



CITY OF SOMERVILLE, MASSACHUSETTS  
CLERK OF COMMITTEES

September 19, 2019  
REPORT OF THE LAND USE COMMITTEE  
MEETING AS A COMMITTEE OF THE WHOLE

Attendee Name	Title	Status	Arrived
Lance L. Davis	Chair	Present	
William A. White Jr.	Vice Chair	Present	
Katjana Ballantyne	Ward Seven City Councilor	Present	
Stephanie Hirsch	City Councilor At Large	Present	
Mary Jo Rossetti	City Councilor at Large	Present	
Jesse Clingan	Ward Four City Councilor	Present	
Ben Ewen-Campen	Ward Three City Councilor	Present	
Jefferson Thomas ("J.T.") Scott	Ward Two City Councilor	Present	
Mark Niedergang	Ward Five City Councilor	Present	
Wilfred N. Mbah	City Councilor at Large	Present	
Matthew McLaughlin	Ward One City Councilor	Present	

The meeting was held in the Council Chamber and was called to order by Chairman Davis at 6:13pm and adjourned at 8:47pm.

Others present: Planning Board - Michael A. Capuano, Chair, Amelia Aboff, Gerard Amaral, Joseph Favaloro, Clerk, Dorothy A. Kelly Gay; Dan Bartman - OSPCD; George Proakis - OSPCD; Melissa Woods - OSPCD

The Planning Board opened its meeting and continued its items until the next meeting.

**Approval of the May 14, 2019 Minutes**

<b>RESULT:</b>	<b>ACCEPTED</b>
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**Public Hearing re: #208702**

Chairman Davis noted that there has been much input from the community, which is appreciated, and he urged everyone to continue sharing their thoughts. The comment period will be extended and will remain open until Friday November 1st at 12:00pm for written comments; this will apply to both the Committee and the Planning Board. Mr. Bartman added that it would be helpful for written comments to also be sent to [planning@somervillema.gov](mailto:planning@somervillema.gov).

Charles Partridge disagreed with any changes to building in Davis Square. A 6-story building

should be out of the question; it takes away the face of the Square. The current building heights should remain.

Chris Iwerks felt that the changes came about surreptitiously, and an 85 foot high building would be out of context with Davis Square.

Alan Bingham also doesn't think 6 stories is a good idea. The zoning should reflect the character of the square, which consists of 1-3 story buildings. Let's keep the square unique and different.

Lynn Thompson noted that the city is sacrificing potentially thousands of units, at a time when housing is needed. Nobody will build an ADU unless they have a personal family need, and rental units will be created that very few can afford. It is a mistake to take away the by-right third unit.

Jack Slade feels his lot is being singled out and he has submitted a zoning map amendment change to classify his lot as UR to be consistent with the neighborhood.

David Hosnick also expressed concern about Davis Square getting bigger. Residents should be the priority.

Meredith Porter shared concerns about affordability of housing and wants this reflected. He also has concerns about the transparency of the process, and feels that neighborhood meetings should be required for all cases of hardship and special permits. Heights in Davis Square is another area of concern, and buildings should not be taller than four stories. Further, there should be greater access to documents such as staff reports so people can understand the applications.

Daniel asked for clarity around the need for site plan approval for lot splits, when some processes require fewer

Laura Evans thinks a critical part of the solution must be a drastic increase in housing supply. She urged action proportionate to the state of this housing crisis.

George thinks the zoning of MR5 that was changed to Civic should be reconsidered.

David Dalbach commended the work on this ordinance, but shared that residential zoning does not reflect the reality of Somerville. Over 60% of side-offsets are less than three feet. Home-based businesses and offices are not permitted uses in the Assembly Square area, which should be clarified. The affordable housing proposal is 17.5% and should be 20%. He also noted that the table references need to be fixed.

Brett Snyder, WS Development, which owns Star Market in Ward 2. The zoning changes would require this area to be fabrication or the arts. By integrating creative uses with more economically viable uses, we could improve activation of the site and surrounding neighborhood.

Suzanne Lipsky shared concerns about the transit parking districts and asked that neighborhood meeting notices be shared publicly.

Tim Finn agreed with the comments that 6 stories is too tall for Davis Square and out of character.

Bill Shelton shared that only 17-18% of the assessed property in Somerville is commercial, which is why we have a structural fiscal deficit. Properties near transit are being usurped from commercial development and those corridors should be defined as commercial in the zoning.

Jennifer Kimball told a story of flooding in Union Square and wanted to know the plan for mitigating stormwater in neighborhoods. She also shared concerns about the lack of open space, and noted that there should be fewer units in areas that are known to flood.

Charlie Ball added that rents are high, as it is a great place to live. It is an indication that we need more housing units, but many owners would not add extra units if they know those units will be forced to be affordable.

Gordon Sensor reiterated that the changes will lead to less small-scale housing, which the City

also needs. Adding commercial space to Davis Square will also increase the road traffic, and without an increase in the size of the street or a plan to manage traffic, this will be a problem. Randy Soltizia shared thoughts on climate change and urged the Council to use the opportunity to do more.

Jeff Keller is concerned about the implications for the character of Davis Square, and the way that the height changes were added to the proposal so late.

Kevin Sue believes that stable housing is a need. He opposes the proposal to re-zone RB to NR, which will stifle development.

Chris Strane and Nicosius B believes that UR is more in line with this property at 17 Otis Street than the NR, which is the change on the new atlas.

John Marshall doesn't think the changes to building height are appropriate for Davis Square.

Victoria Campesi

Skip Sloning, Executive Director of the Small Property Owners Association doesn't see a way to bring rents down broadly across the City. Households have shrunk to 1-2 person households, and owners should be able to create smaller sized units within the existing envelope of housing (attics, basements, subdivided spaces) to increase the housing supply.

Senator Pat Jehlen is motivated by the current situation, the destruction of open space and neighborhood enjoyment. There is, however, more that can be done to protect open space, the urban forest, and neighborhood character. The definition of landscaped includes driveways. The definition of pervious is not the same as permeable. She urged the Council to consider the neighborhoods.

John Sullivan, Somerville Property Owners Coalition, is against not being able to add additional units in NR Districts, which is restrictive and doesn't help the housing crisis. He also echoed the concerns about Davis Square.

Barbara Steiner seconded Bill Shelton's comments about the need for more commercial development for the tax base. She also has concerns about the ability to accept Payments in Lieu for some of the open space requirements.

Ben Elgart shared issues with open space and parking, but is primarily concerned with accessory dwelling units. It is difficult for owner-occupants to know how to rent out units.

Lee Auspits is concerned about the proportionality of development to the widths of the feeder streets into Davis Square.

Ulysses Latire agrees with everyone who thinks changing Davis Square to MR5 and MR6 is inappropriate. He was more concerned with the process, as these concerns were heavily expressed throughout the process and yet they have still ended up in the zoning maps.

Christine Wickers loves how quirky and vibrant Davis Square is and 5 and 6 story buildings will completely change that dynamic.

Colin Kapaernan echoed the concerns about Davis Square, Elm Street traffic, and the canyon effect that 5 and 6 story buildings will have.

Robert Antonelli read a petition that the residents do not want the RA zone changed to UR. They also do not want any industrial or commercial zoning use.

Tori Antonino shared her vision of a climate resilient, equitable and sustainable city that puts the environment and people first. We need to use more opportunities for stormwater management.

Taller buildings can be supported by a cushion of greenery.

Igeff Burns disagreed with many of the comments about Davis Square, as it is one of few heavy rail spaces in the city, so it should be where we embrace growth and business. This plan lets us make more meaningful changes in the future.

Pat Kane said that much of what we are doing now is based on 1990s ideas. It will constantly need changes, but provides a new basis for growth over the next 15 years.

Jason Evans noted that Somerville has lost many families raising children. Small units are insufficient to keep families here, and these are what are incentivized through zoning.

Chris Dwan encouraged the City Council to treat climate, housing and transportation as the emergencies that they are.

Paul Christie, a business owner in Davis Square, expressed concerns about the zoning changes, as they will affect small business owners.

Stephen Mackie, Chamber of Commerce, expressed the support of the Chamber, with the understanding that many members have raised questions about 2 and 3 family properties. He noted that every parcel in Davis Square won't become the maximum height, but some changes to scale are needed.

### **208702: Requesting the adoption of a New Zoning Ordinance (v4.0 update) to supersede the current Zoning Ordinance as originally adopted on March 23, 1990.**

Mr. Proakis introduced the Zoning Overhaul presentation and noted that Mr. Bartman would be presenting and focusing on the changes throughout the versions that iterated to the current fourth version. This reflects a lot of work with the Ward Councilors to get the map pieces correct and understand the needs of the various neighborhoods and reflects where the City is going. Mr. Capuano confirmed that the presentation and updates will be available at [www.somervillezoning.com](http://www.somervillezoning.com).

Mr. Bartman shared that the zoning atlas consists of 50-60 pages of maps. He introduced a few of the updates, beginning with the permitted units in Residential Districts. Additional maps demonstrate what is inside and outside transit areas. There is a parking maximum inside transit areas, and there will be no on-street parking permits for new residents in these areas. Triple deckers are permitted in certain, uniform circumstances, and will not allow for a flood of triple deckers, but rather will provide for a slow adaptation. There are adjusted setbacks and affordable third units now included in Neighborhood Residence (NR) districts if they meet outlined criteria.

All of the building types in Mid-Rise (MR) and High-Rise Districts are permitted by site plan approval. There are no buildings permitted by right. There is a parking maximum inside transit areas in these districts as well, and there will be no on-street parking permits for new residents in these areas. There is also a 15% open space requirement. The standards for affordable dwelling units (ADUs) and linkage payments are included.

There were few changes to Commercial Districts. Buildings in these areas are also permitted only through site plan approval and residential dwellings are prohibited. There is a 25% open space requirement.

The Special and Overlay Districts were reorganized and rewritten. Currently these include Civic, Powderhouse, Tufts, and Assembly Square. Each is customized to produce specific outcomes. The first new Overlay District is the Small Business (SB) District. Three different permit types have been consolidated into the Master Planned Development (MPD) Overlay District. This encompasses Union Square and Boynton Yards, with specific requirements for each sub-area. For example, in Boynton Yards, developments must be a minimum of six stories and Net Zero or LEED Platinum, and must include 20% Civic space and 5% Arts & Creative space. All of the possible sub-areas will be customized as they are developed. The Union Square East District was removed and further planning for that area is underway. Some miscellaneous additions also include language clarifying Steep Slopes, Building Separation, and Zero-Step Entrances for accessibility.

Councilor Rossetti asked for clarification about what is happening with Union Square East before this is approved. There is still Commercial Business Zoning, it just doesn't reflect the transformation that the

City is aiming to achieve. Councilor Scott asked Mr. Bartman to detail the site plan approval process, and it involves a pre-application meeting with City staff, a neighborhood meeting, design review, and another neighborhood meeting. The intent is to have developers engaging with the community early and often. Councilor Niedergang noted that various councilors agreed to drop amendments for affordable housing because the administration was conducting a study, and asked when a report of that study might be available. There are two affordable housing studies and a parking study underway. The Housing Needs Assessment is almost finished and the Financial Feasibility Analysis is ongoing. A new database had to be created to track the relevant financial information. Councilor Ballantyne asked what changes were made in sustainability. There have not been many additions, though there are some new requirements in the Overlay Districts. Mr. Bartman suggested it be a topic for a future meeting, but noted that there are a number of hurdle in state law affecting these requirements.

Chairman Davis asked Mr. Bartman to clarify that the changes will require setbacks above the fourth floor, so there will not be a six story vertical building unless it has been granted an exemption. This change came as a result of public feedback and will reduce the impact of those stories on the appearance and the degree to which those stories enclose the street space.

<b>RESULT:</b>	<b>KEPT IN COMMITTEE</b>
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**Handouts:**

- Capen Court Petition (with 208702)
- Comments A Bingham (with 208702)
- Comments C Lwerks (with 208702)
- Presentation (with 208702)
- Presentation with additions (with 208702)