



# CITY OF SOMERVILLE, MASSACHUSETTS

## CLERK OF COMMITTEES

February 23, 2016

### 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	Absent	
Mary Jo Rossetti	Alderman at Large	Present	
Katjana Ballantyne	Ward Seven Alderman	Absent	
John M. Connolly	Alderman At Large	Absent	
Dennis M. Sullivan	Alderman At Large	Absent	

Others present: George Proakis - OSPCD, Dan Bartman - OSPCD, Lori Massa, Charles Sillari - Clerk of Committees

The meeting took place in the Committee Room and was called to order at 6:00 PM by Alderman Davis and adjourned at 8:45 PM.

#### Document List:

- OSPCD Presentation

Mr. Bartman gave a presentation that encompassed several of the items on this meeting's agenda.

Among the items discussed were: creative ways used to add large additions, a strategy of neighborhood conservation, RA & RB districts (of which only 3.47% of lots are conforming), ways that most properties are non-conforming, merging RA & RB districts (since the building types and protections are similar), building types in the proposed new zone, dormers, restrictions on front to back housing, building additions, 40A issues, special permits, finishing of basements, accessory basement units, effects of Airbnb on neighborhoods, definitions of bedroom, gross floor area challenges, lot conditions, vacant lots and apartment buildings, corner lots, doors, bays, rear additions, cottages converted to duplexes, rear yard protections, additional income opportunities and enforcement.

Mr. Proakis discussed the zoning overhaul as it relates to residential neighborhoods and how residents' concerns have been addressed. Alderman Niedergang expressed interest in valid criticism about in fill and additional development. Alderman McWatters spoke about development concerns in Spring Hill. Alderman White spoke about the mindset of the elected officials who came up with the current zoning code, adding that there is a reason why so many lots are non-conforming. He also spoke about the expectations of people living in an RA zone. Alderman White believes that this version provides more protections and both he and Alderman McWatters would like written responses sent to the individuals who submitted comments.

### **Approval of the February 9, 2016 Minutes**

The Minutes of February 9, 2016 were amended by adding the word "not" in the second sentence of the second paragraph in item 200340, as follows:

Alderman McLaughlin feels that industrial areas would not be suitable locations for the facilities and said that he would like extraordinary contributions to the community if a dispensary were to be located in Ward 1.

<b>RESULT:</b>	<b>ACCEPTED AS AMENDED</b>
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### **200340: Requesting approval of an updated amendment to Zoning Ordinance 7.15 Re: Medical Marijuana Treatment Facilities.**

Alderman McLaughlin said that he would like lower Broadway added back to the map and made a *motion to include all parcels from Kensington Avenue to the end of Broadway.* The motion was approved.

Alderman Niedergang's *motion to approve the map, as amended,* was approved.

Alderman Niedergang's *motion to approve the revised ordinance,* was approved.

<b>RESULT:</b>	<b>APPROVED AS AMENDED</b>
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### **200686: Planning Board conveying its recommendations re: #200340, an amendment to Zoning Ordinance 7.15, Medical Marijuana Treatment Facilities.**

<b>RESULT:</b>	<b>PLACED ON FILE</b>
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### **198429: Requesting the adoption of a New Zoning Ordinance (updated) to supersede the current Zoning Ordinance as originally adopted on March 23, 1990.**

<b>RESULT:</b>	<b>KEPT IN COMMITTEE</b>
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### **193063: That Section 7.2 of the Zoning Ordinance be amended by deleting Section 7.2.a.**

<b>RESULT:</b>	<b>KEPT IN COMMITTEE</b>
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**194295:** That the City Solicitor draft an ordinance preventing the construction of occupancy dwellings attached to existing structures in RA and RB Zones without a Special Permit and neighborhood involvement.

<b>RESULT:</b>	<b>KEPT IN COMMITTEE</b>
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**194463:** That the Director of SPCD (Planning) review Zoning Ordinance 4.4.1 and recommend changes to address substantial increases in square footage in projects that can bypass the special permit requirements so developers can build large structures as of right that adversely impact neighbors.

<b>RESULT:</b>	<b>KEPT IN COMMITTEE</b>
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**198276:** Thirteen registered voters submitting a Zoning Ordinance amendment to limit the gross floor area increase to 15% for 1- and 2-family dwelling conversions requiring a Special Permit.

<b>RESULT:</b>	<b>KEPT IN COMMITTEE</b>
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**198638:** That the Director of SPCD (Planning) inform this Board in writing by March 30 of the number of additional dwelling units allowed under the proposed zoning ordinance.

<b>RESULT:</b>	<b>KEPT IN COMMITTEE</b>
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**198641:** That the Director of SPCD and the City Solicitor advise this Board in writing by March 30 whether the proposed zoning ordinance complies with state law regarding the co-habitation of 4 unrelated adults and how much authority a municipality has in this regard.

<b>RESULT:</b>	<b>KEPT IN COMMITTEE</b>
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**198704:** That the Director of SPCD (Planning) advise by zoning district (i.e. NR, UR, 3MU) the increase in housing density (e.g. RA & RB change into NR), what is the increase in housing units in the proposed new zoning districts.

<b>RESULT:</b>	<b>KEPT IN COMMITTEE</b>
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**198694:** Rep. Provost submitting comments re: the proposed zoning ordinance.

<b>RESULT:</b>	<b>KEPT IN COMMITTEE</b>
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**198695: Nancy Donahue submitting comments re: the proposed zoning ordinance.**

<b>RESULT:</b>	<b>KEPT IN COMMITTEE</b>
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**198696: Kimberly Rego submitting comments re: the proposed zoning ordinance.**

<b>RESULT:</b>	<b>KEPT IN COMMITTEE</b>
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**198697: Bill Valletta submitting comments re: the proposed zoning ordinance.**

<b>RESULT:</b>	<b>KEPT IN COMMITTEE</b>
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**198698: Cecil Cummings submitting comments re: the proposed zoning ordinance.**

<b>RESULT:</b>	<b>KEPT IN COMMITTEE</b>
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**198715: Ellin Reisner submitting comments re: the proposed zoning ordinance.**

<b>RESULT:</b>	<b>KEPT IN COMMITTEE</b>
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**198907: Aron Qasba submitting comments re: the proposed zoning ordinance.**

<b>RESULT:</b>	<b>KEPT IN COMMITTEE</b>
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**198908: The Innovative Housing Institute submitting comments re: the proposed zoning ordinance.**

<b>RESULT:</b>	<b>KEPT IN COMMITTEE</b>
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**198909: Jill Maio submitting comments re: the proposed zoning ordinance.**

<b>RESULT:</b>	<b>KEPT IN COMMITTEE</b>
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**198910: Andrew Walker submitting comments re: the proposed zoning ordinance.**

<b>RESULT:</b>	<b>KEPT IN COMMITTEE</b>
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**198911: Charles McKenzie submitting comments re: the proposed zoning ordinance.**

<b>RESULT:</b>	<b>KEPT IN COMMITTEE</b>
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**198912: Claudia Murrow submitting comments re: the proposed zoning ordinance.**

<b>RESULT:</b>	<b>KEPT IN COMMITTEE</b>
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**198913: Lucas Rogers and Mathieu Gagne submitting comments re: the proposed zoning ordinance.**

<b>RESULT:</b>	<b>KEPT IN COMMITTEE</b>
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**198914: Fred Berman submitting comments re: the proposed zoning ordinance.**

<b>RESULT:</b>	<b>KEPT IN COMMITTEE</b>
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**198915: Alan Moore submitting comments re: the proposed zoning ordinance.**

<b>RESULT:</b>	<b>KEPT IN COMMITTEE</b>
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**198916: The Affordable Housing Organizing Committee submitting comments re: the proposed zoning ordinance.**

<b>RESULT:</b>	<b>KEPT IN COMMITTEE</b>
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