



**CITY OF SOMERVILLE, MASSACHUSETTS**  
**MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT**  
**JOSEPH A. CURTATONE**  
**MAYOR**

GEORGE J. PROAKIS  
EXECUTIVE DIRECTOR

PLANNING DIVISION

**PLANNING BOARD MEMBERS**

MICHAEL A. CAPUANO, *CHAIRMAN*  
JOSEPH FAVALORO, *CLERK*  
DOROTHY A. KELLY GAY  
AMELIA ABOFF  
GERARD AMARAL, (ALT.)

**Case #: PB 2019-07 (SP)**  
**Site: 50 Prospect Street (D2.3)**  
**Date of Decision:** July 11, 2019  
**Decision:** *Approved*  
**Date Filed with City Clerk:** July 23, 2019

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**PLANNING BOARD DECISION**

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**Site:** 20 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:** Special Permit §6.8.10.A.4  
**Application Date(s):** February 11, 2019; Revised April 30  
**Public Hearing Date(s):** July 11, 2019  
**Decision Date:** July 11, 2019  
**Vote:** 4-0

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Case number **PB 2019-07** was opened before the Planning Board at the Visiting Nurse Association 3<sup>rd</sup> 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 only on the requested Special Permit.



**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 has 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.

**II. FINDINGS:**

Per the Somerville Zoning Ordinance, the Planning Board must consider the criteria of §6.8.10.A.5 in its discretion to permit development to deviate up to five (5) percent from the dimensions permitted for the point tower.

Review Criteria of §6.8.10.A.5:

1. The review considerations for all Special Permits as specified in Section 5.1 Special Permits; and
2. If the proposed deviation can provide a positive refinement of the massing of a building in context to its surroundings, improve floor plate efficiency, provide for unique storefront design, or better address specific operational requirements of commercial tenants.

The Planning Staff proposes that the Planning Board make the following findings:

**SZO 5.1 Special Permits****1. Information Supplied**

*The Staff finds that the information provided by the Applicant conforms to the requirements of §5.1.2 of the SZO and allows for a comprehensive analysis of the project with respect to the required Special Permits.*

**2. Compliance with Standards: The Applicant must comply "with such criteria or standards as may be set forth in this Ordinance which refer to the granting of the requested special permit."**

*See findings 1-2 for SZO §6.8.10.A.5 below.*



- 3. **Consistency with Purposes:** The Applicant has to ensure that the project "is consistent with (1) the general purposes of this Ordinance as set forth in Article 1, and (2) the purposes, provisions, and specific objectives applicable to the requested special permit which may be set forth elsewhere in this Ordinance, such as, but not limited to, those purposes at the beginning of the various Articles."

*See #2 in Section SZO §5.4.6 below.*

- 4. **Site and Area Compatibility:** *The Applicant has to ensure that the project "(i)s designed in a manner that is compatible with the characteristics of the built and unbuilt surrounding area, including land uses."*

*The surrounding neighborhood is one going through intense physical change at the moment. The utility and streetscape work on Somerville Avenue and the track and bridge work for the Green Line Extension have already begun. This proposal is one of the first that will implement the idea in the Neighborhood Plan that the D Parcels, Union Square East, and Boynton Yards can become an Urban Employment Center. There are many goals in the Union Square Neighborhood Plan aimed at stitching in new development to the existing Local Center to the west. These programs and ideas are aimed at helping all residents and businesses in Union Square of which many departments are already implementing.*

*The point tower is adding to the context in Union Square and the building's podium and other parts of the site will help tie the design into the neighborhood.*

**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 **4-0** to **APPROVE** the request.

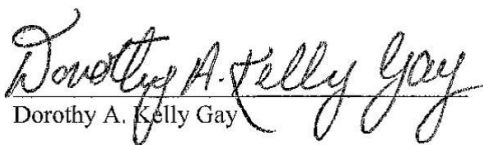
Attest, by the Planning Board:



Joseph Favaloro



Michael Capuano



Dorothy A. Kelly Gay





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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 \_\_\_\_\_

