

Madalyn Letellier

From: [REDACTED]
Sent: Monday, February 12, 2024 8:40 AM
To: Public Comments
Cc: Willie Burnley, Jr.; Ben Ewen-Campen; Wilfred Mbah; JT Scott
Subject: Citizen comment - Licenses item#24-0124 of 181 Somerville Ave
Attachments: License #24-0124 Johns Auto Vall comment.docx

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Please put on the record of this hearing the attached memorandum of opposition from a nearby resident. Thank you

Bill Valletta

[REDACTED]
Brickbottom

Citizen Comment Memorandum

To: Somerville City Council Committee on Licensing

From: Bill Valletta (Brickbottom resident)

Date: 10 February 2024

Subject: **Application for renewal license of auto-sales/repair at 181 Somerville Avenue, agenda item #24-0124**

I am sending this memorandum as citizen comment on the application of John's Auto Sales to renew its license for auto sales and repairs at 181 Somerville Avenue. The substantiating material, submitted by the applicant, describes the operation (on the form and on a sketch) as indoor storage of two vehicles and outdoor storage of 22 vehicles on the parcel at 181 Somerville Avenue. The material makes no mention that this business has expanded its operations across the intersection onto two portions of the large parcel at 200 McGrath Highway. This incomplete and distorted factual record should disqualify the applicant from receiving a license or, at the very least, requires the council committee to refuse to act until all aspects of the operation and questions of the legality of the expansion are clarified.

The land now identified as 200 McGrath was consolidated last year and given a master plan special permit by the Planning Board (P&Z#22-097). This large lot previously was four parcels, which included (i) the former site of Hub Glass on the corner of Medford Street, Somerville Avenue, McGrath Highway and the service road and (ii) the former site of Russell waste disposal, entirely fronting the service road (that is affectionately called "Scary Way" by neighbors). Today John's Autos has parked about forty vehicles on these lots, with sales and advertising activity on the corner (Hub Glass) lot.

There is no record in the city's planning, zoning, building permit or occupancy permit archives that shows any documents or approvals given during 2023 for these activities and occupancy.

The 200 McGrath parcels were rezoned in 2019 to the Commercial Core (CC) district and with the Overlay of Union Square East sub-zone regulations. It was under these rules and standards that the Planning Board master plan was approved in January 2023. **Auto sales and repair uses are not permitted under either the base CC or the Overlay regulations.**

Therefore, the City Council cannot act on this license application until its substantiating record is clarified and a determination is made whether the expansion of the operations onto 200 McGrath has been and can be authorized under zoning.

This application is another example of Somerville's sloppy and distorted zoning practice

As a resident neighbor, I have no particular opposition to the auto sales and repair use at 181 Somerville Avenue or on the 200 McGrath parcel if it is found to be legal and is properly permitted.

For many years at Brickbottom, we have lived compatibly with these uses as a feature of our combined arts/living/industrial area. In 2019 we supported the rezoning of our land and nearby blocks as "Fabrication" – in essence, agreeing with the planners, who explained the foundational idea that arts/creative production and industrial/commercial activities are complementary activities, which stimulate innovation. (There has never been any solid evidence assembled to prove this theory but it has been an appealing idea and city leadership has constantly repeated it.)

At the same time in 2019, we did not have any opportunity to comment on the change of zoning of the Scary Way parcels to Union Square East Overlay designation, because this map change occurred at the last minute in December 2019 with no effective public notice. We subsequently did oppose the master plan in January 2023 because the project impacts of its large high-rise buildings could not be

judged without further work on the multiple issues of traffic/pedestrian movement, urban infrastructure and urban design. For years, the city has been talking about the “grounding” of McGrath, the creation of a “Milk Square,” and the re-planning and rezoning of the Brickbottom area. How all of this new design, use mix and infrastructure will function and what scale and placement of adjacent development will work are questions that cannot be answered today. Thus, the 2023 rezoning application for 200 McGrath Master Plan had no meaningful substantive information. Therefore, we objected to its fundamental “visionary” concept of this intersection, which was presented as a high-density and large-scale “Gateway” project with lots of traffic -- rather than a proposed redevelopment that matched the work-a-day utility, auto-oriented and fabrication zone that is the actual urban function of this corner of Somerville.

Despite our objections to the record that was empty of data and meaningful analysis, the Planning Board granted the special permit – attaching 30 or 40 conditions, quasi-legal and quasi-contractual obligations to which the landholder is bound to follow before the re-use and development of 200 McGrath can proceed.

In the short few months since the Planning Board decision, the cycle of real estate demand has revealed the irrelevance and economic failure of the fantasy 200 McGrath “Gateway.” The installation of this auto-related operation on the site is obviously the landowners’ attempt to salvage some revenue during the next years of down market conditions. Nevertheless, having asked for and received approval of the zoning change and wildly optimistic development scenario, the landholder here must abide by the results. No part of 200 McGrath is available for uses in the auto-related categories.

Sadly and typically, this application once again illustrates how the city administrators, planners and the Planning Board make superficial judgments and write decisions that are chocked full of jargon and with dozens of tangled conditions, linkages, quasi-contractual covenants and agreements. It is all meaningless noise. As soon as the documents are issued, the city agencies move on to the next deal making and “visioning” and they ignore any actual performance or compliance.

As I have complained many times before, the zoning process in Somerville is distorted and upside down. The city agencies, their managers and the political leaders who are supposed to provide oversight – all appear to lack capacity, motivation, professional integrity, or competence to carry out even the most routine monitoring and enforcement of the zoning regulations and the conditional decisions that they write. Citizens, neighboring property owners and taxpayers are badly served.