



CITY OF SOMERVILLE, MASSACHUSETTS CLERK OF COMMITTEES

June 8, 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	Absent	
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: Joe Curtatone - Mayor, Frank Wright - Law, Eileen McGettigan - Law, 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 6:08 PM by Vice Chair Alderman Heuston and adjourned at 9:46 PM.

This meeting was recorded and is available for viewing online at www.somervillema.gov/unionsquare along with the materials presented.

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.

Alderman Heuston discussed the needs of the Police and Fire Departments and spoke about the middle class needing to be protected so they can remain in the city.

Chairman Davis went over the changes to the language in sections 6.7.6. D and 6.7.10 G 1 and Alderman Niedergang's motion to make both of the above mentioned changes together, was approved. (See language in Exhibit "A" attached hereto)

Ms. McGettigan went over the changes made at last night's meeting and discussed the cost of mediation and the steps to get a mediator involved. Chairman Davis said he wants to make sure

that the goal of the neighborhood councils are accomplished and he wants to make sure that all parties show up for mediation.

Alderman Heuston's motion **that the Administration incorporate into the Development Covenant with US2, a requirement that "Area Standard Contractors" be used in all phases of construction related to the Union Square Development**, was approved.

Alderman Niedergang strongly supports this resolution and stated that Callahan Construction has violated many laws in Assembly Square. Alderman McLaughlin also supports this resolution and wants something stronger than what was seen at Assembly Square. Aldermen McWatters, Ballantyne and Sullivan also support this resolution

- The meeting was recessed at 7:10 PM to allow the scheduled BOA meeting to begin.
- The Land Use Committee meeting was called back to order at 8:34 PM.

Chairman Davis discussed off-site compliance for inclusionary housing.

Alderman White's motion to strike D, E and F were approved.

A motion to add a new 6 and 7 was approved.

A motion to have the word "shall" included was approved.

Responding to a question by Alderman Ballantyne about the amount of a bond or letter of credit to ensure compliance, Mr. Proakis said it would be an amount sufficient to achieve what is trying to be achieved if the developer failed to do so

Language regarding transferring parks back to the city was discussed.

Section 6.7.7 Sub-districts were discussed. Chairman Davis said that D3 should have a section of commercial only and Mr. Proakis said there is no high rise commercial, only sub-district. Chairman Davis would like to look at the possibility of making D3 commercial, adding that he doesn't feel incredibly strong about this, but it's worth a discussion. Alderman Niedergang likes the idea and said it would ensure housing doesn't get put there. Mr. Proakis informed the committee that a map amendment might trigger a new public notice requirement. Alderman Connolly is concerned because the solicitor and planning director have such extreme reservations about this.

Neighborhood meetings and design review for civic space was discussed. The idea is to have the same community input as there is with public parks. Alderman Ballantyne wants language to enforce the use of native species plants. Alderman Rossetti asked if the lighting section should note the Dark Sky language and Mr. Proakis explained how the Dark Sky language will be incorporated. Alderman Heuston expressed concern about trash receptacles being placed by the developer, but picked up by the city and she wants to make sure the trash barrels are city standard.

Civic space design guidelines, high rise districts and mid rise districts were discussed.

Alderman Ballantyne made a motion to amend section 6.7.10 to include language just stricken from amendment.

The Green Roof incentive, accessory vehicle parking, creation of an association for parking, development standards and formula businesses were discussed. Alderman Niedergang said that he wants to make it as difficult as possible to get a parking bonus and he also discussed a sunset clause to make the developer re-apply. Mr. Proakis said there have been sunset clauses on temporary parking lots and Alderman Niedergang would like to add sunset clause language for parking requested but not built within a particular time frame.

Alderman Niedergang made a motion to add sunset clause language in the section dealing with the maximum number of parking spaces.

Parking cars on top of parking garages was discussed and Alderman Ballantyne stated her preference for a soccer field on the roof of the garage. Mr. Proakis discussed structured parking language on page 55 and quoted language about green roofs, solar panels and covers on garage roofs. Alderman Rossetti's motion to add recreational athletic fields to list of allowed uses on garage roofs, was approved. Alderman Niedergang's motion to remove the language "coordinated development", was approved.

Mayor Curtatone told the committee that opportunity impacts need to be looked at and financial opportunity needs to be considered. He said that a Mass Works reimbursable grant must be considered and if the zoning gets blown up, the grant will go away and the city could lose \$13 million.

Alderman Niedergang said that he is minimally satisfied with the proposal and it is time to move forward. Alderman Rossetti spoke about certain aspects of the proposal that she likes, adding that this is not an easy vote, but that it must happen. Alderman McLaughlin said he will vote NO. He said the process was bad and he hopes that US2 respects the covenant. He respects and admires the BOA for going through the process. Alderman White said this is a negotiation and that the covenant has things in it that allow the BOA to have a say. He said 60% commercial is good for the city. Aldermen Sullivan, McWatters, and Heuston spoke in favor of the zoning amendment. Alderman Ballantyne said she would vote for the zoning amendment. Chairman Davis said it's not perfect but he is voting for it.

The item was approved on a Roll Call vote with the incorporated amendments in the document marked as June 8, 2017 - Final.

RESULT:	APPROVED AS AMENDED. [9 TO 1]
AYES:	Davis, Niedergang, White Jr., Heuston, McWatters, Ballantyne, Connolly, Rossetti, Sullivan
NAYS:	McLaughlin
ABSENT:	Lafuente

Tabled Item: Motion by Alderman Niedergang to change the percentage listed in Section 6.7.6 (d)(1) of the Amended Zoning Ordinance - Union Square, from 10% to 30%

This item was tabled at the June 7, 2016 Land Use Committee meeting. Alderman Niedergang withdrew his table motion from last evening and said he would like to submit a new motion. He stated that it is now clear that this it is a complex issue and that his intention is to get more 3 bedroom units. Mr. Proakis discussed the proposed ordinance and how it provides a bonus for additional 3 bedroom units. Chairman Davis said he is concerned with the mechanism for offsite

compliance and he discussed the 10% requirement and how it is dispersed amongst the project. Alderman Rossetti said she was on board with Alderman Niedergang's motion last night, but now she is not, since she wants families to be able to live in the city. Alderman White discussed the drop off of enrollment in the schools and said it's because people don't have enough bedrooms.

Handouts:

- USOD as of 6-8-17 (with 202853)
- USOD June 8, 2017 Final (with 202853)
- Development Covenant - 06-08-17 (with 202853)