



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

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Case #: PB 2019-07 (DSPR)
Site: 50 Prospect Street (D2.3)
Date of Decision: August 22, 2019
Decision: *Approved with conditions*
Date Filed with City Clerk: September 6, 2019

PLANNING BOARD DECISION

Site: 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 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.

Zoning District/Ward: Union Square Overlay District and HR sub district. Ward 2.
Zoning Approval Sought: Design & Site Plan Review under SZO §5.4 and §6.8
Application Date(s): February 11, 2019; Revised April 30
Public Hearing Date(s): 6/20, 7/11 (re-advertised), 8/8, 8/14, 8/22
Decision Date: August 22, 2019
Vote: 3-0

Case number **PB 2019-07** 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 August 22, 2019, the Planning Board took a vote only on the requested Special Permit.



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I. PROJECT DESCRIPTION

The subject property consists of one vacant parcel totaling 66,907 square feet of land area. The parcel was created by a subdivision, shown as Lot 3, which was approved by the Planning Board (Case No. PB 2019-02) on March 21, 2019. There is a hypothetical lot line dividing the parcel 3 for the purposes of this application. Hypothetical lot lines are lot lines superimposed over an official plot plan indicating the boundaries of a lot for the purpose of development review, but not officially recorded with the Registry of Deeds or Land Court. The parcel has been identified as parcel D2.3 in the Coordinated Development Special Permit (CDSP) that was approved by the Planning Board in December 2017. The approval of the CDSP permitted this parcel to be developed as a mid-rise podium tower with commercial (likely retail) and residential uses. The property is located in the High Rise (HR) sub district of the Union Square Overlay District (USOD).

The Applicant has also submitted separate Design and Site Plan Review (DSPR) applications for 10 Prospect Street (a commercial building called D2.1 in the previously approved CDSP), 20 Prospect Street (a general building also referred to as D2.2 in the previously approved CDSP), a new thoroughfare planned as a mid-block service alley, and a new civic space planned as a plaza.

D2.3 is proposed as a 25-story, thirty-five thousand (35,000) square foot floor plate mid-rise podium tower building type with ten thousand six hundred and sixty (10,660) total square feet of commercial space, three hundred and sixty-three (363) dwelling units, and a portion of an integrated, above ground Commercial Vehicular Parking Facility. The building is attached at the side to the building proposed for D2.2 (20 Prospect Street). The combined parking structure of D2.2 and D2.3 includes two hundred and sixty-nine (269) motor vehicle parking spaces and four hundred and fifty-one (451) long term bicycle parking spaces.

For the DSPR application to be determined as compliant with the Somerville Zoning Ordinance, a Special Permit (SZO §6.8.10.A.5) authorizing a five percent (5%) increase to the dimensions permitted for the point tower of the building must first be approved by the Planning Board. The Applicant requested a Special Permit to deviate 5% from the tower dimensions making the tower 10,500 square feet, 105' in width with a 149' diagonal, which was granted by the Planning Board on July 11, 2019.

A summary table of dimensional standards is provided below. All standards are met by the proposed D2.3 Mid Rise Podium Tower.

	Required	Provided	Compliance?
Building Setbacks			
Primary & Secondary Front Setback (min/max)	2' / 15'	2' to 9'-5"	✓
Side Setback (min)			
Podium (Abutting RA or RB min)	10' (15')	0'-0"	✓
Tower (Abutting RA or RB min)	30' (60')	30'-0"	✓
Rear Setback			
Podium (Abutting RA or RB min)	10'	28' - 0 ¾"	✓
Tower (Abutting RA or RB min)	30'	131'-10 ½ "	✓
Parking Setbacks			
Primary Front Setback (min)	30'	30'-0"	✓
Secondary Front Setback (min)	30'	30'-0"	✓
Building Massing			
Building Width (max)	250 ft	134'-7 ½ "	✓
Façade Build Out, Primary (min)	80%	98%	✓
Façade Build Out, Secondary (min)	65%	95%	✓
Floor Plate			
Podium Floor Plate (max)	35,000 sf	35,000 sf	✓



	Required	Provided	Compliance?
Tower Floor Plate (max)	10,000 sf	10,500 sf	SP Requested
Building Height in Stories (min)	3 stories	25 stories	✓
Building Height in Stories			
Podium Height (max)	6 stories	6 stories	✓
Tower Height (max)	25 stories	25 stories	✓
Point Tower Width/Depth (max)	100'	105'	SP Requested
Point Tower Diagonal (max)	142'	149'-0"	SP Requested
Ground Story Height (min)	14'	21'-2"	✓
Upper Story Height (min)	10'	10'	✓
Building Height in Feet (max)	275'	269'-2"	✓
Façade Composition			
Primary Ground Story Fenestration (min)	70% min	78.3%	✓
Primary Upper Story Fenestration (min/max)	20% min; 50% max	39.6% to 43.4%	✓
Primary Blank Wall (max)	20'	0'-0"	✓
Secondary Ground Story Fenestration (min)	70%	78.3%	✓
Secondary Upper Story Fenestration	20% min; 50% max	37.6% to 45.8%	✓
Blank Wall (max)	20'	0'-0"	✓
Frontage Types			
Lobby Entrance	Permitted		
Width (max)	30'	26'-3"	✓
Distance between Fenestration (min)	2'	4'-0"	✓
Depth of Recessed Entry (min)	5'	5'1"	✓
Entry Canopy	Permitted		
Depth (max)	3'-0"	3'-0"	✓
Clearance (min)	8'	10'-0"	✓
Setback from curb (min)	1'-6"	65' to 84'	✓
Permitted setback encroachment (max)	100%	100%	✓
Storefront	Permitted	--	✓
Width (max)	30'	4'-8" to 21'-11"	✓
Distance between Fenestration (min)	2'	4'-4"	✓
Depth of Recessed Entry (max)	5'	1'-0" to 3'-6"	✓
Height of Display Windows above grade (min)	8'	14'-9" to 33'-0"	✓
Use & Occupancy			
Entrance Spacing (max)	30'	26' to 30'	✓
Commercial Space Depth (min)	30'	32'-8"	✓
Commercial Space Depth Area (min)	70% of sf	85.4%	✓
Bicycle Parking Spaces			
Short Term			
Retail	1.0 / 2,500 sf	3 spaces	✓
Arts & Creative	1.0 / 10,000 sf	0 spaces	✓
Residential	.1 / per DU	9 spaces	✓
Long Term			

	Required	Provided	Compliance?
Retail	1.0 / 10,000 sf	1 space	✓
Arts & Creative	1.0 / 3,000 sf	0 spaces	✓
Residential	1.0 / per DU	87 spaces	✓

II. FINDINGS:

Per the Somerville Zoning Ordinance, the Planning Board must approve a development review application requiring Design and Site Plan Review 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.

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.

The Planning Board made the following findings:

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.**

The 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 shared values and/or plan Goals:

- a) *Celebrate the diversity of our people, cultures, housing and economy by being the culmination of a robust community process that incorporated feedback from residents and businesses of Union Square at every step.*
- b) *Foster vital, health, inclusive and distinctive urban neighborhoods that are the best possible places to live, work, play, do business, learn and serve by creating a new mixed-use development in Union Square.*
- c) *Transform key opportunity areas, [] such as the southeastern portion of Union Square, into dynamic, mixed-use and transit-oriented districts that serve as economic engines to complement*



the neighborhoods of Somerville by providing a mixed-use building in close proximity to the MBTA's Union Square Station of the Green Line Extension.

- d) *Manage parking supply and demand in a flexible, rational and innovative manner, to balance transportation, economic development and residential goals by providing a commercial parking garage that is available for the neighborhood, not just the development.*
- e) *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.*
- f) *Promote mixed-use, mixed-income transit-oriented development to provide new housing and employment options by creating new units next to transit.*

2. The purpose of this Ordinance in general.

The 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.

The 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 that has a delicate mix of housing and jobs, 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 and any previously approved Special Permits, as applicable.

The Board finds that the Application is consistent with the approved Coordinated Development Special Permit and any previously approved Special Permits.

The D2.3 proposal is subject to a Coordinated Development Special Permit ('CDSP') approved by the Somerville Planning Board (Case#: PB2017-21). In its Decision dated December 14, 2017, the Planning Board approved the CDSP with a variety of conditions. Conditions that cannot be met at the time of DSPR Application are passed down to the DSPR decision for later implementation. Conditions applicable to D2.3 are paraphrased below.

- Condition #6: D2.3 must be built developed as a mid-rise podium tower building type.

- Condition #15: Development of D2.3 requires design review, prior to the submittal of a DSPR application.
- Condition #23: That no Certificate of Occupancy shall be issued for the D2.3 mid-rise podium tower until the alley (Case# PB2019-03) and plaza (Case# PB2019-05) abutting the D2.3 site are fully completed and operational, or a bond is posted for the value of the remaining work.
- Condition #33: the Applicant is responsible for all necessary private infrastructure and utility improvements (such as electrical, telephone, data, CATV, and natural gas utilities), both on and off site, needed to support the proposed development, as approved and conditioned.
- Condition #34: Infrastructure must be designed to meet all requirements and standards of the City of Somerville and its relevant departments (including, but not limited to, the City Engineer, Department of Public Works, Inspectional Services, Traffic & Parking, Fire Department, and the divisions of the Mayor's Office of Strategic Planning and Community Development) and all other legal requirements for the installation of services within public rights-of-way. DSPR applications must include reasonable written evidence establishing that such infrastructure is sufficient to support the proposed development, that all details are designed to City standards, that installation, unless otherwise included in capital project work of the City, is done without cost to the City, and that installation will be functionally adequate and completed at the appropriate time in the course of the phases of development.
- Condition #37: The Applicant shall improve accessibility and comfort, to the extent practicable, at one existing MBTA bus stop along the frontage of D2.3. Specific improvements must be approved by the Director of Transportation & Infrastructure. The Building Official shall not issue a Certificate of Occupancy for the subject building until such improvements have been installed or constructed.
- Condition #38: The Applicant shall provide at least two City-approved bike share stations and associated bicycles, or the functional equivalent for any future bike share service approved by the City. The Building Official shall not issue a Certificate of Occupancy for any building in Phase 2 until the first bike share station or its equivalent has been provided and is fully operational at a location approved by the City. The Building Official shall not issue a Certificate of Occupancy for any building in Phase 3 until the second bike share station or its equivalent has been provided and is fully operational at a location approved by the City.
- Condition # 41: The Director of Traffic & Parking retains the right to limit or restrict eligibility for Residential Parking Permits for any residential dwelling unit of D2.3.
- Condition #56: New sanitary connection flows over 2,000 GPD require a removal of infiltration and/or inflow by the Applicant. This will be achieved by submitting a plan for I/I work or a mitigation payment, established by the City Engineers Office, to the City based on the cost per gallon of I/I to be removed from the sewer system and a removal ratio of 4:1. If a different ratio of removal or mitigation payment amount is adopted by the Board of Aldermen (BOA) prior to the Applicant receiving a Certificate of Occupancy, payment will be adjusted to the BOA rate. The Applicant shall work with Engineering and meet this condition before a certificate of occupancy is issued.
- Condition #61: A draft Affordable Housing Implementation Plan (AHIP) must be provided by the Applicant showing the anticipated program of affordable units - types and sizes - in each DSPR application.

- Condition #62: The AHIP must be approved by the OSPCD Housing Division and executed prior to issuance of Building Permit.
- Condition #63: Written certification of the creation of affordable housing units, any fractional payment required, or alternative methods of compliance, must be obtained from the Housing Division before the issuance of a Certificate of Occupancy (CO). No CO shall be issued until the Housing Division has confirmed that the Affordable Housing Restriction has been approved and recorded and the developer has provided the promised affordable units on-site.
- Condition #64: No CO shall be issued until the Housing Division has confirmed that: (for Condominium Projects) the Condominium Documents have been approved and the Applicant has agreed to a form of Deed Rider for the Affordable Unit(s), or (for Rental Projects) the Applicant has agreed to and executed a Memorandum of Understanding for Monitoring of the Affordable Unit(s).
- Condition #66: The Applicant must contact the Engineering Department to obtain street addresses for all of the D Blocks (CDSP parcels) prior to the first DSPR application submittal. The addresses will be refined as part of the DSPR process when the development program is more refined.
- Condition #68: Each subsequent DSPR application submitted under this CDSP must identify vulnerabilities and/or risk for each parcel based on the City's Climate Change Vulnerability Assessment. The application should clearly identify the extent and nature of planning/design interventions necessary to mitigate those risks. To ensure effective strategies for resiliency by preparing for weather and flooding impacts, the Director of the Office of Sustainability & Environment shall define specific appropriate expectations for responses to this condition, and the applicant shall provide these responses with each CDSP application.
- Condition #69: Each subsequent DSPR application submitted under this CDSP must document how the proposed development, including civic spaces, public realm improvements, and buildings, will help to reduce the urban heat island, assist in the City's stated objective to be Net Zero by 2050, and assess whether the infrastructure presents an opportunity for reducing demand and/or district energy solutions.
- Condition #73: No large scale retail stores in excess of 20,000 square feet, no warehousing, no heavy industrial or manufacturing uses, other than small scale fabrication are permitted.
- Condition #73A: In an effort to provide opportunities for small, independent and local businesses, the Applicant shall share retail plans with Union Square Main Streets and the Director of Economic Development, along with strategies to encourage such businesses, and report back to the Planning Board on this process.
- Condition #75: Applicant shall provide material samples for siding, trim, windows, and doors to Planning Staff and the Design Review Committee for review, comment, and approval as part of the Design Review required prior to each DSPR application. Materials shall respect the unique and historic character of the Union Square neighborhood. In accordance with the USQ zoning, large expanses of highly mirrored glass surfaces are discouraged.
- Condition #76: Applicant shall provide an on-site mock-up or final building material samples (including color and texture) to Planning Staff and the Design Review Committee for review, comment, and approval prior to the issuance of a Building Permit.

- Condition #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.
- Condition #82: The D2 Block water and sewer connections must be relocated to Prospect Street, and the drain connection location must be coordinated with the Somerville Ave Utility and Streetscape Improvements project drawings.

As part of the CDSP Decision (Case#: PB2017-21), the Somerville Planning Board also granted a Special Permit allowing residential principal uses, which includes the D2.3 mid-rise podium tower.

3. Consistency with the 2012 Union Square Revitalization Plan and the 2016 Union Square Neighborhood Plan, as amended.

The 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 for the development of a 25 story mid rise podium building at Prospect Street and the proposed GLX Union Square Station.

4. Conformance with all applicable provisions of this Ordinance.

Since the initial public hearing & review process began, the Applicant has worked with the Director of Planning & Zoning to further develop the design of the building to satisfy a number of design guidelines of the USOD, improve the articulation of the base of the building, and meet the Mid-Rise Podium Tower definition of a mid-rise general building with a point tower above.

The proposed design of the rear massing of the building (along Milk Alley) was revised to appear as a six-story structure with a base that corresponds with the first two stories of the front of the building and effectively incorporates all three stories of the parking facility at the rear of the building (which all add up to the same height). Additionally, revised plans now include a shallow, vertical recess of a window bay for all four residential stories of the rear massing, creating a notch, where D2.3 and D2.2 meet along the hypothetical lot line to visually create a corner condition that gives the appearance of two separate buildings abutting each other.

Revisions proposed for the base at the front of the building include the addition of a spandrel between each set of columns, framing each storefront and lobby entrance to meet the requirement of SZO §6.8.20.G.2.c. The location of mechanical louvers that may be necessary for venting purposes was revised to be part of each storefront system, rather than taking the place of the required spandrel.

The overall design of the tower massing is vertically oriented colored panels with flat grey spandrel panels between denoting the division between each story. To better meet the building type definition, revisions to the proposed façade materials replace the flat grey spandrel panel with a corrugated or textured grey spandrel panel for the stories making up the mid-rise podium portion of the tower massing. Each side of the tower massing is further articulated by an inflection in the façade running the entire height of the building, effectively dividing the massing into quarters if looked at from above. The façade design for the south western quarter, facing the Union Square T station entrance, is proposed as a four (4) story 'mid-rise podium' with a one (1) story base and the north-west quarter is proposed as a six (6) story 'mid-rise podium' with a two (2) story base. Both the

north-east and south east quarters of the tower have an effective two (2) story base and six (6) story 'mid-rise podium'. The various podium heights for each quarter, all within the definition of 'mid-rise' of three (3) to six (6) stories is differentiated by the textured grey spandrel panel rather than flat grey spandrel panel.

There was also further discussion between the Applicant, the Director of Planning & Zoning, and the Director of the Office of Sustainability and Environment regarding the zoning requirements for sustainable buildings. The USOD requires LEED Gold for the proposed building and the Applicant has clarified that further detailing of the building and the selection of materials will increase the number of points earned toward the LEED checklist, which must be revised as the building advances through construction and occupancy. The Board includes similar conditions that the Board included for the approved DSPR for the D2.1 Lab Building to ensure the building is LEED certified in the future and that the applicant implements commitments made in their submitted sustainable and resilient buildings questionnaire.

As the science of environmental sustainability and building materials continue advancing, more stringent standards of practice are being explored by the construction industries. Passive House is such a standard. However, at this point in time, it is not feasible for the D2.3 proposal to be held to a different standard given the construction costs and previously arranged funding sources. It is worth noting, in many ways, the buildings do already exceed the requirements specified by the USOD and are providing more community benefits than any previous project in the city.

III. DECISION:

Present and sitting were Michael Capuano, Joseph Favaloro, and Amelia Aboff. Gerard Amaral recused himself and Dorothy Kelly Gay was absent. Upon making the above findings, Michael Capuano made a motion to accept the Staff recommendation and conditionally approve the application for Design & Site Plan Review. Amelia Aboff seconded the motion. The Board voted **3-0 to APPROVE** the request. **The following conditions are attached:**

#	Condition	Compliance Timeframe	Verification	Notes
A. Overall				



#	Condition	Compliance Timeframe	Verification	Notes								
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 30, 2019</td> <td>Revised application submitted to Planning Staff</td> </tr> <tr> <td>August 9, 2019</td> <td>Revised elevations (A500 - A504, A810-A814, and A816)</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 30, 2019	Revised application submitted to Planning Staff	August 9, 2019	Revised elevations (A500 - A504, A810-A814, and A816)	Perpetual	ISD/ PIng.	
Date (Stamp Date)	Submission											
February 13, 2019	Initial application submitted to the City Clerk's Office											
April 30, 2019	Revised application submitted to Planning Staff											
August 9, 2019	Revised elevations (A500 - A504, A810-A814, and A816)											
2	This approval certifies that the D2.3 Podium Tower, 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/ PIng.									
3	This approval absolves all previous approvals and conditions related to 50 Prospect Street with the exception of the CDSP PB Case #2017-21.	Perpetual										
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.									
C. Engineering												



#	Condition	Compliance Timeframe	Verification	Notes
1	The Applicant is responsible for the installation of all necessary private infrastructure and utility improvements (such as electrical, telephone, data, CATV, and natural gas utilities), both on and off-site, needed to support the proposed laboratory building, as approved and conditioned.	BP	ISD/ Plng.	
2	The building address shall be 50 Prospect Street. Addressing of individual tenant spaces must comply with the City of Somerville Engineering Department's Address Verification/Change standards.	BP/CO	Eng.	
D. Transportation				
1	Pedestrian and vehicular access (particularly for the MBTA's paratransit service) must not be impeded due to construction of the D2.3 Podium Tower 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	Mobility	
2	The Applicant shall coordinate with the City of Somerville and the MBTA's Service Planning Department to determine the appropriate location of bus stops along Prospect Street and Somerville Avenue.	CO	Mobility/ Planning	
3	To mitigate impacts to the MBTA's 91 bus route caused by the future occupants and visitors the proposed development, the Applicant's off-site infrastructure contributions shall pay for a feasibility analysis for installing a bus queue jump at the northbound approach of Prospect Street at the intersection with Concord Avenue. If this same condition is applied to any other DSPR decision for development on any D2 lot, the Applicant is not required to provide repeat payments to satisfy each condition after the first.	CO	Mobility/ Planning	

#	Condition	Compliance Timeframe	Verification	Notes
4	To mitigate impacts to the MBTA's 91 and CT2 bus routes by the proposed development, the Applicant's off-site infrastructure contributions shall pay for the installation of MBTA compliant passive Transit Signal Priority equipment for the intersections of Prospect St./Somerville Ave./Washington St. If this same condition is applied to any other DSPR decision for development on any D2 lot, the Applicant is not required to provide repeat payments to satisfy each condition after the first.	CO	Mobility/ Planning	
5	The D2.3 property owner and applicable future tenants shall comply with the Mobility Management Plan submitted for the D2.3 Mid-Rise Podium Tower, as approved and conditioned by the Director of Mobility.	Perpetual	Mobility/ Planning	
6	The Applicant shall work with the Director of Mobility and any known commercial tenants to establish an off-peak time period for scheduled truck deliveries and waste pick-up services accessing the D2.3 loading and service dock. Deliveries and service must be scheduled to minimize conflicts with the intended use of Bennet Court as a shared space during peak activity times and prevent disruption to Allen Street properties to every extent practicable.	CO	Mobility/ISD	
E. Site Features				
1	Per the Development Covenant by and between the City of Somerville and Union Square Station Associates LLC dated June 17, 2017, mail boxes for the D2.3 dwelling units must be provided in the Prospect Street lobby entrance of the building.	Perpetual	ISD	
2	Outdoor lighting shall comply with the City of Somerville Dark Sky Policy.	BP	ISD/Plng.	
F. Architectural Design				
1	Final selection of all building materials must be approved by the Director of Planning & Zoning.	BP	ISD/Plng.	
2	The Applicant shall submit material specifications from suppliers to confirm fenestration glazing is compliant with the required VLT and VLR ratings.	BP	ISD/Plng.	

#	Condition	Compliance Timeframe	Verification	Notes
3	To every extent practicable, the Applicant shall select façade paneling with a matte finish and glazing with visible and full spectrum reflectance properties as low as practicable for the eastern (facing Allen Street), southern (facing the MBTA right of way), and western (facing Prospect Street) elevations of the building to minimize solar glare impacts.	BP	ISD/PIng.	
4	Per SZO §6.8.10.G.5, rooftop mechanical equipment must not exceed ambient noise levels at ground level measured at the property line or cause a noise disturbance as defined by the Somerville Code of Ordinances Article VII, Division 2, Section 9-114. An acoustical report, including field measurements, demonstrating compliance with all applicable noise requirements must be prepared by a professional acoustical engineer and submitted to the Building Official. Additional reports must be submitted if additional mechanical equipment is added to the building for future tenants.	CO	PIng/ISD	
G. Future Modifications				
1	Storefronts, awnings or entry canopies, signs, and outdoor seating areas shall require Design & Site Plan Review, but are permitted administratively as Minor Projects (with review and approval by the Director of Planning & Zoning) in accordance with the Rules & Regulations of the Planning Board.	Perpetual	PIng./ISD	
2	The spacing between entry doors to ground floor tenant spaces is expected to change from what is shown in the application materials as future tenants seek to customize their storefronts. Compliance with the entrance spacing maximum of SZO §6.8.10.C.4 must be maintained.	Perpetual	PIng./ISD	
H. Use Restrictions				
1	Occupancy of commercial floor space over 20,000 square feet in area by any single retail use is prohibited.	Perpetual	PIng./ISD	
2	The Applicant shall provide ground story building plans and a written retailing strategy to the Director of Economic Development and the Director of Union Square Main Streets.	CO	PIng./ISD	

#	Condition	Compliance Timeframe	Verification	Notes
3	The Applicant shall advertise all dwelling units of the D2.3 Mid-Rise Podium Tower building as ineligible for on-street parking permits in accordance with the City of Somerville's official parking policy for Transit Areas.	Perpetual	Plng./ISD	
I. Building Resilience & Sustainability				
1	Prior to the issuance of the first Building Permit and prior to the issuance of the first Certificate of Occupancy, the LEED checklist and narrative description outlining compliance with LEED Gold must be updated to identify any design changes made subsequent to Design and Site Plan Review and submitted to the Building Official accompanied by an affidavit by a LEED-AP Project Manager or appropriate consultants stating that to the best of their knowledge, the project has been designed to achieve the stated LEED building standard.	BP & CO	ISD/OSE	
2	Development must comply with commitments made in the Resiliency Questionnaire Supplement provided to the Office of Sustainability and Environment dated June 26, 2019.	Perpetual	ISD/OSE	
3	The Applicant shall provide documentation to the Director of the Office of Sustainability & Environment if there are any design changes that alter the envelope performance or building efficiency.	BP & CO	ISD/OSE	
4	The Applicant shall provide documentation detailing the 10-year period during which renewable energy offsets will be purchased, what types of certificates will be purchased, and if the renewable energy purchase will offset the building's electricity use or all energy use (heating and other uses included).	CO	ISD/OSE	
5	The Applicant shall submit certified results of envelope commissioning to identify if the building is performing as intended.	CO	ISD/OSE	
6	The Applicant shall submit documentation detailing the stormwater/flood event management plan for the building.	CO	ISD/OSE	
7	The Applicant shall register the building with the USGBC and provide evidence to the Office of Sustainability & Environment that the required registration forms and registration fee were submitted to USGBC prior to the issuance of the first Building Permit for the building.	BP	ISD/OSE	



#	Condition	Compliance Timeframe	Verification	Notes
8	The Applicant shall apply for LEED certification and provide evidence to the Office of Sustainability & Environment that a completed certification application and certification review fee were submitted to USGBC within one (1) year of the issuance of the first Certificate of Occupancy for the building.	CO	ISD/OSE	
9	The Planning Staff, the Director of Sustainability and the Environment, and the Applicant meet again to have further conversations about what may be possible in the sustainability role of this building prior to the issuance of the building permit.	BP	ISD/OSE	

Attest, by the Planning Board:



Joseph Favaloro



Michael Capuano



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 _____

