

Madalyn Letellier

From: Jenny Raposo [REDACTED]
Sent: Monday, April 6, 2026 11:28 AM
To: Public Comments; Ben Ewen-Campen; Jesse Clingan; Lance Davis; Matthew McLaughlin; Naima Sait; All City Council; OSPCD; Mayor; City Clerk Contact
Subject: Opposition to Proposed Zoning Text Amendments – File Nos. 26-0327, 26-0328, 26-0329, and 26-0330 (submitted by William A. White, Jr. and 29 registered voters – the “White Petition” – certified March 5, 2026)

This email is from an external source. Use caution responding to it, opening attachments or clicking links.

Dear Members of the Land Use Committee, Planning Board, City Council, OSPCD, and Mayor’s Office:

I write to respectfully urge you to reject in full the four amendments set forth in File Nos. 26-0327, 26-0328, 26-0329, and 26-0330 (the White Petition) to Somerville Zoning Ordinance Sections 3.1.12 & 10.2.1, 3.12, 12.1.2, and 15.7.2, certified by the Board of Election Commissioners on March 5, 2026. The White Petition seeks to unwind duly-adopted zoning that was deliberately chosen after years of public process to increase housing supply while complying with state law. Approval would reduce housing production, raise costs, reverse recent gains, and expose the City to legal and financial risks.

Housing Production and Policy Harm

Somerville faces a severe housing shortage; rents are among the highest in the region, and young families, immigrants, and working-class households are being priced out. The City has both a moral and practical obligation to expand supply. The current Zoning Ordinance (adopted 2019 and amended for MBTA compliance) has already produced a substantial increase in backyard cottage and ADU permits—exactly the gentle-density infill the City needs. The four amendments would materially reduce housing production:

- **Ancillary-only rule (Sections 3.1.12 & 10.2.1):** Eliminates flexible redevelopment and will reduce the supply of available units. This type of policy will be an impediment to homeowners eager to increase housing stock, as many prefer not to become landlords and would rather maintain condominium starter-home ownership options.
- **900 sq. ft. hard cap (Section 3.12):** Current practice allows ~1,500 sq. ft. of viable cottages. The new limit would produce only small studios or one-bedroom units that few families find suitable. Builders would likely stop constructing them. Capping the GFA at 900 SF will have the effect of eliminating all basements below the cottage, which typically are used as bedrooms, storage, and mechanics. Not allowing basements would hinder the efficient use of space and push families away from these units.
- **Eliminating minor Site Plan Approval (Section 15.7.2):** Introduces unnecessary delay. The existing administrative process already includes engineering review and is public. Full ZBA hearings would add months of delay and substantial costs, effectively granting abutters veto power. Developers would cease lot splits, resulting in fewer total units. All recent development and lot splits have been entirely zoning compliant. The Zoning Ordinance was a result of master studies and neighborhood input, yielding zoning standards and regulations we now rely on. A newly created lot must meet all dimensional requirements set forth in the Somerville Zoning Ordinance, and all construction on those lots must fully comply. Due to their compliant nature with the underlying zoning, OSPCD has

determined that Minor Site Plan Approval (Administrative Process) is most appropriate for this development type.

- **20% affordable mandate on lot splits (Section 12.1.2):** Undermines missing-middle housing. Typical NR lot-split + cottage projects create 5–8 units; the requirement would render them economically unfeasible on small urban lots. The City previously exempted three-unit + cottage projects; reversing this penalizes the precise scale most needed. Fewer units built would mean higher prices. Cambridge has completed numerous studies on this matter and has amended their zoning to allow for 10 units per lot with no affordable units. This is due to the economic reality of development at this scale per Dan Bartman comments below.

Broader policy harm: Housing supply is the most effective tool for improving affordability. Replacing outdated stock with 4–8 modern units is a net positive that adds homes and enhances energy efficiency. Restricting this process accelerates gentrification by constraining supply. Condominium cottages provide ownership pathways for middle-class and immigrant families—the same pathways many residents historically used in Somerville.

Clear case study from City’s own experience: As City Planner Dan Bartman noted during the 2023 MBTA compliance process, no new three-unit buildings were constructed in Somerville after the 2019 zoning changes precisely because of the affordable-housing requirement attached to the third unit. This is a direct illustration of how affordability mandates at this scale chill housing production in the NR district.

Legal and Compliance Risks

Every development criticized in the White Petition complies fully with the Zoning Ordinance as adopted by the City Council in 2019 and amended in 2022–2023 specifically to satisfy the MBTA Communities Act and related state housing statutes. The NR district provisions were the precise mechanism selected after public hearings to permit multi-family housing by right. The White Petition seeks to undo a duly-enacted comprehensive plan.

MBTA Communities Act (G.L. c.40A §3A): Somerville must maintain a district (NR) in which multi-family housing is permitted as of right (subject only to ministerial review) at the minimum densities prescribed by statute. Amendment 1 (Sections 3.1.12 & 10.2.1) reintroduces discretionary barriers to the by-right four-unit allowance. Amendment 3 (Section 15.7.2) imposes discretionary ZBA hearings for lot splits. Amendment 4 (Section 12.1.2) creates unequal, project-specific burdens. These changes risk noncompliance, Attorney General enforcement actions (already initiated against multiple municipalities in 2026), and the loss of discretionary state grant funding.

2024 Affordable Homes Act (statewide ADU law): Municipalities must permit detached backyard cottages/ADUs by right up to the lesser of 900 square feet or ½ the gross floor area of the principal dwelling and may not impose unreasonable restrictions. Amendments 1 and 2 (Sections 3.1.12, 10.2.1, and 3.12) directly conflict with this mandate. Somerville’s current code exceeds the state minimum; tightening it would invite state preemption or scrutiny.

Uniformity requirement (G.L. c.40A §4): Imposing discretionary special-permit-level review on otherwise compliant lot splits (Amendment 3, Section 15.7.2) violates the uniformity mandate. It delegates spot-zoning authority to the ZBA without objective standards.

Lot-split process (Section 15.7.2): Somerville’s existing minor Site Plan Approval is a lawfully adopted, streamlined mechanism for verifying zoning compliance. Eliminating it in favor of full ZBA hearings introduces unwarranted discretion and contradicts the City’s certified MBTA compliance strategy.

Developer lawsuit exposure: Property owners and developers who have acquired parcels and incurred substantial costs in reliance on the current rules could assert regulatory takings or equitable estoppel claims. Any litigation would impose defense costs, delays, and market uncertainty.

The City previously considered and declined to adopt this exact policy change for lot splits in File #24-1315 (December 2024). The legal analysis submitted at that time (Silverstein letter and Mullane memo) remains fully applicable and should be given substantial weight.

Additional Contextual Points

The petitions are driven by a core group of the same NR-district homeowners. The 14-voter and 29-voter signature packets show nearly complete overlap (including spouses and family members at the same addresses). All signers except William A. White, Jr. (who lives in an ASMD condo) own or co-own the properties they listed, and all listed addresses (except White's) are in the NR zoning district. This is not a broad cross-section of residents; it is existing NR homeowners seeking to restrict the same rules that apply to neighboring lots.

There are no changed circumstances or new evidence that justify revisiting—and reversing—the City's prior policy choices. The current administrative process for compliant lot splits continues to deliver housing exactly as intended under the MBTA Communities Act and the 2019 zoning overhaul.

Conclusion and Recommendation

I respectfully request that you reject File Nos. 26-0327, 26-0328, 26-0329, and 26-0330 in their entirety and preserve the current Zoning Ordinance that continues to deliver additional housing for Somerville residents.

Thank you for your time and consideration.

Sincerely,

Jenny
--

Jenny Raposo
Real Estate Advisor



[The Encompass Group | Your Somerville Real Estate Experts](#)



Madalyn Letellier

From: Danny Resendes [REDACTED]
Sent: Monday, April 6, 2026 11:46 AM
To: Public Comments; Naima Sait; Lance Davis; Mayor; Jesse Clingan; OSPCD; All City Council; City Clerk Contact; Ben Ewen-Campen; Matthew McLaughlin
Subject: Re: Opposition to Proposed Zoning Text Amendments – File Nos. 26-0327, 26-0328, 26-0329, and 26-0330 (submitted by William A. White, Jr. and 29 registered voters – the “White Petition” – certified March 5, 2026)

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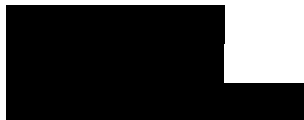
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Conclusion and Recommendation

I respectfully request that you reject File Nos. 26-0327, 26-0328, 26-0329, and 26-0330 in their entirety and preserve the current Zoning Ordinance that continues to deliver additional housing for Somerville residents.

Thank you for your time and consideration.

Best Regards,
Danny Resendes
Modern Electric, Inc.



Madalyn Letellier

From: Danny Resendes [REDACTED]
Sent: Monday, April 6, 2026 2:04 PM
To: Naima Sait; Lance Davis; Public Comments; City Clerk Contact; Mayor; All City Council; Jesse Clingan; Matthew McLaughlin; OSPCD; Ben Ewen-Campen
Subject: Re: Opposition to Proposed Zoning Text Amendments – File Nos. 26-0327, 26-0328, 26-0329, and 26-0330

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April 6, 2026

Land Use Committee
Planning Board
City Council
Office of Strategic Planning & Community Development (OSPCD)
Mayor's Office
City Hall
93 Highland Avenue
Somerville, MA 02143

Re: Opposition to Proposed Zoning Text Amendments – File Nos. 26-0327, 26-0328, 26-0329, and 26-0330

(Submitted by William A. White, Jr. and 29 registered voters – the “White Petition”)

Dear Members of the Land Use Committee, Planning Board, City Council, OSPCD, and Mayor's Office:

I am writing to oppose and respectfully urge you to REJECT ALL FOUR proposed zoning text amendments contained in File Nos. 26-0327, 26-0328, 26-0329, and 26-0330 (the White Petition) to Somerville Zoning Ordinance Sections 3.1.12 & 10.2.1, 3.12, 12.1.2, and 15.7.2, certified by the Board of Election Commissioners on March 5, 2026.

These piecemeal changes were introduced without adequate city-led planning, impact analysis, or robust public engagement. Several provisions are vague or conflicting with existing code, creating legal uncertainty and inviting uneven enforcement.

I respectfully request that you reject File Nos. 26-0327, 26-0328,

26-0329, and 26-0330 in their entirety and preserve the current Zoning Ordinance that continues to deliver additional housing for Somerville residents.

Thank you for your time and consideration.

Best Regards,
Danny Resendes
Somerville Developer
