



City of Somerville, Massachusetts

City Council Land Use Committee

Meeting Minutes

Thursday, October 6, 2022

6:30 PM

This meeting was held via GoToWebinar and was called to order by Chair Ewen-Campen at 6:31 pm and adjourned at 8:08 pm. Councilor Strezo moved to adjourn, and the motion was approved by unanimous roll call vote.

Councilor Gomez Mouakad arrived late due to a Traffic Commission meeting.

Chair Ewen-Campen called a brief recess at 6:33 pm to allow the Planning Board to take roll in their meeting, and again at 7:23 to allow them to exit after the joint hearing. Roll was called to establish quorum.

Others present: Amelia Aboff - Planning Board, Deborah Howett-Easton - Planning Board, Erin Geno - Planning Board, Jahan Habib - Planning Board, Dan Bartman - OSPCD, Matthew Snell - Boynton Yards LandCo LLC, Chris Ulrich - Huron Veterinary, Jason O'Brien, Aaron Weber, Stephanie Widzowski - Assistant Clerk of Committees.

Roll Call

Present: Chairperson Ben Ewen-Campen, Vice Chair Lance L. Davis, Beatriz Gomez Mouakad, Matthew McLaughlin and Kristen Strezo

1. Public Hearing

1.1. Mayor's Request (ID # [22-1430](#))

Requesting ordainment of an amendment to the Somerville Zoning Ordinance Article 3, Residence Districts and Article 9, Use Provisions, to permit the adaptive reuse of commercial building types in the NR and UR zoning districts.

Taken together with item 22-1431. Dir. Bartman shared a presentation about two new, related zoning amendments intended to remove obstacles to new veterinarian practices that are trying to open across the city. He highlighted a new column added to the permitted use table for commercial spaces fronting a pedestrian street and explained that they are trying to change zoning for veterinarians to reflect healthcare status rather than personal grooming.

Councilor Davis had comments about the new column in the permitted use table, the examples of non-conforming buildings, and most of all the statement that veterinarians cannot currently set up in commercial squares. In their discussion, Dir. Bartman said that the intention of these amendments is to treat animal services the same as the corresponding human service - for example, veterinary services to be treated the same as human medical services, as pertains to which zoning districts permits them.

Chair Ewen-Campen referred to the Arts and Creative Enterprises category in the use table and asked why ACE uses appeared to be newly prohibited in

many places. Dir. Bartman explained that it correlates with column 1 of District Standards, and that, though it appears ACE uses are not allowed at all in NR or UR districts, article IX states that the table may be modified if there are additional standards in the districts.

During the public comment section, Jason O’Brien wrote, “Not that I dislike animals, but is it really fair to consider animal needs as consequential and important as human services? It just feels like flawed logic.”

Chair Aboff of the Planning Board said that written public comment on this item will remain open until noon on Friday, October 21. Comments can be submitted to Planning@somervillema.gov <<mailto:Planning@somervillema.gov>> and CityClerk@somervillema.gov <<mailto:cityclerk@somervillema.gov>>.

RESULT: KEPT IN COMMITTEE

2. Public Hearing

2.1. Mayor's Request (ID # [22-1431](#))

Requesting ordainment of an amendment to the Somerville Zoning Ordinance Articles 4 (Mid Rise Districts), 5 (High Rise Districts), 6 (Commercial Districts), 8 (Overlay Districts), and 9 (Use Provisions) to permit additional uses for any ground story commercial space fronting a Pedestrian Street.

Taken together with item 22-1430. Written public comment on this item will remain open until noon on Friday, October 21. Comments can be submitted to Planning@somervillema.gov <<mailto:planning@somervillema.gov>> and CityClerk@somervillema.gov <<mailto:cityclerk@somervillema.gov>>.

RESULT: KEPT IN COMMITTEE

3. Public Hearing

3.1. Public Communication (ID # [22-1407](#))

Boynton Yards LandCo LLC requesting approval of the attached Land Conveyance petition for Boynton Yards.

Chair Aboff from the Planning Board recused herself from the discussion of this item. Chair Ewen-Campen sponsored Matthew Snell, a representative of Boynton Yards, to speak. Mr. Snell explained that they are at the endpoint of the first phase of Boynton Yards development. As part of the development of 101 South, they will need to transfer certain parts of land to the city to finish public improvements. Part of the discussion is on the city’s acceptance of five parcels of land totaling about 2500 sq. ft. The city also requested easement around portions of 101 South where sidewalks will be extended onto private property. Mr. Snell said that his team prepared that

with the Solicitor's Office and that the easement will be entered into by the city, the property owner, and the Somerville Redevelopment Authority (SRA) who owns abutting property.

Chair Ewen-Campen asked if this item requires a Planning Board recommendation before a City Council recommendation. Mr. Snell referred to Section 15.6 in the Zoning Ordinance that outlines a voluntary land conveyance process with a planning board recommendation.

Ms. Geno from the Planning Board asked if the city's Acting Counsel will be adding recommendations, to which Ms. Howett-Easton said she would prepare those. Mr. Habib from the Planning Board said that written public comment on this item will remain open until noon on Friday, October 21. Comments can be submitted to Planning@somervillema.gov <<mailto:planning@somervillema.gov>> and CityClerk@somervillema.gov <<mailto:cityclerk@somervillema.gov>>.

RESULT: KEPT IN COMMITTEE

4. Public Hearing

4.1. Public
Communication
(ID # [22-1356](#))

Anthony Pasquale requesting the adoption of an amendment to the Zoning Ordinance Map to change the zoning district of 34 Allen Street from Neighborhood Residential (NR) to Small Business (SB) Overlay.

Chair Ewen-Campen sponsored Chris Ulrich of Huron Veterinary to speak on behalf of Anthony Pasquale. Dr. Ulrich said that he and Mr. Pasquale are in a purchase and sale agreement and that he is trying to get a change of use for the property. He said that he is in a rental situation and needs a permanent location within Ward Two, where he feels his practice is a vital part of the community. Chair Ewen-Campen said that the City Council will be able to make its recommendation following a recommendation from the Planning Board.

Dir. Bartman commented that this item highlighted for him a citywide issue, which led to the submission of items 22-1430 and 22-1431. He said that he feels more comfortable making a citywide amendment as opposed to changing any one property's district. He also noted a language issue with the original item because an overlay must have a base district. Chair Ewen-Campen asked if the Council could recommend a change to the language, and whether this item would be unnecessary if the zoning amendments were approved. Dir. Bartman answered yes to both.

During the public hearing, Aaron Weber commented that they liked the SB Overlay and thinks the city should apply it more in general, as well as do what it takes to help vital businesses.

Written public comment on this item will remain open until noon on Friday, October 21. Comments can be submitted to Planning@somervillema.gov <<mailto:planning@somervillema.gov>> and CityClerk@somervillema.gov <<mailto:cityclerk@somervillema.gov>>.

RESULT: KEPT IN COMMITTEE

5. Order
(ID # [22-1593](#))

By Councilor Ewen-Campen

That the Director of Planning, Preservation and Zoning update this Council on current draft zoning requirements of the MBTA Communities Act.

Chair Ewen-Campen explained that the committee had discussed the MBTA Communities Act in some depth at a previous meeting, but that a new set of draft guidelines came out that are different from what the committee was led to believe.

Dir. Bartman gave a presentation on the requirements of the MBTA Communities Act and the ramifications as they are currently understood for the city. He said that the act could detract from the city's own zoning goals, and that they are still trying to determine the next steps. The requirements include having one district that allows multi-family housing by right. To get a comprehensive explanation of the updates, Dir. Bartman suggested watching a recording of a webinar about the Section 3A guidelines led by DHCD and Massachusetts Housing Partnership on September 8.

Councilor Davis asked how the commission that issued these guidelines were formed, and whether the legislature or gubernatorial candidates have spoken about them. Dir. Bartman answered that they are a state agency charged with administering this requirement, and that the guidelines were written in cooperation with MBTA and MassDOT. He said there is still a lot of speculation as to what the guidelines will mean for municipalities going forward and that contact with state representatives is just getting off the ground.

There was discussion about the intent and potential impact of the guidelines. Dir. Bartman said he thinks the state may be trying to prevent bad-actor municipalities from permitting housing by density by right - mandating a 50% contiguous district to shut down loopholes - but put extra requirements in the act that keep the housing from being built. Councilor Davis asked if they should look at NR or other districts to accommodate this act. Dir. Bartman said he felt that the NR district is the only viable option.

There was also discussion about how the guidelines differ from Somerville's goals for housing. The housing called for in the new district is not compatible with LEED certification, for example, and must be priced at 80% AMI. Councilor McLaughlin said that the city should not wait for the state to decide how it will move forward with affordable housing, and that

Somerville should think about how to comply with state law while working towards its own goals. He said that he did not want to pursue this at first, but suggested Assembly may be the best area of the city to create the new district - complying as minimally as possible.

RESULT: **KEPT IN COMMITTEE**