



# CITY OF SOMERVILLE, MASSACHUSETTS

## CLERK OF COMMITTEES

June 6, 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	Present	
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, Michael Glavin - OSPCD, Tom Galligani - OSPCD, George Proakis, Eileen McGettigan - Law, Frank Wright - Law, Dan Bartman - OSPCD, Wig Zamore, Charles Sillari - Clerk of Committees.

The meeting took place in the Aldermen's Chamber and was called to order at 7:14 PM by Alderman Davis and adjourned at 10:52 PM.

This meeting was recorded and is available for viewing online at [www.somervillema.gov/unionsquare](http://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 White would like to put something in the covenant so that anything changed in the covenant would be subject to BOA approval and the Mayor said he would come back with appropriate language to address "material" changes. Alderman Niedergang said he needs more in the covenant before he can approve the zoning, saying that they are linked. Alderman McLaughlin would like language in the covenant about post construction jobs, prevailing wages and local hiring.

Mr. Proakis discussed building types, explaining that one principal building type can be built on each lot. He said front yard parking is not allowed and that the number of stories is what will establish building heights. Alderman Heuston expressed concern about defining building heights with stories, noting that people are concerned about not defining heights by actual feet. Mr. Proakis tried to explain how to figure the actual height of a building based on stories. Different variations of story heights and window heights were discussed and Mr. Bartman explained why certain types of windows are preferred. Alderman McLaughlin asked if community art and murals can be encouraged in zoning. Alderman Heuston asked about the building code definitions for mechanicals. Maximum building widths, floor plate maximums, visibility of parking structures, required outdoor space (e.g. balconies/roof decks), setbacks and the addition of continuance performance language were discussed.

Aldermen Ballantyne and White voiced their objections to the idea of cars being parked on top of a parking structure and Chairman Davis asked for an explanation of the lined parking structure. Members suggested making the definitions clearer by providing examples. Mr. Proakis will research the most effective way to not park cars on the top deck of the parking garage. Alderman Heuston asked about civic space between D62 and D61. She also mentioned an opportunity to do something different in addition to the standard options. Alderman McWatters asked how to police the noise ordinance and Mr. Proakis explained how violations could be addressed.

Mr. Proakis discussed the approval process, design review and neighborhood meeting process for each building to be built. LEED certification was discussed and members were informed that determining whether a building is certified comes after a building is finished and that certification would be done by a person that is certified in LEED science. Alderman Rossetti asked how a certificate of occupancy could be held back if the building is not LEED certified and Alderman White would like the public to weigh in on certification requirements. Chairman Davis asked how many 50,000 square foot buildings would be rated gold or silver and Alderman Rossetti asked which buildings those would be, as she wants to be sure the percentage of affordable housing will get the benefit of gold status. Mr. Proakis will look at whether the impact will be to the owner or the resident. Chairman Davis wants to make sure the quality of construction in affordable units is comparable to the market units.

Mr. Proakis discussed green roofs and Alderman Niedergang asked if the Director of Capital Projects has signed off on the green roofs and storm water management. Chairman Davis asked about green roof maintenance.

Alderman Ballantyne discussed civic and institutional space falling under commercial and asked for a clarification because she views commercial as tax producing properties. Chairman Davis asked if the city is permitted to specify that the offices and design services are for-profit entities and he requested an answer from the Law Department. He referenced the situation at Assembly Square. Solicitor Wright will get back to the committee on this.

The committee discussed vehicular parking for commercial services and Mr. Proakis explained the strategy of parking so that parking is not for a particular building, but can be used by multiple buildings. He wants to manage a pool of parking so nobody else builds parking that is not needed.

Alderman Ballantyne for a definition of “lodging” under accessory uses and Chairman Davis expressed concerned about the requirement that a person must have housing elsewhere in order

to obtain lodging at a hotel or hostel. He is concerned that homeless people will not be able to stay there. Alderman McLaughlin doesn't want really wealthy people to stay at hotels and take units off the market for those that need it and he is concerned about large residential towers being built all around the country with nobody living in them. Alderman Heuston wants to strike "that has residences elsewhere", saying that will be good enough, but would not allow the hotels to turn into dormitories.

**RESULT:**

**KEPT IN COMMITTEE**

**202854: Requesting an amendment to the Zoning Ordinance to adjust the definition of Net Floor Area, clarify affordable housing required in RA and RB districts, and confirm the process to approve subdivisions, lot splits, lot mergers and lot line adjustments.**

Mr. Proakis told the committee that this item must be acted upon by June 15, 2017 and that there are a couple of development projects waiting on this item. The Net Floor Area issue will add closets and attics to the definition, but for now, it will suffice until the overhaul draft is completed. Alderman White moved to approve this portion of the item to approve the amendment to the Net Floor Area definition. Affordable housing was discussed and a suggestion was made to make it 20% across the board. Sub-division and lot splits were discussed and Alderman White asked for a section in the zoning ordinance to clarify how it would work. Alderman McLaughlin asked if this would change the affordable housing requirements and was informed that there may be challenges where a sub-division could allow someone to avoid the affordable housing threshold. A motion by Alderman White to approve all of the proposed amendments on this item was approved.

**RESULT:**

**APPROVED**

**Handouts:**

- 2008 Parks and Open Space Inventory (with 202853)
- Height Chart (with 202853)
- Memo 1 - Zoning Updates (202853)
- Memo 2 - Covenant Updates (with 202853)
- Phasing Information (with 202853)
- Proposed Ordinance Amending to Exclude Closets and Attics
- Union Square Zoning Land Uses submitted by Alderman Ballantyne (with 202853)
- USOD as of 6-6-17 (with 202853)
- USOD Proposed Zoning Amendments submitted by Alderman Ballantyne (with 202853)