



CITY OF SOMERVILLE, MASSACHUSETTS
CLERK OF COMMITTEES

March 7, 2017
REPORT OF THE LAND USE COMMITTEE

Attendee Name	Title	Status	Arrived
Lance L. Davis	Chair	Present	
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	
John M. Connolly	Alderman At Large	Present	
Mary Jo Rossetti	Alderman at Large	Present	
Dennis M. Sullivan	Alderman At Large	Present	

Others present: Planning Board members (Capuano, Favaloro, Kelly-Gay, Amaral & Cooper), Michael Glavin - OSPCD, George Proakis - OSPCD, Charles Sillari - Clerk of Committees.

The meeting took place in the Aldermen's Chamber and was called to order at 6:16 PM by Alderman Davis and adjourned at 10:11 PM.

Approval of the February 7, 2017 Minutes

RESULT:	ACCEPTED
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Public Hearing: 202852 - AN AMENDMENT TO THE ZONING ORDINANCE MAP TO REZONE PROPERTIES ON EMERSON STREET AND A PORTION OF EVERETT STREET TO RESIDENCE B

Public Hearing open

Alderman Heuston explained her reasons for submitting this item, saying that the impact of the existing Neighborhood Business zoning on this residential neighborhood is not appropriate. The neighborhood could be hurt by the zoning that exists there right now. She wants to protect the neighborhood by inserting a placeholder until the new zoning kicks in. She explained how NB and RB differ and said the elements of RB are in line with the proposed zoning overhaul

designation for this neighborhood. She wants her fellow aldermen to make a consideration for this very small and precious neighborhood.

Several members of the public commented in support of the item saying that it is important to preserve the neighborhood and support its historical character, adding that the proposed change would hurt property owners. The owner of one property spoke in opposition.

Public comment closed.

Alderman Rossetti and Alderman White stated their support of the item. Alderman McLaughlin said people should start looking closer at the Union Square plan to be aware of the impacts on their neighborhoods. Alderman Sullivan said he supports the item and protecting the quality of life is more important than developer profit. Alderman Heuston said protecting neighborhoods needs to happen now.

Mr. Proakis said the Planning Board will leave the record open for a short period of time and give a recommendation. Mr. Capuano said the record will be kept open until 12:00 PM on March 10, 2017, to receive written comments. Mr. Capuano said that the Planning Board would take this item up at its next meeting.

AN UPDATED AMENDMENT TO THE ZONING ORDINANCE TO CREATE NEW CCD-55 AND CCD-45 COMMERCIAL SUBDISTRICTS, A NEW COORDINATED DEVELOPMENT SPECIAL PERMIT, A NEW UNION SQUARE OVERLAY DISTRICT, AND RELATED CHANGES TO ARTICLE 5 AND THE ZONING MAP

Mr. Proakis said he is keeping all information regarding this item on the city's website.

He said a covenant with the master developer involves a covenant for community benefits. A neighborhood council will be put together to work with the developer. The plan is very specific and there are issues of design development and community impact. The city will come up with the community benefits expected and make sure they are addressed. Mr. Proakis spoke about the current and proposed zoning, parking, FAR, open space requirements, special permits and a commercial core. Mr. Proakis showed what could be built under the current zoning and proposed zoning. The Post Office would remain the same because it is historic. He discussed 5 stories vs. 4 stories, affordable housing (off site vs. on site) and, the permitting process for affordable housing. He said there are more Land Use hearing scheduled to discuss open space and civic space and that he wants to bring in recommendations on that and the commercial/residential split. Shadow impacts will be discussed at future meetings. Alderman White asked for a better explanation of the D6 Block.

Public hearing open

Members of the public commented both for and against this item, expressing the following concerns:

- it is important to local businesses that Somerville grows and Union Square flourishes
- wants a written commitment from US2 that there will be no displacement and that commercial construction will be linked to residential construction

- asked that surety bonds be included in the proposal
- increasing the open space.
- the benefits the neighborhood needs and wants.
- seeking commercial space and jobs
- 30% open and green space.
- development and speculation pushes costs up and people out
- displacement is happening to immigrants
- ensure displaced families can come back to the neighborhood
- Community Benefits Agreement (CBA)
- developer has refused to meet with Union United.
- asked that the city be patient to allow the constituents to get their acts together
- ensure energy efficiency and carbon reduction
- US2 hasn't been willing to speak with the community about a CBA
- the city is taking on a great deal of debt and needs development
- many companies want to come to Somerville but the opportunities will be missed until the new zoning is passed
- supports affordable housing and green space
- Union Square is different than Assembly Square because Assembly was mostly a vacant lot and people live in Union Square
- developers have a right to make money but they must develop responsibly
- wants the jobs linkage fee
- city needs to pass the zoning to pay for future expenses
- the plan is not perfect but it was a community process
- development booms bring good things but also bring massive displacement
- wants a Memorandum of Understanding from US2 that they will negotiate a CBA
- wants more commercial development
- concerned about displacement
- displacement and eviction is violence against people
- green space and affordable housing must also exist
- housing prices are too high and renters feel powerless
- time to move forward and approve the zoning.
- community trust model.
- proposed zoning will improved the city and the square. 60% of the new development will be commercial and create 5000 jobs. New services will enhance vitality of the square. They are committed to provide community benefits and will work with the neighbors. Community benefits are in the current plan. US2 is a partner to develop the plans of the city, but need a clear and predictable path.
- subsidize creative businesses
- need a CBA and a neighborhood council, but zoning should not be held hostage
- not opposed to increased height of buildings as long as there is open space
- enforce the commercial development requirements and phasing of commercial development
- first year tax forgiveness
- people want to raise families here

- the city spends too much time going over things; Zoning is a way to create segregation; The banners outside don't matter
- zoning needs to move forward for permitting and marketing purposes, as the market could change and the project may not happen if we wait
- Mayor is putting the zoning forward to turn the city into a metropolis like NYC; taxes are going up and it's a developers' paradise and developers are not contributing enough

The Planning Board will keep the record open until 12:00 PM on March 31, 2017 to accept written testimony. Mr. Capuano asked Mr. Proakis to provide a report of comments received (as a staff memo) for the April meeting. Alderman Rossetti asked if the staff memo could be available by 3/31 so the public may see it before the public comment period is over.

Mr. Proakis said there are things in the proposal to deal with gentrification. He said regional demands cause these circumstances even if no more residential housing is ever built. House flippers will always be around. Most circumstances are far out of our control. He said it is important to have these conversations but the zoning is designed to address it. There will be a covenant surrounding the CBA signed and given to the BOA and Planning Board.

Public comment closed.

AN AMENDMENT TO THE ZONING ORDINANCE TO ADJUST THE DEFINITION OF NET FLOOR AREA, CLARIFY AFFORDABLE HOUSING REQUIRED IN RA AND RB DISTRICTS, AND CONFIRM THE PROCESS TO APPROVE SUBDIVISIONS, LOT SPLITS, LOT MERGERS AND LOT LINE ADJUSTMENTS

Mr. Proakis explained the reason for this item and how the language should be changed. He spoke about the zoning for North Point and said the Planning Board should handle subdivision.

Public Hearing open

One person spoke on this item, saying the new zoning will allow for small lots and she doesn't feel the small lots are right.

Public hearing is closed.

Mr. Proakis addressed member of the public's comments on subdivisions and clarified that 654 Mystic Ave is a lot split, not a subdivision. This item instructs people on how to do a lot split. It will clarify issues that come up.

The Planning Board and the Land Use Committee will keep the record open until 12:00 PM on March 10, 2017 to receive written comments.

AN UPDATED ARTICLE 16B IN THE CITY'S ZONING ORDINANCES, WITH ATTENDANT ZONING MAP CHANGES, TO ESTABLISH A MINIMUM MIXED USE RATIO IN DESIGNATED AREAS

Mr. Proakis explained what the changes are and mentioned hotel use being included in the commercial split. This will be discussed in more detail at future meetings. Alderman White

spoke about the original vision of Assembly Square in 1999 and said the city is better off now because they didn't rush into it.

Public hearing open.

Members of the public commented both for and against this item, expressing the following concerns:

- the BOA has done a good job listening to the desires of the public
- the city needs commercial revenue
- there is debt that needs to be dealt with
- change the definition of commercial to be a little less restrictive
- an opportunity to get the commercial development that we need
- commercial uses to be built before the developer can get residential building permits
- the phasing is critically important
- tax break mechanism is important
- would like to see the numbers pushed further with more affordable housing
- the city should dictate what we want to build

Public hearing closed.

The Planning Board will keep the record open until 12:00 PM on March 31, 2017 to accept written testimony.

202852: Requesting the adoption of an amendment to the Zoning Ordinance map to rezone Emerson Street and a portion of Everett Street to Residence B.

See discussion above.

RESULT:	KEPT IN COMMITTEE
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202853: Requesting an updated amendment to the Zoning Ordinance to create new CCD-55 and CCD-45 Commercial subdistricts, a new Coordinated Development Special Permit, a new Union Square Overlay District, and related changes to Article 5 and the Zoning Map.

See discussion above.

RESULT:	KEPT IN COMMITTEE
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202854: Requesting an amendment to the Zoning Ordinance to adjust the definition of Net Floor Area, clarify affordable housing required in RA and RB districts, and confirm the process to approve subdivisions, lot splits, lot mergers and lot line adjustments.

See discussion above.

RESULT:	KEPT IN COMMITTEE
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202864: Proposing an updated Article 16B in the city's Zoning Ordinances, with attendant Zoning Map changes, to establish a minimum mixed use ratio in designated areas.

See discussion above.

RESULT:

KEPT IN COMMITTEE

Handouts:

- Letter - Ford Law (with 202852)
- Comments - W Zamore (with 202853)
- Public Comments submitted via email