least fifteen (15) docks and nine (9) shared bicycles. The station must be installed in a location approved by the Director of Mobility in relative proximity to the MBTA's bike cage proposed along Charlestown Place.	CO	Mobility	
3	The Applicant, in coordination with the Director of Mobility and the Director of Engineering, shall install signage at the Somerville Avenue entry points to Milk Alley to direct pedestrians to the front of the building for access to the T via the proposed new plaza.	CO	Mobility/ Engineering	
4	The Applicant, in coordination with the Director of Mobility and the Director of Engineering, shall develop and implement a paving plan for a portion of Lot 5 in order to improve turning abilities for WB-40 transport vehicles into and out of the D2.1 and D2.2 loading and service docks.	Paving Permit	Mobility/ Engineering	

#	Condition	Compliance Timeframe	Verification	Notes
5	The Applicant, in coordination with the Director of Mobility and the Director of Engineering, shall install signage (internal or external to the D2.2/D2.3 commercial vehicular parking facility) directing passenger vehicles to exit the site only from Milk Alley onto Somerville Avenue.	Paving Permit	Mobility/Engineering	
6	The Applicant will coordinate with and abide by the final decision of the Director of Mobility and the Director of Engineering for the final turning movements into and out of Bennett Court with respect to the priority of pedestrian movement and safety crossing Bennett Court and the civic plaza to access the T station. This may include but is not limited to surface treatments, signage and signalization, or movable planters.	Paving Permit	Mobility/Engineering	
7	The Applicant, in coordination with the Director of Mobility and the Director of Engineering, shall determine the number and location of speed limit signs along Milk Alley. Vehicular speed shall be limited to 10 mph.	Paving Permit	Mobility/Engineering	
8	The Applicant, in coordination with the Director of Mobility and the Director of Engineering, shall design an alternate paving pattern or other device for the center of the Charlestown Place cul-de-sac to properly route traffic around the turnaround while still allowing for box trucks and waste pick-up vehicles to enter and exit the D2.3 loading bay.	Paving Permit	Mobility/Engineering	

Attest, by the Planning Board:



Joseph Favaloro



Michael Capuano


Dorothy A. Kelly Gay

Amelia Aboff

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
SPGA proceedings are filed in the Planning & Zoning Division of the
Office of Strategic Planning & Community Development

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. 3.2.10.

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 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 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 _____

