



## CITY OF SOMERVILLE, MASSACHUSETTS CLERK OF COMMITTEES

February 9, 2016  
REPORT OF THE LAND USE COMMITTEE

Attendee Name	Title	Status	Arrived
Lance L. Davis	Chair	Present	
Mark Niedergang	Vice Chair	Present	
William A. White Jr.	Alderman At Large	Present	
Matthew McLaughlin	Ward One Alderman	Present	
Maryann M. Heuston	Ward Two Alderman	Absent	
Robert J. McWatters	Ward Three Alderman	Present	
Tony Lafuente	Ward Four Alderman	Present	
Katjana Ballantyne	Ward Seven Alderman	Absent	
John M. Connolly	Alderman At Large	Absent	
Dennis M. Sullivan	Alderman At Large	Present	
Mary Jo Rossetti	Alderman at Large	Present	

Others present: George Proakis - OSPCD, Charles Sillari - Clerk of Committees

The meeting took place in the Committee Room and was called to order at 6:00 PM by Alderman Davis and adjourned at 8:50 PM.

Document List: None

### Approval of the October 26, 2015 Minutes

<b>RESULT:</b>	<b>ACCEPTED</b>
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### Approval of the November 30, 2015 Minutes

<b>RESULT:</b>	<b>ACCEPTED</b>
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### Approval of the December 9, 2015 Minutes

<b>RESULT:</b>	<b>ACCEPTED</b>
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**198429: Requesting the adoption of a New Zoning Ordinance (updated) to supersede the current Zoning Ordinance as originally adopted on March 23, 1990.**

Mr. Proakis discussed a proposed schedule and spoke about how the arts would impact the economy. He also discussed residences that would fall under the new zoning code and said that comments from the public were taken into consideration. Alderman White questioned the terms “creative studio use”, garage and carriage house. The committee discussed garage spaces, institutional buildings, variety in unit size, density bonuses, special permits, non-conforming uses, job creation, spot zoning, on-site production/retail, breweries with on-site tasting, the owner occupied factor, work/live vs. Live/work, noise, smoke and renting of garages by landlords.

<b>RESULT:</b>	<b>KEPT IN COMMITTEE</b>
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**199554: Requesting an amendment to Zoning Ordinance 7.15 Re: Medical Marijuana Treatment Facilities.**

<b>RESULT:</b>	<b>PLACED ON FILE</b>
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**200001: Planning Board conveying its recommendations re: #199554, an amendment to Zoning Ordinance 7.15, Medical Marijuana Treatment Facilities.**

<b>RESULT:</b>	<b>PLACED ON FILE</b>
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**200340: Requesting approval of an updated amendment to Zoning Ordinance 7.15 Re: Medical Marijuana Treatment Facilities.**

Mr. Proakis spoke about the timeline, application process, community overlay, parking requirements, the state buffer, public safety concerns, commercial tax revenue and distance requirements from schools, day care centers, etc.. OSPCD is working with the Solicitor’s Office to respond to state law. Mr. Proakis informed the members that a provision in the state law allows the administration to give a letter of non-opposition.

Alderman White suggested that the best way to start would be to allow anyone interested in filing an application to do so, and then cull the list from there. Alderman McLaughlin feels that industrial areas would not be suitable locations for the facilities and said that he would like extraordinary contributions to the community if a dispensary were to be located in Ward 1. Alderman Lafuente expressed concern about Winter Hill being designated as an overlay, adding that Ward 4 takes the brunt of things that are not community related. He favors locating the facilities in a square or industrial area and asked that the Planning Department explore this option. Alderman Sullivan spoke about distances from schools and asked if some locations should be treated differently than a drug store. Alderman Rossetti inquired how residents of Medford, on the city line, could participate in the approval process. She spoke about how other

communities reached agreements with applicants and reported that the facility in Taunton is predicted to make \$4 million in profit in its first year. She expressed concern about the city getting its share of the dispensaries profits, adding that she is not comfortable knowing that the Administration would make the right deal. Alderman White stated that since this is a zoning ordinance, it would be illegal to require monetary payments. He asked that the item remain in committee until the final map is reviewed. Chairman Davis wants to be sure that the right organizations are considered for how they might affect the community, rather than for monetary contributions. Alderman Niedergang said that he is ready to vote on the matter and would like changes made to the map A.S.A.P.. Alderman Rossetti requested updates on the progress of the draft ordinance.

<b>RESULT:</b>	<b>KEPT IN COMMITTEE</b>
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**200686: Planning Board conveying its recommendations re: #200340, an amendment to Zoning Ordinance 7.15, Medical Marijuana Treatment Facilities.**

<b>RESULT:</b>	<b>KEPT IN COMMITTEE</b>
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**200626: That the Land Use Committee discuss recent benefit agreements with marijuana dispensaries in Shrewsbury, Brockton and Taunton.**

This item was discussed during the main part of the meeting.

<b>RESULT:</b>	<b>PLACED ON FILE</b>
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