



City of Somerville, Massachusetts

City Council Housing and Community Development Committee

Meeting Minutes

Tuesday, May 7, 2024

6:00 PM

The meeting took place in person and virtually via Zoom and was called to order at 6:07 PM by Chair Strezo and adjourned at 7:46 PM on a roll call vote of 3 in favor (Councilors Clingan, Mbah and Strezo), none against and none absent.

Others present:

Sarah Lewis - Director of Planning, Lisa Davidson – Housing Grants Manager, Alanna Gaffny - Inclusionary Housing Program Manager, Hanalei Steinhart - Fair Housing and Inclusion Program Specialist, Ted Fields – Senior Planner - OSPCD, Rachel Nadkarni - Director of Economic Development, Kimberly Hutter – Legislative Liaison, Peter Forcellese – Legislative Clerk.

Roll Call

Present: City Councilor At Large Kristen Strezo, City Councilor At Large Wilfred N. Mbah and Ward Four City Councilor Jesse Clingan

1. Committee Minutes
(ID # [24-0406](#))

Approval of the Minutes of the Housing and Community Development Committee Meeting of March 20, 2024.

RESULT: **ACCEPTED**

AYE: City Councilor At Large Strezo, City Councilor At Large Mbah and Ward Four City Councilor Clingan

2. Order
(ID # [24-0071](#))

By Councilor Strezo

That the Director of Planning, Preservation and Zoning discuss the potential for density bonus incentives, such as \$150,000 for homeowners to build affordable housing for rent or homeownership.

Chair Strezo spoke about a program in New York state that awarded \$50 million to homeowners and non-profits to create new housing. This is something that she would like to see happen here in Somerville and she wants to invite Somerville homeowners to help solve the problem. Councilor Mbah noted that zoning ordinances were recently modified to allow for the creation of additional dwelling units. Chair Strezo noted that, even with those changes, units aren't being built, so this proposal is an attempt to get things moving in the right direction, since resident in affordable housing units are still dangling. Chair Strezo views her idea as a pathway to achieving affordable housing.

Director Lewis said that she appreciates the creative thinking, but there are

more questions than answers. With the passage of the MBTA Community Act, development of more units may now be approved, however, due to the requirement that those units be affordable, development is less than desirable. She also pointed out that in NY state, an ADU is an accessory unit, not an affordable unit. With regard to funding a program through the Zoning Department, Director Lewis explained that the city may not include monetary programs in zoning as it would be a violation of state law, however, certain things can be done for conditioning approval that might allow the city to financially help a developer to relocate to another site, adding that the administration of such a program would lie with the Housing Department and could be explored further. She commented that the city has the 20% inclusionary rule and the affordable housing overlay, but it doesn't have a way to incentivize the 'in between' group.

RESULT: KEPT IN COMMITTEE

3. Order
(ID # [24-0047](#))

By Councilor Mbah

That the Director of Housing and the Director of the Office of Housing Stability report on the feasibility of fair housing enforcement.

Councilor Mbah asked how the city can maintain its municipal focus to see what's happening. Fair Housing and Inclusion Program Specialist Hanalei Steinhart addressed the question saying that fair housing enforcement meetings with the city have been ongoing for the past year. Policies in Boston and Cambridge were examined as examples. Both of those cities have at least 1 full time person for enforcement and both utilized the Home Rule Petition process to enable their actions. The Cambridge housing ordinance protects residents from discrimination just as state law does. Somerville looked at its fair housing complaints and the data showed that there were 4 cases that were backlogged (over 180 days old) for discrimination issues. She believes that the best approach is to employ an educational component, provide training to local housing staff, and advertising. After implementing some of those actions, an increase in discrimination complaints was seen.

Councilor Mbah asked about the next steps and Ms. Steinhart said that her department is working with the city's Communications Department to determine the best way to reach out and connect with the community. As an aside, she noted that data suggests that most complaints are received from people whose first language is English.

RESULT: RECOMMENDED TO BE MARKED WORK COMPLETED

4. Order
(ID # [24-0152](#))

By Councilor Clingan

That the Director of Housing and the Director of the Office of Housing Stability discuss the parameters of qualification used by building owners and managers in selecting lottery winners for awarding lower income units.

Councilor Clingan said that he understands that each building has its own criteria for selecting people for lower income units and he wants the public to be able to trust the process and the system. He asked how lottery agents are chosen and what interaction they have with the city. Inclusionary Housing Program Manager, Alanna Gaffny explained that the criteria is property specific and dependent on the number of dwelling units involved and that each project has a requirement for a rental and screening process. Beyond that, the city will provide guidance where it can. Her staff is responsible for filling units when the number available is 4 or less. For 5 or more units, a lottery agent is required. Agents meet with city staff regularly. She explained that there are 3 different phases for certifying applicants: 1) the applicant self reports information (this is done pre-lottery); 2) income certification; and 3) final rental and credit screening (working with the developer, owner or property manager).

Councilor Mbah inquired if the city could just adopt the state's guidelines and Ms. Gaffny replied that the way the ordinance is written, the guidelines aren't well defined and there are no direct references to credit in the ordinance. There are eligibility and policy guidelines, however. Housing Grants Manager Lisa Davidson explained that developments aren't using state or HUD funding, so the city tries to use Fair Housing practices.

Councilor Clingan stated his concern that people are being screened out so that the developers can attain their preferred result for tenants. He understands the restraints the city has to deal with, but the process still leaves a lot to be desired. He's uneasy about not being able to do anything about human intentions. Ms. Davidson said that there are about 3 lottery agents that work with Somerville properties, and city staff is made aware of any snags as the process moves through its steps. Regular meetings are held with lottery agents for marketing purposes, and there's a lot of communications between city staff and the agents. She commented that anyone having problems with a lottery agent should notify city at inclusionary@somervillema.gov <<mailto:inclusionary@somervillema.gov>>.

Councilor Mbah commented that landlords have a lot of discretion and he asked if the city follows applicants through to the end of the process. Ms. Gaffney explained that property owners want to fill their vacant units and she does not think that discrimination problems are occurring. Ms. Davidson noted that when someone is selected for processing, that person works with the lottery agent and if there is any discriminatory action, an appeal may be filed. The same holds true for phase 3. Councilor Mbah asked how many people have been denied and Ms. Davidson responded by saying that information is not readily available but could be compiled.

RESULT: RECOMMENDED TO BE MARKED WORK COMPLETED

5. Order
(ID # [24-0043](#))

By Councilor Pineda Neufeld, Councilor Scott and Councilor Wilson
That the Director of Economic Development update this Council on the "Mitigating Commercial Displacement in Somerville" report, released in December 2023, and any action steps taken as a result of the report.

Senior Planner Ted Fields said that work is being done with an anti displacement task force to write recommendations for presentation to the Mayor in the fall. Technical assistance funding is available to develop a commercial development guidebook to ease the problems being observed regarding commercial displacement. Chair Strezo asked if there were any surprising points in the report that might be able to be implemented. Mr. Fields said that the researchers were asked to undertake a financial model of how the city could entice developers to include commercial development in their projects, and that the model presented was better than expected but would need some stress tests to ensure it would work over the long term. Director of Economic Development Rachel Nadkarni noted that one thing that stood out was how little protection there is for commercial tenants, partly because of a lack of understanding of how to work with leases.

Councilor Mbah spoke about the problem of displacement and asked what the city is doing to help small businesses that don't have enough customers to justify some of their high rents. Director Nadkarni noted that Somerville had less closures from COVID than businesses in Boston's financial district and she acknowledged that there were many businesses in the city that saw decreased revenues. To assist those businesses, the city released \$5 million in COVID funding. In terms of the market, people are going out less and spending less. Mr. Fields said that, nationally, retail business is in better shape than some other sectors and said that consumers are willing to spend on experiences.

RESULT: RECOMMENDED TO BE MARKED WORK COMPLETED