



City of Somerville, Massachusetts

City Council Land Use Committee

Meeting Minutes

Thursday, October 20, 2022

6:30 PM

This meeting was held via GoToWebinar and was called to order by Chair Ewen-Campen at 6:31 pm and adjourned at 8:03 pm. Councilor McLaughlin moved to adjourn, and the motion was approved by unanimous roll call vote.

Others present: Dan Bartman - OSPCD, Stephanie Widzowski - Assistant Clerk of Committees.

Roll Call

Present: Chairperson Ben Ewen-Campen, Vice Chair Lance L. Davis, Beatriz Gomez Mouakad, Matthew McLaughlin and Kristen Strezo

1. Committee Minutes (ID # [22-1620](#)) Approval of the Land Use Committee Minutes of September 1, 2022.

RESULT: APPROVED
AYE: Chairperson Ewen-Campen, Ward Five City Councilor Gomez Mouakad, Ward One City Councilor McLaughlin and City Councilor At Large Strezo
ABSENT: Vice Chair Davis

2. Committee Minutes (ID # [22-1702](#)) Approval of the Land Use Committee Minutes of October 6, 2022.

RESULT: APPROVED
AYE: Chairperson Ewen-Campen, Ward Five City Councilor Gomez Mouakad, Ward One City Councilor McLaughlin and City Councilor At Large Strezo
ABSENT: Vice Chair Davis

3. Mayor's Request (ID # [22-1431](#)) Requesting ordainment of an amendment to the Somerville Zoning Ordinance Articles 4 (Mid Rise Districts), 5 (High Rise Districts), 6 (Commercial Districts), 8 (Overlay Districts), and 9 (Use Provisions) to permit additional uses for any ground story commercial space fronting a Pedestrian Street.

RESULT: RECOMMENDED TO BE APPROVED
AYE: Chairperson Ewen-Campen, Ward Five City Councilor Gomez Mouakad, Ward One City Councilor McLaughlin and City Councilor At Large Strezo

NAY: Vice Chair Davis

4. Mayor's Request
(ID # [22-1430](#))

Requesting ordainment of an amendment to the Somerville Zoning Ordinance Article 3, Residence Districts and Article 9, Use Provisions, to permit the adaptive reuse of commercial building types in the NR and UR zoning districts.

Dir. Bartman called attention to a nuance in this item where arts uses used to read as permitted on the overall use table, but were written out to allow use of nonconforming commercial buildings. This has been added to the table for clarity. Councilor Davis moved to recommend approval.

RESULT: **RECOMMENDED TO BE APPROVED**

AYE: Chairperson Ewen-Campen, Vice Chair Davis, Ward Five City Councilor Gomez Mouakad, Ward One City Councilor McLaughlin and City Councilor At Large Strezo

5. Public
Communication
(ID # [22-1407](#))

Boynton Yards LandCo LLC requesting approval of the attached Land Conveyance petition for Boynton Yards.

Dir. Bartman explained that this is a mandated process in some cases and that conveyance is a way to transfer ownership when required to publicly dedicate that land. Boynton Yards LandCo LLC is giving ownership of land parcels to the city.

RESULT: **RECOMMENDED TO BE APPROVED**

AYE: Chairperson Ewen-Campen, Vice Chair Davis, Ward Five City Councilor Gomez Mouakad, Ward One City Councilor McLaughlin and City Councilor At Large Strezo

6. Order
(ID # [22-0668](#))

By Councilor Gomez Mouakad, Councilor Wilson and Councilor Strezo That the Director of Mobility consider including Electric Vehicle charging station requirements in Section 11 of the Zoning Ordinances.

Councilor Gomez Mouakad said she discovered Boston’s Electric Vehicle (EV) readiness policy, which requires a portion of parking for certain types of projects to be EV-ready. She said she would do it differently from Boston because most charging happens at home, so she would install fast chargers for onsite stations. She said that some developers are doing this already and constituents have been asking, but wants an opinion on the item because infrastructure is required for EVs.

Dir. Bartman said that there are a few frustrations about regulating EV charging and that what Somerville can do compared to Boston is low. The first hurdle is the MGL 40A enabling act - in effect for every Massachusetts community except Boston - that prohibits regulations already covered by

building code. That includes energy code, which recently claimed jurisdiction over EVs. Dir. Bartman said that Somerville will need to go through Mobility planning to enact legislation. Mobility is working with OSE to get parking spaces pre-wired so that they can have stations installed in the future.

Chair Ewen-Campen asked about the possibility of including charging station requirements in overlay districts. Dir. Bartman said that is possible, but the city would need to be careful about building code restrictions. Councilor Gomez Mouakad asked if it would be helpful to have a set of guidelines to encourage developers to work with OSE, to which Dir. Bartman said it could help, as well as having prerequisites for development.

Councilor Davis asked if there was any thought to forcing the issue. Dir. Bartman said it was possible. He added that there was a similar question with natural gas hookups, and the city was advised it would also preempt building code. Councilor Davis commented that he felt a distinction could be drawn between EV charging and natural gas.

Chair Ewen-Campen encouraged Councilor Gomez Mouakad to continue work on this item outside of committee meetings and offered his support if she wanted to work with planning staff through zoning. He asked for clarification if a charger ready spot would be ready to use, or if it just denotes enough space for a charger to be installed. Councilor Gomez Mouakad replied that it is more vague than that, as EV technology changes constantly, but it is more about space requirements.

RESULT: RECOMMENDED TO BE MARKED WORK COMPLETED

- 7. Order (ID # [22-0669](#))

By Councilor Gomez Mouakad
That the Superintendent of Inspectional Services review the durability and structural stability of materials used to comply with Section 10.8 of the Zoning Ordinances and explore rewriting that section to provide more specific requirements.

Councilor Gomez Mouakad pointed out a typo in the item and that the section in question is Section 10.7, not 10.8. She commented on seeing equipment on residential heat pumps made with shoddy materials and said that they should either rethink whether this section is appropriate for residential areas, or restrict what kinds of materials are allowed. Dir. Bartman agreed that the issue is becoming widespread and said that ISD should be involved in the conversation, because they frequently confront utility companies to get equipment installed in the right places. He added that he would be fine with putting more specific standards in the code.

Chair Ewen-Campen said that he does not want to make it difficult for

homeowners or local landlords to make updates, and that the situation is “a double-edged sword” since the city cannot differentiate legally between developers and homeowners.

RESULT: KEPT IN COMMITTEE

- 8. Order (ID # [22-0050](#))

By Councilor Clingan and Councilor Ewen-Campen
That the Administration present specific plans to this Council to advance the long-awaited affordable housing components of the Union Square redevelopment on the "D2.4" and "D4.3" parcels.

Dir. Bartman said that he met with the Executive Director of OSPCD about this, who is planning to meet with the Mayor this week and next. The plan is to finalize the details soon and then meet both with the Neighborhood Council and US2. He said that there are about 20 different items to address, with a number of things mandated in the new permit. The most recent delay was due to COVID cases, but plans should be moving forward soon.

RESULT: KEPT IN COMMITTEE

- 9. Officer's Communication (ID # [22-1442](#))

Planning Board Chair conveying the Planning Board's recommendations for proposed amendments to the Somerville Zoning Ordinance, items #213430, #213601, #213705, #213807, and #213886.

RESULT: RECOMMENDED TO BE PLACED ON FILE

- 10. Ordinance (ID # [22-0467](#))

By Councilor Scott
Proposing a zoning map amendment to change the zoning district of the contiguous parcels containing 250-256 Somerville Avenue and 5-27 Allen Street (odd side only: 5-7, 9, 11, 13, 17, 21-23, and 27) from Urban Residence (UR) to Neighborhood Residence (NR).

RESULT: RECOMMENDED TO BE PLACED ON FILE

- 11. Ordinance (ID # [22-0468](#))

By Councilor Scott
Proposing a zoning map amendment to change the zoning district of the contiguous or abutting-across-a-public-way parcels of 29-31, 33-35, and 37-39 Allen Street (odd side only) and 34 Allen Street from Urban Residence (UR) to Commercial Business (CB).

RESULT: RECOMMENDED TO BE PLACED ON FILE