



CITY OF SOMERVILLE, MASSACHUSETTS CLERK OF COMMITTEES

December 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	Absent	
Robert J. McWatters	Ward Three Alderman	Present	
Tony Lafuente	Ward Four Alderman	Absent	
Katjana Ballantyne	Ward Seven Alderman	Present	
Mary Jo Rossetti	Alderman at Large	Present	
John M. Connolly	Alderman At Large	Absent	
Dennis M. Sullivan	Alderman At Large	Present	

Others present: Michael Glavin - OSPCD, Tom Galligani - OSPCD, George Proakis - OSPCD, Jason Grossfield - Law, Charles Sillari - Clerk of Committees.

The meeting took place in the Aldermanic Chamber and was called to order at 6:00 PM by Chairman Davis and adjourned at 8:27 PM.

Approval of the November 15, 2017 Minutes

RESULT:	ACCEPTED
----------------	-----------------

204159: Property owner of 125 Lowell Somerville LLC submitting a proposed zoning map amendment for certain parcels on Lowell Street, Belmont Street, Summer Street, and Highland Avenue.

Mr. Grossfield told the committee that one person can petition for a zoning amendment or 10 registered voters can submit a proposed change. Mr. Proakis discussed the advertising procedure for proposed changes. Alderman White said under the law it must take its usual course under 40A and there should be a joint public hearing scheduled with the Planning Board.

Alderman White's motion that the Land Use Committee schedule a Joint Public Hearing with the Planning Board for item 204159 was approved.

Alderman McWatters commented that the matter must go through the public process and Alderman Rossetti asked about scheduling a community meeting with the Ward Alderman. Attorney Anne Vigorito, counsel to the property owner, said that the proposal is for 24 units plus 2 townhomes. She would like to have a neighborhood meeting after the holidays.

RESULT:

KEPT IN COMMITTEE

204331: Assistant City Solicitor providing a legal opinion regarding #204159, a proposal by a property owner to amend the zoning map for certain parcels, including one owned by that owner.

RESULT:

KEPT IN COMMITTEE

204525: 18 registered voters submitting a proposed amendment to Zoning Ordinance Article 15 to update the housing linkage fee and create a jobs creation and retention linkage fee.

Chairman Davis discussed a study that was done by a consultant and Alderman Ballantyne said she received an electronic version of the Nexus Study. As of now, the BOA hasn't received a paper copy of the study. Mr. Proakis will submit a document outlining recommendations. Linkage payments and when they are to be paid were discussed along with how proposed linkage fees were calculated. Mr. Proakis discussed ways to incentivize getting permits applied for by starting the linkage fees low and ratcheting them up.

Alderman White asked about the policy reasons why the Planning Board strongly feels that linkage fees shouldn't be required prior to a certificate of occupancy. Alderman Ballantyne asked about potential projects in the pipeline and Mr. Proakis went over upcoming projects that would be subject to linkage fees. Alderman Niedergang discussed negotiations with FRIT regarding jobs linkage and asked for a status update. Alderman McLaughlin asked about PUD approval by the BOA and Mr. Proakis replied that it is a Planning Board function. Alderman White expressed concern regarding whether a project is commercial or residential and Alderman Niedergang said it is frustrating how slow the city's approval process is, because the city is missing out on revenue. There was a discussion about putting PUD approval in front of the BOA.

Mr. Carl Seidman appeared to discuss the Nexus Study that he performed. He went over the financial analysis, the costs for education and training services and the impact of the fees to attract commercial development. Alderman White queried the sources used to obtain current rental rates in Somerville and Mr. Seidman said Class A office space was looked at. Alderman Rossetti queried the study and language regarding protecting the city's competitive decision. Mr. Seidman discussed the rent differential between other municipalities such as Waltham, Cambridge and the Seaport District.

The committee discussed the carrying costs of a project and how it relates to linkage fee payment scheduling and the ability to adjust the fees and how that could be beneficial. The range of linkage fees keeps this comparable with Cambridge and Boston. Somerville is trying to establish itself as a first class A office location, therefore keeping fees lower makes sense at this time.

Alderman Niedergang said the city is not charging as much as other cities and Alderman Ballantyne said she spoke with city councilors from Waltham and was told that developers pay for all infrastructure. Alderman White explained why the linkage fees are a charge and not a tax. Alderman Ballantyne inquired where Somerville falls in the range of fees charged. Mr. Galligani discussed commercial development in the city and said that it was encouraging, but the city still needs to be aware of the impact development has on the city.

RESULT:	KEPT IN COMMITTEE
----------------	--------------------------

204399: Requesting the adoption of an amendment to Zoning Ordinance Article 15 to establish a Project Mitigation Fee for Job Creation and Retention.

RESULT:	KEPT IN COMMITTEE
----------------	--------------------------

204400: Requesting the adoption of an amendment to Zoning Ordinance Section 15.5 to update the Project Mitigation Contribution for Affordable Housing.

RESULT:	KEPT IN COMMITTEE
----------------	--------------------------

204524: 18 registered voters submitting a proposed amendment to Zoning Ordinance Article 15 to update the housing linkage fee.

RESULT:	KEPT IN COMMITTEE
----------------	--------------------------

204428: That the City Solicitor submit a draft amendment to Zoning Ordinance Section 16.10.2, assuring no future option of a waiver from inclusionary affordable housing requirements.

Alderman Rossetti explained that this item was submitted to ensure that the history at Assembly Square doesn't repeat itself with respect to affordable housing. Alderman Rossetti recommended that the proposed language stated by Mr. Shapiro be submitted as an amendment and added to the zoning ordinance. The proposal will be submitted to the Planning Board and brought back to the BOA for approval.

RESULT:	KEPT IN COMMITTEE
----------------	--------------------------

Handouts:

- Linkage Ideas (with 204525)
- Nexus Study (with 204525)
- Linkage Zoning Amendments (with 204399)