



CITY OF SOMERVILLE, MASSACHUSETTS

CLERK OF COMMITTEES

November 22, 2021
REPORT OF THE LAND USE COMMITTEE

Attendee Name	Title	Status	Arrived
Ben Ewen-Campen	Chair	Present	
Lance L. Davis	Vice Chair	Present	
William A. White Jr.	City Councilor At Large	Present	
Matthew McLaughlin	Ward One City Councilor	Present	
Mark Niedergang	Ward Five City Councilor	Present	

Others present: Dan Bartman-OSPCD, George Proakis-OSPCD, Councilor JT Scott, Kim Schmahmann-resident, Polly Pook-resident and Jennifer McGrory-resident.

The meeting was held virtually and was called to order at 6:32 p.m. by Chairperson Ewen-Campen and adjourned at 8:45 p.m.

BROADWAY STAR MARKET SITE REDEVELOPMENT

212541: Comar Real Estate Trust proposing a zoning map amendment to re-zone their properties at 299 Broadway and 15 Temple Street from MR5, MR3 and NR Districts to MR6, MR4 and NR Districts.

There was a public hearing on this item several weeks ago, and Chair Ewen-Campen noted the comment period remains open. He hopes to be able to act on this item before the end of the year. The proposal before the committee is whether the city would give the private developer a shot at the project, and therefore avoid the Eminent Domain / Urban Renewal process, which would still remain on the table going forward.

Mr. Proakis stated this item was at the planning board last night and their written approval will be submitted to the Council for the Regular Meeting on 11/23/2021. The planning board wants to make sure they can vet this project very carefully regarding open space and the individual buildings.

Chair Ewen-Campen asked about the pedestrian street on Temple Street pulling back to allow for an entrance to the underground parking structure. He also voiced concerns about the proposed public park along Sewell Street and why it's not zoned as civic space. Mr. Bartman stated it's still an open question on changing the zoning now and changing the structure to put utilities underground. The planning board was also concerned about this item. Mr. Proakis stated a special permit approval would work for this request.

Councilor McLaughlin would like to hear from the Ward 4 councilor on this matter. He questioned if there are any assurances that the project would actually begin. Mr. Proakis stated the most effective way to encourage the private development to get underway is to put the eminent domain on a schedule. This would help the developer understand they have a certain amount of time to work on the project, otherwise, there will be eminent domain.

Chair Ewen-Campen raised the question that Councilor Clingan had asked if the plot line could be redrawn. Mr. Bartman stated the developer's proposal will line up better with future lot lines.

This item will be back on the agenda on November 30th.

RESULT:	KEPT IN COMMITTEE
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BOYNTON PARKING MAXIMUM

212471: That the Zoning Ordinances be amended by striking all language from section 8.3.1.10.c to prevent parking maximums in Master Planned Development areas being exceeded by Special Permit.

Chair Ewen-Campen noted the comment period remains open. He hopes to be able to act on this item before the end of the year.

Chair Ewen-Campen stated the Boynton overlay district has a capped amount of parking spaces of 1,500. The concern was if you build too much parking, it will encourage people to have more cars when the city wants people to use public transportation, bike or other methods. The chair found Mr. Proakis proposal very convincing to use a formula 0.6 per 1,000 square feet, which was estimated to create about 2,040 parking spaces, given the current estimate of 3.4M square feet of development.

Councilor Niedergang questioned the waiver making it unlimited. The 0.6 formula would create an upper limit. He asked if there is a practical way to write the amendment under the current language to use the 0.6/1000SF approach instead of the waiver. Mr. Proakis suggested to dial back by changing the amendment to leave in the special permit waiver, but cap at 0.6 for each master plan and not beyond. Or, Mr. Proakis stated he could advertise the 0.6 formula and work on it with next year's council. Councilor Niedergang stated he would like to see this in writing with all the steps to understand what is needed for this process before the next Land Use meeting. Mr. Proakis stated he needs to meet with the legal department before writing the steps. The chair asked Mr. Bartman to provide draft language for the next meeting.

RESULT:	KEPT IN COMMITTEE
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DAVIS SQ. ZONING AMENDMENTS

212301: AP Davis Square Plaza, LP requesting the adoption of an amendment to the Zoning Ordinance Map to re-zone four parcels in Davis Square Plaza from MR-4 to Civic and CC-4.

This item is in Councilor Davis Ward 6.

Councilor Davis stated this is the south side of Elm Street, including a privately owned plaza that would be zoned as Civic. There is a proposal by the people who own the bulk of the plaza. The

zoning request would allow change to the entire parcel to as a commercial space, with a public plaza. This request is not to approve the plan itself, but to make a zoning change to the map that would allow the Site Plan Approval Process to advance. There is some concern about what type of labs could go into this neighborhood. Additionally, there are concerns about the height and shadowing, which will be addressed during Site Plan Approval, nt through zoning itself.

Mr. Bartman stated the development team can map a civic space. Laboratories are allowed in CC-4 districts.

Chair asked how does this fit into the Davis Square neighborhood plan. Councilor Davis stated Davis Square is a place where additional density is appropriate, and that it is his intent to put into place density bonuses for Davis Square and other areas. The Neighborhood Plan is currently being redrafted to address issues raised by the pandemic.

Councilor Davis motioned to approve.

RESULT:	APPROVED
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35-51 MCGRATH DOWNZONING

212337: 18 registered voters requesting the adoption of a Zoning Map amendment to change the zoning district of 51 McGrath Highway (MBL 115-B-1 and 115-B-4) from HR to MR5 and 35 McGrath Highway (MBL 115-B-5, 115-B-11, and 115-B-12) from MR5 to MR4.

Chair Ewen-Campen has recused himself from this item. The chair’s mother owns an artist studio in Brick Bottom. Vice Chair Davis will chair this portion of the meeting.

Councilor Niedergang had previously asked for a copy of the shadow study.

The Vice Chair invited Jennifer McGrory, Polly Pook and Kim Schmahmann to speak at tonight’s meeting.

Kim Schmahmann shared the shadow study and stated they have met with the developer a number of times. The mechanical space is not well defined in the zoning which adds 45 feet to the building. The first study they did was on March 5, no shadow. On September 21, they started to see some shadow. Now on November 5th, they are seeing more shadow. December 21st shows longer shadowing.

Jennifer McGrory, an architect and resident in Brickbottom stated this zoning needs further review. This zoning did not involve the Brickbottom residents. Ms. McGrory stated there are three major concerns: loss of access to natural daylight, impact of light exposure at night, and glare impact.

Polly Pook, resident, shared slides re: Brickbottom District with Overlay May 2017. She stated they were really engaged in the proposal back in 2017 with the goal to keep it industrial and keep the buildings low. She showed pictures of the back-parking lot at Brick Bottom and questioned the effects of the sound wall from GLX.

Their requests are to approve their petition. She also suggests to invite the City Solicitor to a formal hearing to hear the concerns. It was stated that Councilor JT Scott suggested a special permit be required for high rise and 5 story building requests.

Councilor Niedergang asked if the owner of the properties have responded to the Brickbottom residents' concerns. Mr. Bartman stated they have not been able to contact the owners of 51 McGrath. The owner of 35 McGrath has been in contact with the planning board.

Councilor McLaughlin talked about reducing the height in one area and then the city is building a tall building in Union Square.

Mr. Bartman stated communication to Mr. Proakis from the David Shapiro which was read previously read into record. He pointed out there maybe some space within the proposal to work which will be subject to a separate amendment.

Vice Chair Davis invited Councilor JT Scott, who was in the audience, to weigh in on this matter. Councilor Scott stated the goal is to have a collaborative process to include planning staff and Brick Bottom residents working together.

Councilor Niedergang asked if the special permit idea would be for every high-rise property in the city. Vice Chair Davis stated that the special permit would not be for every area in the city.

RESULT:

KEPT IN COMMITTEE