



CITY OF SOMERVILLE, MASSACHUSETTS
OFFICE OF STRATEGIC PLANNING AND COMMUNITY DEVELOPMENT (OSPCD)
JOSEPH A. CURTATONE, MAYOR



**Planning Division
Annual Report
2010**



VIEW LOOKING SOUTH



VIEW LOOKING NORTH

*Typical dormer project (top left), 270 Cedar Street (top right),
Weston Avenue Condominiums (middle), Updated Assembly Square Master Plan (bottom)*

This Annual Report of the Planning Division of the Office of Strategic Planning & Community Development (OSPCD), outlines the accomplishments of the Division in Calendar Year 2010. The purpose of the Annual Report is to document the Planning Division's efforts and achievements in current planning (cases), long range planning (zoning changes), and process improvements.

Building on the accomplishments outlined in the 2009 Annual Report, the Planning Division has pressed on with its goals in 2010. Divisional goals are listed below and details on accomplishments are in the following pages.

GOAL 1: Increase Public Information.

GOAL 2: Streamline Processes.

GOAL 3: Make the Somerville Zoning Ordinance better balance the goals of protecting the community and promoting development.

GOAL 4: Improve public confidence in the process and consistency of outcomes and decisions.

GOAL 5: Maintain accurate land records and efficient systems of retrieval.

CURRENT PLANNING

The principal responsibility of the Planning Division is to review and make recommendations to the Special Permit Granting Authorities (SPGAs)—the Planning Board and the Zoning Board of Appeals (ZBA)—on requests for zoning approval. This role is governed by Chapters 40A and 40B of the Massachusetts General Laws, the Somerville Zoning Ordinance (SZO), and the Rules and Regulations of the Permit Granting Authorities.

The types of zoning relief that may be sought include:

- Special Permit
- Special Permit with Design Review
- Special Permit with Site Plan Review (SPSR)
- Variance
- Site Plan Approval—Subdivision
- Site Plan Approval—Overlay Development
- Planned Unit Development (PUD)—Preliminary Master Plan (PMP)
- SPSR for Planned Unit Development
- Planned Unit Development for Assembly Square (PUD-A)
- SPSR for Assembly Square (SPSR-A)
- Revision to a Special Permit
- Administrative Appeal
- Extension of Approval

Each permit type has its own set of information and review requirements, and there are three different protocols for Board review of various permit types. These include:

1. Zoning Board, as Special Permit Granting Authority (SPGA), renders decision.
2. Planning Board reviews and renders recommendation to ZBA; ZBA (as SPGA) renders decision.
3. Planning Board (as SPGA) renders decision.

In 2010, the Planning Division received 113 applications for zoning relief. Below are some details on these cases:

ZBA Review

The Zoning Board of Appeals heard 76 cases as SPGA. Additionally, three cases were withdrawn before a legal notice was advertised.

- 68 cases were reviewed by the Planning Board (in an advisory capacity) before the ZBA decision. The most common requests (which are not mutually exclusive and may occur together under a single application) were:
 - Alteration or expansion of a non-conforming structure: approximately 68% of all cases (46 cases) included this request. Notable requests were to allow for the expansion of an existing nonconforming commercial structure in order to construct a two family dwelling at 152 Albion Street and to build a two story 1,275 square foot addition at 100 Dover Street.
 - Establishment of a use: approximately 28% (19 cases). Notable requests were for a historic bed and breakfast at 221 Morrison Avenue, a tattoo facility at 260 Elm Street #102, and for a wireless communications facility at 15 Warren Avenue.
 - Allowing additional units where inclusionary units are provided on larger lots, in RA and RB districts (under SZO §7.2 and §7.3): approximately 4% (3 cases). A notable request was for the construction of two structures with a total of seven units at 67 Florence Street.
 - Variance: approximately 12% (8 cases). Notable requests were to construct a structure with nine residential units with 12 parking spaces of conforming size, instead of 14 parking spaces

- as otherwise required at 270 Cedar Street and for relief from lot size requirements in order to construct a single-story commercial building at 272 Broadway.
- Parking, access, or loading requirements: approximately 13% (9 cases).
 - Wireless communications facilities: approximately 9% (6 cases).¹
 - Administrative Appeals: approximately 4% (3 cases).
 - There were no 40B Comprehensive Permits applications.
- Five cases were revisions to earlier permits.² These cases did not require Planning Board review. Notable projects included modifications to the elevations and materials of buildings D, E and F at St. Polycarp Village to reflect a more contextual architectural design (16 Butler Drive/100 Temple Street) and a revision to construct balconies, alter the garage door, and alter the location of windows at 14-18 Main Street.

Planning Board Review

In addition to making recommendations on 68 cases to the ZBA, the Planning Board heard 17 cases, three revisions, two zoning amendments, one subdivision, and one minor amendment in their capacity as SPGA. There was also one Planning Board case that withdrew before a legal notice was advertised.

- Two approvals permitted revisions to the approved SPSR for the Planned Unit Development-B (PUD-B1) Overlay at the MaxPak site in order to:
 - Revise design elements of the building "D" townhouse unit elevations, the grading and drainage plan, and the utilities plan within the PUD-B1.
 - Modify the site design of the approved PUD development for 199 residential units, based upon enhancement of design, constructability, compliance with MAAB requirements and MBTA and MassDot requirements.
- Structure, signage, façade, and use changes, as well as parking relief, to ten buildings in the CCD.
- Signage, façade, and use changes, as well as wireless telecommunications equipment installation, to three buildings in the TOD.
- Signage and parking relief, as well as structure changes to two buildings in the ASMD.
- Subdivision to subdivide an existing land parcel into two separate parcels of 12,296± square feet and 9,622± square feet.
- Planning Board received an application but has not yet acted upon a proposal for an SPSR to construct a new five story building and a special permit to establish 30 residential units in the CCD.
- Declared null and void the decision (02.47) dated October 29, 2002, granting PUD Preliminary Master Plan Approval and a Special Permit with Waivers for the construction of an IKEA facility on the waterfront.

Design Review Committee

In their advisory capacity to the Planning Board and the Zoning Board of Appeals, the Design Review Committee held meetings as requested and coordinated by Planning Division staff. Minutes and recommendations were prepared by Staff and forwarded to the board. In 2010:

¹ Four of the six applications were for new installations and locations of wireless equipment.

² This is a count of revisions to permits that had not received certificates of occupancy. See comments on "Revisions to Permits" zoning amendments for more information.

- The DRC met six times, providing recommendations on five projects.

Administrative Review

In addition to Board review of projects, the Somerville Zoning Ordinance enables some administrative review of projects by Planning Division staff. In 2010, staff approved one minor project subdivision and approved eight (8) *de minimis* changes to previously approved plans. Projects included improvements to the landscaping, sidewalks, and grading, a realigned emergency access road, and an extension of the water supply loop at 1-16 Capen Court and revisions to the location of windows and a two foot shift of the building footprint at 163 Hudson Street.

LONG RANGE PLANNING

Comprehensive Planning

The past year has involved considerable focus on long-range planning. Planning Division staff has actively participated in the Visioning process as part of the citywide Comprehensive Plan effort. The completion of this plan will guide additional long-range work completed by the Planning Division. Planning Division staff expects that, upon completion of this plan, actions and policies will guide future long-range planning goals for the division, as well as the other divisions of OSPCD and City Departments. In particular, the planning division will be working with other OSPCD divisions to update the zoning ordinance to reflect the comprehensive plan.

The Visioning and Comprehensive Planning process is being conducted with the support of a 60+ member Steering Committee, including membership from the Planning Board, Zoning Board of Appeals and Board of Aldermen. OSPCD staff supports the Steering Committee. Planning Division staff has been providing support to the steering committee and the Neighborhood Subcommittee. The Neighborhood Subcommittee is tasked with working on long range planning to preserve and enhance the neighborhoods.

In early 2010, a series of public visioning meetings were held using a World Café format, allowing residents to provide input in the future vision of the City of Somerville. Also in 2010, the Steering Committee and Subcommittees developed a draft vision statement, goals, policies, and actions that will serve as the guiding document for the future of Somerville, and guide the long range planning efforts of OSPCD. At the end of 2010, the committees were refining the goals, policies and actions for preliminary public feedback. Staff is now helping to prepare for the upcoming SomerVision Showcases in the spring of 2011 where the goals will be evaluated by members of the public to determine their level of importance to the community. In 2011, the steering committee will be working on a land use map that will work to implement the vision, goals, policies and actions while guiding future land use decisions.

Zoning Amendments

While the long range planning process is ongoing, there still has been a need to make zoning changes in 2010 to ensure that the City improves the development process and prepares for the arrival of the Green Line. The Planning Division participated in the development of a number of amendments that were approved and others that remain in progress.

Approved Amendments

In 2010, Planning Division staff worked in concert with the Economic Development Division of OSPCD to draft amendments that were later approved by the Board of Aldermen:

- **Flood Plain Overlay District:** To remain in compliance with federal flood regulations, the Zoning Ordinance was amended to reference new flood plain maps and include language protecting 100 year flood zones. This amendment was approved by the Board of Aldermen in June of 2010.
- **Self Storage Uses in the ASMD:** This particular ordinance amendment allows for self storage uses in the Assembly Square Mixed Use District (ASMD). Planning Division staff worked with the Board of Alderman Land Use Committee and the Planning Board to refine the amendment. As part of this amendment, specific development standards were established for self storage uses and other developments along the interstate highway in the ASMD. The Planning Board unanimously recommended adoption of the proposal, as amended. The amendment was passed by the Board of Aldermen unanimously in December of 2010.
- **Modification of Parking Requirements in the CCD and TOD:** This amendment modified the parking requirements for the large retail and service cluster in the Corridor Commercial Districts (CCD) and the Transit Oriented Districts (TOD). The Planning Board unanimously recommended adoption of the proposal, as amended. The amendment was approved by the Board of Aldermen in December of 2010.

Amendments Withdrawn

- **Petitions from 10 registered voters:** OSPCD received five petitions for zoning changes that were submitted as a package by 10 registered voters in January 2010. The petitions originated from an organization called SomeSense. An additional set of amendments were submitted two months later. After holding a hearing on the first set of amendments and after receiving a negative recommendation from the Planning Board, the SomeSense organization members agreed to work with the City on future zoning amendments after completion of the comprehensive planning process. At that time, SomeSense leadership submitted a letter requesting to withdraw the amendments.

Amendments Under Consideration

- **Carriage Houses/ Home Occupations:** Staff submitted a zoning amendment to the Board of Aldermen that would allow for carriage houses that are historically designated to be used for home occupations. The allowed use(s) would provide an incentive for home owners to preserve carriage houses; however, the design and operation of the home occupations would be regulated to mitigate any negative impacts to neighbors. The zoning amendment also clarifies the uses in the home occupation definition, modifies the definition of Historic Outbuilding, and allows for certain uses within Historic Carriage Houses. This amendment builds on previous efforts by the City to provide incentives for maintaining historic structures including the 2009 zoning amendment establishing a Historic Bed and Breakfast use. By adopting the proposed amendment, the Board of Aldermen would provide an incentive for historic property owners to

invest in and maintain Historic Carriage Houses. Following a joint public hearing with the Land Use Committee, the Planning Board recommended adoption of the proposal, as amended in November 2010. The Board of Aldermen voted to approve this amendment early in 2011.

- Process Change: The proposed amendment to the process for permits granted by the Planning Board and Zoning Board of Appeals would improve review procedures for developments required to go before the Boards and would streamline the permit review process and more efficiently use the restructured OSPCD Planning Division. Elimination of the Planning Board review of ZBA permits would adjust the workload for the Planning Board allowing it to focus its time on zoning amendments and large projects. The amendment would also reduce confusion for applicants and abutters, increase transparency in review by eliminating the action by the Planning Board outside of the public hearing process. The amendment recognizes Somerville's commitment to transparency, and public engagement in the planning and development review process. The amendment submitted in 2010 was a simplified and improved version of earlier process change amendments. Following a joint public hearing with the Land Use Committee, the Planning Board recommended adoption of the proposal in November 2010. The Board of Aldermen voted to approve this amendment early in 2011.
- Pervious Surfaces: The Planning Division has been working with staff from the Engineering Division of the Department of Public Works to develop an ordinance amendment that will provide a comprehensive set of regulations to permit, regulate, review and inspect any work on a lot that increases impervious area without otherwise requiring a building permit. This work typically involves the installation or expansion of driveways or other paved surfaces. Other work that increases impervious area, such as the renovation and expansion of existing buildings, is regulated by the existing zoning code. A separate ordinance is also being submitted that will amend the Somerville Zoning Ordinance to add a definition of pervious surface and regulate pervious surface in the RA, RB, and RC Districts. This package of ordinances is being submitted to fill a gap in the regulatory system and address the impacts of this regulatory gap on neighboring properties and public ways. Following a joint public hearing with the Land Use Committee and the Planning Board, new language will be submitted to the Board of Aldermen in early 2011.

Zoning Studies in Progress

- Teele Square/Powder House: The Planning Division is assisting members of the Economic Development Division with visioning for Teele Square area and the former Powder House School property. Four meetings were held with a 75 member focus group between June and December in 2010 in an effort to identify possible uses residents would prefer to see at the Powder House site and in the general area. Staff is now working on creating a design exercise for community members to be held in 2011 to determine potential redevelopment scenarios at the Powder House site. The goal is to establish a vision among stakeholders about the feasible future use of the site and then to implement zoning that can match the particular vision.
- Porter Square and Wilson Square: Working in concert with the Economic Development Division, in December 2010 Planning Division staff reached out to community members in the greater Porter and Wilson Square areas to discuss a common vision for the future of those areas. The starting point for conversation was how to implement the vision that was developed during the SomerVision meetings in 2009-2010. Staff is currently working on a planning exercise to identify with community members the scale of development that would be appropriate for

these areas. While only the first meeting was held in 2010, additional meetings are being organized in 2011 to move towards a possible rezoning of the area.

STAFF

This past year saw significant staff changes for the Planning Division with the Planning Director: George Proakis starting in early January, filling a position that had been vacant for half of 2009; the departure of Senior Planner Chris DiIorio in July; the promotion of Lori Massa from Planner to Senior Planner in October; and, the hiring of a new Planner, Adam Duchesneau in November. This left the Planning Division with limited staff coverage between July and November, but nonetheless, with support from the rest of OSPCD, the division was able to process a record caseload in 2010 and implement process improvements. As 2010 drew to a close, the Planning Division benefited from having a dedicated and stable staff with an extensive background in planning, zoning, urban design and community process, and the staff looks forward to continuing to serve the Planning Board, ZBA, Board of Aldermen and the Somerville community with improved customer service and continuous improvements to planning process and development projects.

PROCESS IMPROVEMENTS

Planning Division staff continues to take feedback from community members, Board members, Applicants, and other City agencies. As part of this effort, the Planning Division developed an Action Plan with five basic goals:

1. Increase Public Information.
2. Streamline Processes.
3. Make the Somerville Zoning Ordinance better balance the goals of protecting the community and promoting development.
4. Improve public confidence in the process and consistency of outcomes and decisions.
5. Maintain accurate land records and efficient systems of retrieval.

Each of these goals has a set of associated Action Items—individual tasks with tangible results. Some of these can be accomplished administratively, while policy changes will be developed and implemented in cooperation with the Planning Board, Zoning Board of Appeals, and the Board of Aldermen.

Administrative Changes - Completed

Many changes are administrative in nature and have already been completed or begun by staff. In order to:

- Increase public information, we have:
 - Continued *improvement of the website*, including posting plans and staff recommendations when they are complete.
 - Continued work with the Neighborhoods Sub-Committee as a part of the visioning and comprehensive plan development process.
- Enable accuracy and efficiency in permitting and enforcement, we have:

- Begun requiring that all applications must be complete and ready to move through the board process before official public notice is given and items are placed on the agenda. This reduces the need for continuance requests from the applicants, makes the board hearings more efficient and makes the notice more accurate regarding when the hearing will occur for each case.
- Continued to improve our communication with ISD to ensure enforcement of special permit conditions, to decide necessary zoning permits required, and to address issues with existing properties as they arise.
- Improve public confidence in process and consistency of outcomes, we have:
 - Worked to provide earlier and more accurate information about when projects will be heard by boards and when they will be continued to future meetings, limiting the need for interested parties to constantly enquire about items scheduled at upcoming meetings.
 - Required strict compliance with variance standards when developing staff recommendations on variance applications.
 - Continued to recommend that applicants attend community meetings if proposals may have neighborhood impacts that need neighborhood review and mitigation strategies, so that neighbors may be involved with a development that will affect their community.

Policy Changes - Completed

In an effort to remove unnecessary delay and improve coordination within the zoning review process, the Planning Division researched possible changes to the Rules and Regulations of the Permit Granting Authorities (adopted by those boards); and the Somerville Zoning Ordinance (adopted by the Board of Aldermen). The result was a proposed amendment to the Somerville Zoning Ordinance to amend the process for permits granted by the Planning Board and Zoning Board of Appeals.

The ordinance was presented to the Planning Board and the Board of Aldermen in 2010 and approved early in 2011. This change will take effect on April 1, 2011. It will improve review procedures for developments required to go before the Planning Board and Zoning Board of Appeals and will streamline the permit review process and more efficiently use the restructured OSCPD Planning Division. Elimination of Planning Board review of ZBA permits will reduce confusion for applicants and abutters by increasing the transparency in review by eliminating the action by the Planning Board outside of the public hearing process. The amendment recognizes Somerville's commitment to transparency and public engagement in the planning and development review process. The Planning Board and ZBA will amend the Rules and Regulations for their boards early in 2011 to reflect the new process. This new process will also allow Planning Staff to provide staff recommendations to both boards and the public on a timely basis, and establish a more formal process by which information must be submitted prior to a hearing being scheduled. Staff will also be presenting their recommendations to each board prior to public comment to allow for the public to better understand the proposed conditions and their impact on addressing neighborhood concerns. Staff reports for continued hearings will be updated to incorporate public comment and provide relevant responses and conditions to address neighborhood concerns.

NEXT STEPS

In 2011, Planning Division staff will continue to move forward on the goals in the action plan. Entering 2011 with a full staff, the Planning Division is participating in the completion of the new Comprehensive Plan and preparing to implement its recommendations. In preparation for that, Planning Division staff is continuing to implement procedural improvements based upon its own master plan.

Below are some of the additional initiatives already planned and moving forward:

- To Increase Public Information, staff will:
 - Incorporate project information into the new website in a clear format that allows for more frequent and timely updates.
 - Seek out additional strategies for civic engagement in planning, including feedback on the comprehensive plan and related zoning recommendations.

- To Streamline Processes, staff will:
 - Implement the process change ordinance discussed above, by April 2011.
 - Identify opportunities to reduce the need for continuances of special permits by ensuring that information is complete, and is provided to neighbors in a timely manner, thereby allowing for the Boards to have all necessary information to make an informed decision.
 - Establish a more formal system of pre-application meetings with city departments for any significant projects, allowing for earlier technical feedback on projects

- Make the Somerville Zoning Ordinance better balance the goals of protecting the community and promoting development, staff will:
 - Continue to work with the Neighborhoods Subcommittee in the Comprehensive Plan process, identifying action steps and policies that may require zoning studies, and continue to work on establishing a land use map as a part of the comprehensive plan.
 - Continue work on the zoning studies outlined in this report, as well as new zoning studies that may be required.
 - Develop a comprehensive analysis of concerns, issues, inconsistencies and recommended areas for change and improvement to the zoning ordinance in preparation for the overhaul of the zoning code to implement the Comprehensive Plan.

- Improve public confidence in the process and consistency of outcomes and decisions, staff will:
 - Continue to increase collaboration among the Planning Division, ISD, and other departments that review development projects, continuing weekly meetings between ISD and Planning Division staff, trainings for ISD on new zoning changes and regular communication and cooperation in project review
 - Explore ways to make public participation more effective without increasing the burden of attendance at numerous evening meetings.
 - Implement the completed dormer design guidelines that will assist applicants in designing dormer additions and provide consistency in staff recommendations.

- Maintain accurate land records and efficient systems of retrieval, staff will:

- Continue to work with intern staff to scan large plans for projects
- Identify a schedule and strategy for implementing the MUNIS permit tracking module that will link GIS spatial data with electronic project files.

The Planning Division looks forward to continuing to work with the Mayor, the Board of Aldermen, the City staff, the Planning Board, Zoning Board of Appeals, and Design Review Board on these important initiatives in 2011.

CONCLUSION

2010 has been a dynamic year for the Planning Division. With a full staff in January of 2011, Planning Division staff look forward to further collaborating with other departments, the SPGAs, and the Board of Aldermen on efforts to improve our processes, and our City.

Any questions about this report can be directed to George Proakis, Director of Planning, at 617-625-6600 x 2500.