



CITY OF SOMERVILLE, MASSACHUSETTS CLERK OF COMMITTEES

March 11, 2020

REPORT OF THE LICENSES AND PERMITS COMMITTEE

Attendee Name	Title	Status	Arrived
William A. White Jr.	Chair	Present	
Wilfred N. Mbah	Vice Chair	Present	
Jefferson Thomas ("J.T.") Scott	Ward Two City Councilor	Present	

Others present: John Long-City Clerk, Steve MacEachern-DPW, Mark Lawhorne-DPW and several applicants and residents.

The meeting was held in the Committee Room and was called to order at 6:05 p.m. by Chairperson White and adjourned at 7:36 p.m.

Public Hearing - Item 209602 - Dog Kennel License

209602: Amending Dog Kennel License, Elliots House Pet Care and More, 230 Somerville Ave, adding overnight boarding for 10 dogs.

The Public Hearing was open with one resident in attendance along with the applicant's operation's manager and attorney. Three emails were received from residents and are included with the report. The applicant also submitted a petition signed by 300 people. The operations manager stated that the applicant has been in business for over 3 years in Somerville and over 7 years in a Stoneham location. The applicant stated that it has lost over \$150,000 due to the construction and roadwork in Union Square which has kept customers away. An overnight boarding for 20 dogs would help the applicant bring in additional business to offset the financial losses due to construction. The applicant is locked into a lease and their landlord has not given them a reduction in rent to offset their loss of business from the construction. Mr. Hardy, a neighbor who lives next to the applicant testified about the existing noise generated by the applicant during the day and his concern about noise in the evening. The three emails submitted by residents also raised concerns about the noise level in the area from the barking dogs.

Mr. Hardy also testified about the defective emergency lights outside of the building and a vent hole in the wall. He also asked that interior soundproofing be undertaken. The operations manager stated after 6 p.m., there would be no foot traffic in the facility and that the dogs would be tired due to their workouts during the day. As such, the applicant did not think that there would be dog barking in the evening. There also would be 1 employee staying overnight with the dogs to guarantee no noise. The applicant stated that the owner of the property had sprayed foam inside the roof and spent \$35,000 to sound proof the area.

Councilor Scott insisted that the applicant work with the owner to close the exterior hole in the building and repair the lights. He also requested that the applicant use appropriate interior sound proofing. The applicant was granted a 90 day conditional permit with the understanding that the applicant would have the outside vent pipe and defective lighting repaired by the owner. Also, the applicant would install appropriate sound proofing.

RESULT:	APPROVED WITH CONDITIONS
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Public Events

209721: Public Event License, HomeWork Energy Pop Up, various locations: Statue Park, Lincoln Park, or Nathan Tufts Park, Mar 1,2,4,6,7,8,9,11,13,14,15,16,18, 20,21,22,23,25,27,28,29,30, 9:30pm-6:15pm.

The original application was updated the request to dates later in March and in April. The applicant requests the license to set up tables at the specified locations to provide information to homeowners about a free energy audit through the MassSave program and the opportunity for homeowners to install certain items at no cost and then pay for other improvements with a payment and receive rebates from the utility., Members were concerned about the rather indefinite requests as to dates and times in the application. Councilor Scott also raised the concern as to whether this type of gathering should take place during the current coronavirus situation. The applicant agreed with Councilor Scott and stated that it

will resubmit their application with specific dates and locations at a later date after the public health concern.

RESULT:	PLACED ON FILE
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Lemon Law Audit

208446: MA Office of Consumer Affairs reporting on a recent audit of used car dealers' compliance with the Lemon Law posting requirements.

See item# 209128

RESULT:	PLACED ON FILE
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209128: Renewing Used Car Dealers License Class 2, Somerville Motors, 182 Washington St.

Owner appeared before the committee explaining that he is aware of the requirements for the Lemon Law and had previously was found to be in 100% compliance. The applicant explained that his family had a new baby during the time of the audit and also was running another family business. They are now 100% in compliance and have been in the location for 2 years.

RESULT:	APPROVED
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Grants of Location

208979: Submitted by Eversource to install 7 feet of conduit in Willow Ave from Pole

198/22 to a point of pickup at 201 Willow Ave.

Ms. Duffy from Eversource attended the meeting. The Chair read an email from Councilor Davis which stated the following in part. "Given that we are at the very early stages of scoping out a schoolyard redesign and that any outdoor space is a precious resource at this facility, I believe it is entirely appropriate that a decision on how that space is used -- and how any proposed budget for the project is allocated -- should be made based on input from the actual people who use the space daily and are best positioned to consider the appropriateness of the various options. The chair stated that Ward Councilor Davis was not contacted about this item prior to the request that it be heard by the Committee that evening. The Chair asked that the appropriate city staff contact Councilor Davis and address his concerns.

RESULT:	KEPT IN COMMITTEE
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208798: Small Wireless Facility License, ExteNet Systems attaching small cell equipment on a new pole replacing an existing pole at Trum Playground, 546 Broadway.

Ms. Ferrante stated that this has been resolved and waiting for the updated plans.

RESULT:	KEPT IN COMMITTEE
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209746: Small Wireless Facility License, ExteNet Systems attaching small cell equipment on an existing pole at 8 Howe St.

Agenda items 7 through 11 were discussed together. Ms. Ferrante stated there has been an agreement reached with the City Solicitor's office as to the timing of action on these license requests with a deadline of March 28, 2020. Items 7-11 were submitted under the prior ordinance and had already had public hearings and were reviewed by engineering, ISD, Lights & Lines Mr. Long stated that under new ordinance, a public hearing on the attachment of cell equipment to an existing pole is no longer required. If the applicant also wants to install a new pole, then a public hearing is required.

RESULT:	APPROVED
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209747: Small Wireless Facility License, ExteNet Systems attaching small cell equipment on an existing pole at 64 Temple St.

See item # 209746

RESULT:	APPROVED
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209748: Small Wireless Facility License, ExteNet Systems attaching small cell equipment on an existing pole at 107 Perkins St.

See item # 209746

RESULT:	APPROVED
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209749: Small Wireless Facility License, ExteNet Systems attaching small cell equipment

on an existing pole at 418 Washington St.

See item # 209746

RESULT:	APPROVED
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209750: Small Wireless Facility License, ExteNet Systems attaching small cell equipment on an existing pole at 154 Walnut St.

See item # 209746

RESULT:	APPROVED
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Dead Drops

208984: That the City Solicitor take all actions available to enforce any applicable law or regulation requiring utilities to remove wires that are no longer in use.

Mr. MacEachern stated they have not heard from Comcast, RCN or Verizon on the dead drops. There were discussions to make conditions upon permit applications and that the DPW Commissioner should keep addresses on a list of providers who have failed to remove deactivated lines to that the city council could take action on future permit requests by offending providers.

Councilor White's motion, **that the City Clerk add a condition to any Grant of Location that is issued to a communications company for a low-voltage connection to a customer: Conditioned, that whenever that customer's account is de-activated, the utility company must, within 30 days of the de-activation, remove the cable and notify the city of the de-activation,** was approved.

RESULT:	WORK COMPLETED
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209297: That the Commissioner of Public Works communicate with Comcast and report back to the Committee on Licenses and Permits with results of the request for removal of all dead drops.

RESULT:	WORK COMPLETED
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Handouts:

- Petition (with 209602)
- Comments (with 209602)
- Flyer (with 209721)