



# CITY OF SOMERVILLE, MASSACHUSETTS

## CLERK OF COMMITTEES

January 15, 2019  
REPORT OF THE LAND USE COMMITTEE

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

Others present: Dan Bartman - OSPCD, Sarah Lewis - OSPCD, Peter Forcellese - Legislative Clerk.

The meeting took place in the Committee Room and was called to order at 7:00 PM by Chairman Davis and adjourned at 9:40 PM.

### Approval of the November 27, 2018 Minutes

<b>RESULT:</b>	<b>ACCEPTED</b>
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### Approval of the December 4, 2018 Minutes

<b>RESULT:</b>	<b>ACCEPTED</b>
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### **205244: 15 registered voters proposing an amendment to the Zoning Ordinances by adding a new Ordinance 7.16 regulating certain buildings near heavily trafficked roadways.**

Mr. Bartman updated the committee on the status of the item, saying that work on the proposal is continuing. He has had discussions with scientists from CA about a variety of topics, including ways to measure air pollution, filters and the energy impacts of filters. Information about filtration was also available from the EPA. A major aspect of this initiative is determining where

this ordinance should be situated, e.g., in the municipal ordinances or zoning codes, in order to ensure that it may be enforced. Mr. Bartman expects to have a presentation ready for the committee in about 4 to 6 weeks.

The public hearing for this item was held on September 6th and the record (comment period) was closed on October 12<sup>th</sup>. Alderman Rossetti commented that the committee was told, this past November, that the Planning Department was very close to having a presentation ready. Mr. Bartman stated that OSPCD could re-advertise the old draft of the amendment in order to provide more time for the Planning Department to complete its work. Alderman Niedergang asked if a building project could go forward without having this new proposal in place and Chairman Davis replied that it's always a possibility. Ms. Lewis assured the members that there are no projects currently in the pipeline that would be affected by the proposal.

<b>RESULT:</b>	<b>KEPT IN COMMITTEE</b>
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**206481: 18 registered voters submitting a proposed Zoning Ordinance amendment to add a new Section 17.8 re: open space requirements for mid-rise and high-rise buildings.**

See item #207332

Mr. Bartman informed the committee that this item, as well as item #207332, have been advertised for a public hearing on January 29, 2019. The goals of each item are the same, but the methods for getting there vary. The Planning Department will have some information ready in time for the public hearing.

<b>RESULT:</b>	<b>KEPT IN COMMITTEE</b>
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**206747: Requesting the adoption of a New Zoning Ordinance (9/2018 update) to supersede the current Zoning Ordinance as originally adopted on March 23, 1990.**

Chairman Davis informed the members that he is planning to hold ten (regular) Land Use Committee meetings to deal with this item and, if the need arises, will schedule Committee of the Whole meetings accordingly. As this topic is important, Chairman Davis requested that all amendments be channeled through Mr. Bartman, adding that if the document's language is worked on with Mr. Bartman, it would speed up the process. Chairman Davis explained that he does not intend to have topical discussions on the proposal, therefore he asked that amendments be put forth as soon as possible. He explained that another public hearing will be necessary since the current time frame expires on March 19<sup>th</sup> and because there will most likely be substantive changes made to the document. The plan is to advertise the item for an April public hearing but meeting that timeframe will require that the "big ticket" language revisions are completed. Mr. Bartman advised the committee that a document showing any major changes must be ready for advertising on March 13<sup>th</sup> or 20<sup>th</sup> and Alderman Scott suggested that all amendments be submitted by January 31<sup>st</sup>.

Alderman Ballantyne asked about setting up a process whereby all aldermen would be able to review any amendments submitted. Mr. Bartman replied that as his focus will be to provide guidance, he feels that when an amendment is sent to him, he should format it before making it available to the aldermen. He asked that aldermen send him their initial language for an amendment, as well as the amendment's objective, and then work with him on it. Once

amendments are formatted, he will circulate them among the aldermen and Chairman Davis will add them to the committee meeting agendas. Alderman Niedergang commented that he has many amendments that he will submit and he asked that they be circulated in time for discussion by the committee.

Mr. Bartman gave a presentation that summarized comments received from the public and noted that of all the proposed revisions put forth, this one received the least amount of public comment. Some of the areas of concern dealt with the zoning map, residential districts, building types, carriage houses, uses, development standards, parking, overlay districts, open space, affordable housing and permitting.

The Planning Department has reviewed the various building types with the SFD to secure their input with regard to fire safety. Alderman Niedergang inquired about up-zoning in Davis Square and Mr. Bartman responded by saying that since nothing has yet to be planned, it's not reflected in the zoning proposal. Chairman Davis commented that he would like to incorporate some up-zoning into the proposal. Alderman Niedergang pointed out that it would be helpful to know what can be built in UR districts and Mr. Bartman will provide some information. A distinction was made regarding the term "triple decker" wherein a triple decker is defined as having a flat roof and stacked units. A house that does not meet those criteria and has 3 living units is called a (3 family) home. The zoning code treats these buildings differently.

<b>RESULT:</b>	<b>KEPT IN COMMITTEE</b>
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**207332: Submitting proposed amendments the Zoning Ordinance to establish new open space requirements in the Assembly Sq Mixed Use District, Transit Oriented Districts, and Planned Unit Developments.**

See item #206481

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

- Proposed Zoning v3-Update 1-15-2019 (with 206747)