



CITY OF SOMERVILLE, MASSACHUSETTS
CLERK OF COMMITTEES

January 24, 2017
REPORT OF THE LAND USE COMMITTEE

Attendee Name	Title	Status	Arrived
Lance L. Davis	Chair	Present	6:42 PM
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	Present	
Robert J. McWatters	Ward Three Alderman	Present	
Tony Lafuente	Ward Four Alderman	Present	
Katjana Ballantyne	Ward Seven Alderman	Present	
Dennis M. Sullivan	Alderman At Large	Present	
Mary Jo Rossetti	Alderman at Large	Present	
John M. Connolly	Alderman At Large	Absent	

Others present: Michael Glavin - OSPCD, George Proakis - OSPCD, Tom Galligani - OSPCD, Marc Levy - Assessing, Ed Bean - Finance, Charles Sillari - Clerk of Committees.

The meeting took place in the Committee Room and was called to order at 6:02 PM by Alderman Niedergang and adjourned at 8:10 PM.

Committee member John Connolly were absent due to illness.

200787: Proposing a new Article 16B in the city's Zoning Ordinances, with attendant Zoning Map changes, to establish a minimum mixed use ratio in designated areas.

See 201843

RESULT:	KEPT IN COMMITTEE
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201843: Requesting an amendment to the Zoning Ordinance to create a new "CCD-55 Commercial" subdistrict, a new "CCD-45 Commercial" subdistrict, a new Section 5.8: Coordinated Development Special Permit, a new Section 6.7: Union Square Overlay District, and to make related changes to Article 5 and the Zoning Map.

The meeting was chaired by Alderman Niedergang, who distributed an email dated 1/24/17 from him to Mr. Proakis. Alderman White asked about reports and staff notes from previous meetings regarding hotel and makerspace being added to qualifying uses in new residential/commercial

ratio. He then made the following motion, which was approved: That section 16b of the proposed zoning amendment be amended to include makerspace and hotels as qualifying uses.

Mr. Galligani gave a presentation regarding the types of development being sought.

Alderman Heuston wants to be sure that the BOA can still go through the details and discuss the proposed zoning once it is drafted. She mentioned addressing misplacement of small businesses in Union Square and Mr. Galligani said that it is important to the unique feel of Union Square and that the Neighborhood Plan addresses that. He said 2 kinds of businesses may be displaced and that businesses displaced by eminent domain will be relocated by law. Alderman McLaughlin is concerned with local and union hiring. Alderman White would like Attorney McGettigan to address the legalities of this issue despite any lease provisions.

Mr. Galligani said the city has put a lot of thought into the developer contributions regarding infrastructure. He said there are things that zoning may not address, such as local hiring and he wants to create the opportunity for the community to negotiate with the developer. Alderman White brought up the agreement between the developer and the city, noting that the agreement can be amended, and said he is concerned that it can be amended without the input of the BOA. He asked about the type of agreement the city and developer are contemplating. Mr. Galligani said the agreement will be between the Mayor and the developer and will be brought before the BOA prior to being agreed upon, however, he cannot speak to amendments in the future. The city is making a statement as to its values.

Mr. Galligani spoke about a needs analysis for the Union Square neighborhood and discussed the Community Benefits Ordinance. A minimum of 60% of the linkage fee funds would be allotted to the Union Square neighborhood and the rest would be used citywide. The ordinance also sets up a process of legitimizing the neighbor councils in the city. Alderman Heuston said that the impact area has been neglected and has many needs. She asked how the minimum allotment of 60% was derived, as well as what the maximum percentage would be. She asked to know who makes the decision and wants a more flushed out discussion. She also said that people have put a lot of effort into the neighborhood council and she wants to make sure that is taken into consideration and that in the future, if there is a new administration, the neighborhood is still protected.

Alderman Rossetti said the community is looking for an MOU to develop a CBA. She wants to make sure the community gets to have input on the amount of funds that developers will have to pay and how those funds will be used. Mr. Galligani explained the process and said that it will include input from the community. Alderman Niedergang asked who decides where the money goes and Mr. Galligani said it's not entirely clear, but that neighborhood councils will weigh in. More details will be available in the future. Alderman Niedergang asked how neighborhood councils will be formed in neighborhoods outside of Union Square.

Alderman Sullivan asked how the sum of the benefit funds is determined. Mr. Galligani said a consultant is working to get a fair share contribution number. Zoning requirements, affordable housing and jobs linkage are all being looked at with an eye towards present and future needs.

Alderman Heuston said she is not understanding what neighborhoods throughout the city have to do with Union Square. Mr. Galligani said that the USQ Neighborhood Council could be the voice of the community to express needs. It is neighborhood and stakeholder driven. Alderman Ballantyne asked if the neighborhood councils will be able to have input on the city's covenants

with the developers. Alderman Lafuente asked why the creation of neighborhood councils can't be put into the zoning. Alderman McLaughlin wants to be sure the BOA gets final approval on benefits. Alderman Davis is disappointed that there is no plan to have a community group with enforcement authority.

Alderman Heuston discussed how the funds given by developers to the city for community needs will flow based on the neighborhood councils and she noted the importance of having key items rise to the top to ensure that the funds get to the places where they are needed.

Alderman McWatters asked how many councils will be recommended by the administration and how they will be set up, geographically. Mr. Galligani stated that this hasn't been decided yet and he wants to make sure that it is properly created, adding that the city will not dictate and will let a council decide how it can best organize and participate.

Alderman White asked when the state expects the bid amounts to come in so we know if the GLX is going forward or not, since all of this is premised on the Green Line expansion. He also requested a time line so it can be looked at logically. Mr. Galligani said the Union Square zoning is not contingent on the Green Line, however, without it the level of development would be lower.

(Alderman Davis assumed the chair at 7:41 PM)

Mr. Beane said the fall focused on macro level numbers and that now the focus needs to shift to the micro level. He spoke about water/sewer enterprise funds and the increase in water/sewer rates. Alderman Lafuente asked about the new fee on the water bills, the amount collected so far, and if it would be used for the infrastructure costs. Mr. Bean stated that the city is over target on water/sewer revenue. He will get the dollar figure and provide it to the committee. Alderman Ballantyne asked if the fee on the water bill was specifically for the 15 year replacement plan and Mr. Beane said he believes it is to support the enterprise fund in any and all endeavors. Alderman White asked about stabilization fund. Mr. Beane said the bonds must be netted down and stated that the sale of the Powder House School can be used to net down principal on the GLX. Alderman Heuston asked for information from the study on proposed property values and Mr. Beane replied that he would obtain that information from the assessor.

The Assembly Square DIF discussed, including boundary, i.e., the area of the captured increment and a projection of how the values will increase, debt service payments and revenue increase alignments. Alderman White said there are 2 phases of streetscape and requested an analysis of the timing of that. He is concerned about the early years when there is a negative impact, i.e., the period of time before taxes from development start rolling in and it is costing the city money for infrastructure, etc.

RESULT:	KEPT IN COMMITTEE
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202235: 138 voters requesting a Public Hearing on Community Benefits Agreements and their potential to address displacement and uphold community values.

RESULT:	KEPT IN COMMITTEE
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202410: Planning Board conveying its recommendations re: #201843, a proposed Zoning

Amendment for Union Square.

RESULT:	KEPT IN COMMITTEE
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202409: Planning Board conveying its recommendations re: #200787, a Zoning Amendment to establish a minimum mixed use ratio.

RESULT:	KEPT IN COMMITTEE
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202357: That the City Solicitor appear before the Land Use Committee to explain the threshold that would require a new notice and hearing.

RESULT:	KEPT IN COMMITTEE
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202358: That a formula business restriction be added to the Union Square zoning amendment.

RESULT:	KEPT IN COMMITTEE
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202303: Union United submitting comments re: #201843, Union Sq zoning.

RESULT:	KEPT IN COMMITTEE
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202304: Bill Cavellini submitting comments re: #201843, Union Sq zoning.

RESULT:	KEPT IN COMMITTEE
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202320: Ed Marakovitz submitting comments re: #201843, Union Sq zoning.

RESULT:	KEPT IN COMMITTEE
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202392: Melissa Lowitz submitting comments re: #201843, Union Sq zoning.

RESULT:	KEPT IN COMMITTEE
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202393: 24 Action Network members submitting comments re: #201843, Union Sq zoning.

RESULT:	KEPT IN COMMITTEE
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202394: 12 Union Square business owners and 1 resident submitting comments re: #201843, Union Sq zoning.

RESULT:	KEPT IN COMMITTEE
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202395: 115 signers to a Chamber of Commerce petition submitting comments re: #201843,

Union Sq zoning.

RESULT:	KEPT IN COMMITTEE
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202396: Green and Open Somerville submitting comments re: #201843, Union Sq zoning.

RESULT:	KEPT IN COMMITTEE
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202397: Union Square Main Streets submitting comments re: #201843, Union Sq zoning.

RESULT:	KEPT IN COMMITTEE
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202398: State Representative Denise Provost submitting comments re: #201843, Union Sq zoning.

RESULT:	KEPT IN COMMITTEE
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202399: Wig Zamore submitting comments re: #201843, Union Sq zoning.

RESULT:	KEPT IN COMMITTEE
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Handouts:

- M. Niedergang email - (with 201843)
- Union Sq Infrastructure (with 201843)
- Union Sq Zoning Amendment - Meeting #7 (with 201843)