



City of Somerville, Massachusetts

City Council Land Use Committee

Meeting Minutes

Thursday, May 2, 2024

6:30 PM

Joint meeting with the Planning Board

This meeting was held via Zoom and was called to order by Chair McLaughlin at 6:31pm and adjourned at 7:30pm with a roll call vote of 5 in favor (Councilors Wilson, Pineda Neufeld, Ewen-Campen, Davis and McLaughlin), none opposed, and none absent.

City Staff: Elyse Belarge – Office of Sustainability and Environment, Christine Blais – Director of Sustainability and Environment, Natasha Frazier – Assistant Clerk of Committees, Emily Hutchings – OSPCD, Kimberley Hutter – Intergovernmental Affairs. Planning Board: Michael Capuano – Chair, Amelia Aboff – Vice-Chair, Michael McNeley, Debbie Howitt Easton, Luc Schuster, Jahan Habib – Clerk.

Roll Call

Present: Ward One City Councilor Matthew McLaughlin, Ward Six City Councilor Lance L. Davis, Ward Three City Councilor Ben Ewen-Campen, Ward Seven City Councilor Judy Pineda Neufeld and City Councilor At Large Jake Wilson

Public Hearing

1. Mayor's Request (ID # [24-0416](#)) Requesting ordainment of an amendment to Article 2, Article 3, Article 4, Article 5, Article 8, and Article 10 of the Zoning Ordinances to remove conflicts with the State Building Code.

Director Blais gave a presentation titled “Sustainable Zoning 2024: What's next for Somerville?” The full presentation is available to the public online. During the presentation, Director Blais described portions of the Somerville Zoning Ordinance that were passed in December of 2019. She stated that this ordinance is part of Mayor Ballantyne’s vision for a carbon net-negative future and that the State caught up with and then went beyond this ordinance by enacting the Specialized Energy Code in 2023, which the City immediately adopted and enacted. The Specialized Energy Code resulted in the amendments being discussed in this meeting. Director Blais’ office aims to remove the conflicting language between the City ordinance and the State code and provided an anticipated timeline in her presentation for doing so. After researching and developing new language, her office’s priority is to make policy recommendations and submit them to the Mayor, and eventually to the City Council as well.

Member Schuster of the Planning Board asked if the City is considering leveling up in zoning code rather than leveling down in terms of permissible density. Director Blais stated that they are not yet at that stage in the research and development process. Ms. Hutchings stated that in the long term they will be evaluating a range of options including possibly increasing density. In the short term, they are prioritizing the current need to protect housing and will evaluate density proposals and other incentives later this year.

Numerous members of the public expressed concerns about the possibility of the density bonus being revoked in the amendment process. Members of the public included local attorneys representing developers, developers, architects, and property owners. They described how projects were financed with the understanding that they would receive the density bonus. They stated that a significant amount of time and money has gone into these projects, including time spent obtaining building permits, and that there is a considerable likelihood that projects will fold if the density bonus is revoked. They also stated that revoking the density bonus retroactively will result in housing units being lost, including affordable housing units, underscoring concerns about the lack of residential inventory in Somerville. Several members of the public commented that 850 square feet should be the density bonus requirement. In addition, one member of the public noted that constructing buildings in Somerville will result in reducing carbon emissions by reducing commuter traffic. Members of the public requested a grace period before the density bonus is revoked, if it is revoked, and that if changes are made to the density bonus they should be made moving forward - not retroactively.

After the conclusion of public testimony, the Planning Board and City Council announced that the public comment period will remain open until 12noon on May 10th, 2024, and that members of the public who wish to provide additional testimony can call or email the City Council at citycouncil@somervillema.gov, which will go to every City Councilor in the City and/or email the Planning Board at planning@somervillema.gov.

City Councilors made some initial comments at this meeting with the preface that more extensive conversation will occur at the next meeting. Councilor Davis noted that he and Chair McLaughlin asked about the impacts of the State's Specialized Energy Code on zoning and the density bonus in January of 2023, when the Specialized Energy Code discussion was had. He said he views this as an opportunity to cleanup language and that he is supportive of the density bonus. Councilor Davis stated that he does not want to lose projects and supports a path forward to keeping the buildings as they are currently proposed. Councilor Davis noted that he has been pushing for density bonuses for affordable commercial spaces since 2019. He suggested rather than striking language out of the Zoning Ordinance, to instead replace it with other good incentives to protect projects as they are currently proposed. Chair McLaughlin stated that they have had many conversations about affordable housing and that he would like to see zoning changes to allow for more height.

Ms. Hutchings stated that her office is aggressively evaluating interim options to ensure housing in the pipeline is not at risk in the short term, while taking the time to evaluate permanent incentive options in the long term. She stated that her office would like to ensure that proposed incentives are both viable for developers and truly sustainable.

Councilor Wilson expressed support for the idea of height as a possible workaround and exploring parking as a possible way to provide additional relief. He is supportive of finding a substitute to the density bonus. Councilor Ewen-Campen asked for more information ahead of the next meeting regarding

what percentage of projects using density bonuses now are all or almost all 1-bedroom or studio apartments, or if there is a mix of unit sizes in these projects.

RESULT: KEPT IN COMMITTEE

Referenced Documents:

- Land Use - 2024-05-02 Public Comments (with 24-0416)