



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
KATJANA BALLANTYNE
MAYOR

THOMAS F. GALLIGANI, JR.
EXECUTIVE DIRECTOR

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LUC SCHUSTER, *ALTERNATE*

June 20, 2023

The Honorable City Council
City Hall, 93 Highland Avenue
Somerville, MA 02143

Dear Honorable City Council:

In keeping with its lawful responsibilities, the Somerville Planning Board submits to your Honorable Council its recommendation on the following proposed amendment to the Somerville Zoning Ordinance. On 18 May 2023, at 6:30 p.m. the Planning Board and Land Use Committee of the City Council held a duly advertised virtual joint public hearing. The purpose of the hearing was to solicit public comments on the proposed amendments to the Somerville Zoning Ordinance and to evaluate the proposals in the context of testimony received and the findings and analysis of the Staff to the Planning Board. On 15 June 2023, the Board convened at their regularly scheduled meeting to discuss the three (3) agenda items:

PLANNING BOARD RECOMMENDATION

1. Mayor Ballantyne requesting ordainment of an amendment to Section 8.1, Affordable Housing, of the Zoning Ordinances to remove errant text and amend the dimensional standards.

The Board deliberated and solicited input from staff, and then made the following specific recommendation. Following due consideration, Chair Michael A. Capuano, Esq. made a motion to recommend that the proposed amendment to the Somerville Zoning Ordinance **be adopted** by the City Council. The motion was seconded by Vice-Chair Aboff, and unanimously approved by the Board, **5-0**.

2. Mayor Ballantyne requesting ordainment of an amendment to Section 12.2 of the Zoning Ordinances to reflect the recommendations in the 2022 Somerville Linkage Nexus Study.



The Board deliberated and solicited input from staff to address the concerns raised and made the following specific recommendation. Following due consideration, Chair Michael A. Capuano, Esq. made a motion to **make no recommendation** on whether the City Council should or should not adopt the proposed amendment to the Somerville Zoning Ordinance, incorporating the relevant discussion from the 15 June 2023 Planning Board meeting, including the following:

- The Planning Board has received testimony from numerous stakeholders on the proposed amendment to the Somerville Zoning Ordinance, and expresses concern that the proposed immediate increase in the linkage fee rate would have a significant negative impact on the feasibility of development, based on current economic factors. If adopted, the proposed amendment, combined with broader economic and market factors and the adoption and impending effect of the Specialized Stretch Energy Code, may impact Somerville's competitiveness in the commercial development market compared to other Boston-area municipalities.
- However, the Planning Board recognizes the necessity of the existing linkage fee regarding its impact on affordable housing in Somerville, and that periodic rate increases are necessary to meet the community's affordable housing needs and goals. The Planning Board appreciates the importance of the proposed amendment and encourages the City Council to reconsider the matter with a delayed or phased approach to increasing the linkage fee rate to provide additional clarity about the process to stakeholders and the development community.

The motion was seconded by Vice-Chair Aboff, and approved by the Board, **4-0-1** (Vice-Chair Aboff abstaining).

3. Union Square One Development, LLC requesting the adoption of a Zoning Text Amendment to Section 8.17. g. iii to permit variations to build out regulations by special permit in the CC5 District, USQ sub-area.

The Board deliberated and solicited input from staff to address the concerns raised and made the following specific recommendation. Following due consideration, Chair Michael A. Capuano, Esq. made a motion to **make no recommendation** on whether the City Council should or should not adopt the proposed amendment to the Somerville Zoning Ordinance, incorporating the relevant discussion from the 15 June 2023 Planning Board meeting, including the following:

- This Zoning Text Amendment has been requested by Union Square One Development, LLC (the Applicant), to facilitate a development proposal within the Union Square Sub-Area of the Master Planned Development Overlay District. If an individual development incurs site-specific issues due to the zoning, a typical development process would involve application for a Variance, or a Zoning Map Amendment; both these pathways address individual parcels. Instead of pursuing one of these paths, the Applicant has proposed a Zoning Text Amendment, which, if approved, would change the regulations of all parcels in that zoning district. The Planning Board emphasizes that the process the Applicant has chosen to follow ignores the aforementioned, more appropriate pathways toward a compliant project, and strongly discourages the use of this process to address site- or project-specific needs.
- The Applicant provided a presentation of their desired project, which they argued could be accomplished with the proposed amendment, at the joint public hearing of the Planning Board and Land Use Committee on 18 May 2023. Multiple members of the neighborhood and broader community have expressed support for this project and argued its alignment with the existing Union Square Neighborhood Plan. Notwithstanding this support, or the compliance issues that a project would still have to contend with (please see the Inspectional Services Department's Interpretation dated June 15, 2023), the Planning Board would like to emphasize that approval of this amendment would not guarantee the project described by the Applicant and would in no way bind them to

following through on such a project. The proposed amendment would only change the zoning of the related parcels, and would facilitate any project that complies with the proposed amendment and other relevant zoning.

The motion was seconded by Vice-Chair Aboff, and unanimously approved by the Board, **5-0**.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael A. Capuano", with a stylized flourish at the end.

Michael A. Capuano
Chair of the Planning Board