



CITY OF SOMERVILLE, MASSACHUSETTS

PLANNING BOARD

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Case #: ZBA 2008-69

Date: December 30, 2008

Recommendation: Conditional Approval

PLANNING BOARD REPORT

Site: 42 Clyde St. & 56-61 Clyde St

Applicant/Owner Names: 56 Clyde St Acquisition, LLC; 61 Clyde St Acquisition, LLC;
42 Clyde St. Development, LLC

Applicant Address: 20 Park Plaza, Ste 467, Boston, MA, 02116

Alderman: O'Donovan

Legal Notice: The Applicant/Owners seek a special permit (§9.13.c) for a shared driveway. The driveway located at 42 Clyde Street is proposed to be accessed by development at 56-61 Clyde Street (aka "MaxPak" site) for which approval has separately been granted from the Planning Board.

Zoning District/Ward: RB and PUD-B1 zones. Ward 5.

Zoning Approval Sought: Special Permit under §9.13.c

Date of Application:

Date(s) of Public Hearing: [Planning Board recommendation: 12/18/08 / ZBA: 1/7/09]

Date of Decision: N/A

Vote: N/A

Dear ZBA members:

At its regular meeting on December 18, 2008 the Planning Board heard the above-referenced application. Based on materials submitted by the Applicant and the Staff recommendation, the Board voted (5-0), to recommend **conditional approval** of the requested **Special Permit**.

I. DESCRIPTION:

The Planning Board has granted the Applicant a Special Permit with Site Plan Review (SPSR) to construct a residential Planned Unit Development (PUD) consisting of 199 residential units located in five building areas surrounding a central public green space. Four of the five building areas would be comprised of single-building multi-unit structures and one area would contain a cluster of fifteen townhouse units in three separate buildings. Of the 199 units, 25 units would be made available to qualified buyers/tenants under the City's Inclusionary Housing Ordinance.

As approved by the Planning Board, the proposed site plan would require a Special Permit under SZO §9.13.c from the Zoning Board of Appeals, for a shared driveway over a neighboring property located outside the PUD boundary. The location of this driveway is critical to the success of the site plan, as it creates a deeper setback between existing and proposed residences, and enables the creation of additional green space within the development.

II. FINDINGS: SPECIAL PERMIT FOR SHARED DRIVEWAY (SZO 9.13.c)

As the site plan would be dramatically improved from the original approval as a result of the shared driveway access, the Planning Board made the following findings as required under §5.1.4 of the SZO:

1. Information Supplied: The information provided by the Applicant is found to conform 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 is found to comply "with such criteria or standards as may be set forth in this Ordinance which refer to the granting of the requested special permit." The proposed driveway meets the standards of Article 9, and no additional relief would be required.
3. Consistency with Purposes: The project is found to be "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."
4. Site and Area Compatibility: The project is found to be "designed in a manner that is compatible with the characteristics of the built and unbuilt surrounding area, including land uses." Approval of the shared driveway would enable a reconfiguration of the buildings in the northwest corner of the site, improving their relationship to the abutting residences on Murdock Street, increasing the public open space amenities of the new neighborhood, and providing better vehicle access to the site.

II. RECOMMENDATION

Based on the above findings, the Planning Staff recommends **CONDITIONAL APPROVAL** of the requested **SPECIAL PERMIT**, attaching the following conditions:

#	Condition	Timeframe for Compliance	Verified (initial)	Notes
1	Approval is for a shared driveway and is based upon the PUD-SPSR application materials approved by the Planning Board. The requested special permit shall be subject to the relevant conditions of PB2008-07.	BP/CO	PLNG	
2	An easement describing the shared access shall be furnished to the Planning and Law Offices for review and approval prior to a BP being issued for phases of the development requiring this access.	BP of relevant phases	PLNG/ LAW	

Sincerely,



Kevin Prior
Chairman

Cc: Applicant/Owners:
56 Clyde St Acquisition, LLC
61 Clyde St Acquisition, LLC
42 Clyde St. Development, LLC