



City of Somerville, Massachusetts

City Council Land Use Committee

Meeting Minutes

Thursday, October 17, 2024

6:30 PM

This meeting was held via Zoom and was called to order by Chair McLaughlin at 6:32 PM and adjourned at 9:17 PM with a roll call vote of 4 in favor (Councilors Wilson, Pineda Neufeld, Davis, and McLaughlin) none opposed, and 1 absent (Councilor Ewen-Campen).

The Committee entered into recess at 6:34 PM for the Planning Board to open their meeting, and returned at 6:38 PM.

Others present: Brad Rawson - Director of Mobility, Daniel Bartman - Interim Director of Planning, Preservation and Zoning, Justin Schreiber - Senior Transportation Planner, Madison Anthony - Planner, Michael Capuano - Planning Board Chair, Amelia Aboff - Planning Board Vice Chair, Michael McNeley - Planning Board, Luc Schuster - Planning Board, Madalyn Letellier - Legislative Services Manager.

1. Committee Minutes (ID # [24-1316](#))

Approval of the Minutes of the Land Use Committee Meeting of September 5, 2024.

RESULT: **ACCEPTED**

AYE: Ward One City Councilor McLaughlin, Ward Six City Councilor Davis, Ward Seven City Councilor Pineda Neufeld and City Councilor At Large Wilson

ABSENT: Ward Three City Councilor Ewen-Campen

2. Public Hearings

- 2.1 Public Communication (ID # [24-1080](#))

Walter Tauro requesting a Zoning Map Amendment to change the zoning district of 282 McGrath Highway from Neighborhood Residence (NR) to Small Business (SB) Overlay District.

Attorney A.J. Capano spoke on this zoning map amendment application on behalf of Julio Pena, the President and Treasurer of 181 Bonfire Corp. and the lessee of 282 McGrath Highway. He emphasized that there is historical precedent for this type of use at the property, and it is crucial to enabling his client's business to open. Extensive renovations and upgrades have been made to the property. He stated that the Ward 2 Councilor is in support of this application.

Interim Director of Planning, Preservation and Zoning Dan Bartman commented that overlay districts are applied on top of a base zoning district. The NR district would remain, rather than be replaced by the SB Overlay district. Councilor Davis asked Director Bartman to investigate whether the

zoning prior to the 2019 overhaul included small business or commercial uses. Councilor Wilson asked that the City Solicitor determine whether the item can move forward with the error related to the district change, or whether it would need to be corrected and re-submitted.

Chair McLaughlin opened the public hearing at 7:35 PM.

Four residents, including a representative from the Union Square Main Streets, Councilor J.T. Scott, speaking as a resident of the area, and the landlord of the property spoke in favor of this item. They highlighted the diversity it would bring to the neighborhood and their efforts to promote local businesses. One resident posed a question regarding whether this building could be turned into housing instead. J.T. Scott also emphasized that the reason that this restaurant cannot be opened now is that the pre-existing use for restaurant is no longer valid, due to the implications of the pandemic.

Chair McLaughlin closed the public hearing at 7:45 PM. Public comments will be accepted until 7:30 PM on Thursday, October 31st and should be emailed to publiccomments@somervillema.gov.

RESULT: KEPT IN COMMITTEE

2.2 Mayor's Request (ID # [24-1196](#))

Requesting ordainment of an amendment to Sections 2.2.1, 3.1.16, 3.2.15, 4.1.13, 4.2.13, 4.3.13, 4.4.14, 5.1.15, 6.1.11, 6.2.13, 6.3.11, 6.4.14, 9.2.6.h, 9.2.14.b.v, and Table 9.1.1 of the Zoning Ordinance to streamline the regulation of daycare services and permit additional daycare operation in the Residential, Mid-Rise, and Commercial zoning districts.

Interim Director of Planning, Preservation and Zoning Dan Bartman spoke to the item and the proposed scrivener's correction. The purpose of this amendment is to permit daycares in all pedestrian street ground floor commercial spaces and to streamline the name of daycare based uses and their definitions to align with state law.

Chair McLaughlin moved to accept the updated version provided by the administration with a scrivener's correction titled "Land Use - 2024-10-17 Day Cares Amendment 20240819 - Scriveners Correction (with 24-1196)" as the working version. The motion was approved on a roll call vote of 4 in favor (Wilson, Pineda Neufeld, Davis, McLaughlin), 0 opposed, 1 absent (Ewen-Campen).

Chair McLaughlin opened the public hearing at 7:50 PM.

There being no speakers, Chair McLaughlin closed the public hearing at 7:50 PM. Public comments will be accepted until 7:30 PM on Thursday, October 31st and should be emailed to publiccomments@somervillema.gov.

RESULT: KEPT IN COMMITTEE

- 2.3 Mayor's Request (ID # [24-1197](#)) Requesting ordainment of an amendment to Sections 1.1.4, 2.1.1, 3.1.18, 3.2.17, 4.1.15, 4.2.15, 4.3.15, 4.4.16, 5.1.17, 6.1.13, 6.2.15, 6.3.13, 6.4.16, 7.2.9, 7.3.9, 8.2.4.c, 9.2.3, 9.2.6, 11.2.4, 11.2.5, 11.2.6, 11.3, 12.1.7, 15.2.1, and Table 9.1.1 of the Zoning Ordinance to address various parking requirements.
- Interim Director Dan Bartman highlighted that part of this amendment is in response to a Council Order requesting that OSPCD work on a repeal of parking minimums. Director of Mobility Brad Rawson spoke on the role of the Mobility Division to support land use planning guided by the city's adopted policy plans. Extensive research has shown that minimum parking requirements work at odds with progressive land use policies to address the regional housing crisis, and increase residential and commercial rents even for those who do not need or want parking. they also depress public transit ridership, even in buildings adjacent to mass transit stations. This proposal will help achieve the SomerVision and Climate Forward goals. Mobility Senior Planner Justin Schrieber noted that most of the city already does not have parking minimums in place. This covers nearly 70% of privately-owned parcels in the city and has been in place for over 5 years. Removing mandates and working to modify the reasonable upper limits in transit areas, offers more flexibility and puts in place a process for owners to request permission to build more parking. This proposal in no way bans the creation of new parking. This amendment also offers the available option for property owners to request to build more parking. Planning, Preservation, and Zoning Planner Madison Anthony presented on the changes across the zoning ordinance, and the two main goals for the project to eliminate parking minimums and simplify parking tables and adjust maximums so they are standardized.
- Councilor Davis asked about the change in the maximum number of spaces is and Interim Director Bartman clarified that some maximums were changed. A primary adjustments is that residential use decrease from 1 space per unit to ½ space per unit, which is similar to neighboring communities.
- Chair McLaughlin moved to accept the updated version provided by the administration with a scrivener's correction titled "Land Use - 2024-10-17 Parking Minimums Amendment 20240819 - Scriveners Correction (with 24-1197)" as the working version. The motion was approved on a roll call vote of 4 in favor (Wilson, Pineda Neufeld, Davis, McLaughlin), 0 opposed, 1 absent (Ewen-Campen).***
- Councilor Wilson asked about impacts on street parking and how the city envisions balancing parking needs being moved to the streets. Director

Rawson commented that the Parking Department issues on-street resident passes, and there is a collaborative process that removes some properties from eligibility for street parking permits. There are also exemptions available for ADA parking and other special needs. Councilor McLaughlin requested an update on the progress of that policy be prepared for the next meeting. Councilor Pineda Neufeld asked for more information about ADA spots and exemptions, and Director Rawson noted that the application is available on the website, with additional information. Planning Board Chair Capuano also requested information on the number of vehicles registered in the city over the past 5 years and how they have changed.

Councilor McLaughlin opened the public hearing at 8:14 PM.

13 residents spoke in support of this item. Highlights of that testimony are that this policy will increase the land use and work to ensure residents who need cars are able to access them. Many spoke to the point that this item does not take away any parking that already exists. Seven residents spoke in opposition to this item. Highlights of that testimony included concerns related to how this will affect residents with disabilities and their ability to park. Some residents mentioned concern for neighboring streets who will be forced to house the cars if parking is not built with new buildings.

Chair McLaughlin closed the public hearing at 8:55 PM. Public comments will be accepted until 7:30 PM on Thursday, October 31st and should be emailed to publiccomments@somervillema.gov.

RESULT: KEPT IN COMMITTEE

2.4 Mayor's Request
(ID # [24-1259](#))

Requesting ordainment of an amendment to Articles 2-7, Articles 9-11, Article 13, and Article 15 of the Zoning Ordinance to make corrections, clarifications, and regulatory framework improvements.

Interim Director of Planning, Preservation and Zoning Dan Bartman addressed the item and the corrections that were made. He shared a page-by-page outline of the changes, which represent corrections and clarifications.

Chair McLaughlin moved to accept the updated version provided by the administration with a scrivener's correction titled "Land Use - 2024-10-17 Errata & Clarifications 20240906 - Scriveners Correction (with 24-1259)" as the working version. The motion was approved on a roll call vote of 4 in favor (Wilson, Pineda Neufeld, Davis, McLaughlin), 0 opposed, 1 absent (Ewen-Campen).

Councilor Davis inquired about the changes to parking lot vehicular entrances. Interim Director Bartman clarified that the sentence is already in the ordinance but is being added in the proper section. Councilor Davis asked as well about substantive changes - pergola height, awnings and

canopies, material and shape of sidewalk signs, and handling incomplete applications. Interim Director Bartman confirmed that these are the material changes, though not major issues necessitating a separate amendment. Councilor Davis also asked for clarification regarding the changes to commercial signs in Section 10, and the impact. Interim Director Bartman clarified that non-commercial signs are free speech, and free speech cannot be regulated in a zoning ordinance.

Chair McLaughlin opened the public hearing at 9:14 PM.

Three residents spoke on this item, with two expressing concern for what this means for homeless shelters.

Chair McLaughlin closed the public hearing at 9:17 PM. Public comments will be accepted until 7:30 PM on Thursday, October 31st and should be emailed to publiccomments@somervillema.gov.

Councilor Davis asked and Interim Director Bartman confirmed that the definition of homeless shelter was included in 2019, erroneously removed when the MBTA communities amendments were passed, and is now included in a different section.

RESULT: KEPT IN COMMITTEE

2.5 Public Communication (ID # [24-1367](#))

Charles DeCecca requesting a Zoning Map Amendment to change the zoning district of 501 Mystic Valley Parkway from Neighborhood Residence (NR) to Urban Residence (UR).

Attorney Anne Vigorito spoke on the item, representing the owner. She emphasized that four neighborhood meetings have been held in the past year, and they were very well attended. Peter Quinn, an architect for the project, and Stephen Siragusa, Traffic Engineer with Bowman Consulting, shared a presentation on the item and the neighborhood meetings. Planning Board Chair Capuano clarified that this item is regarding the zoning change, not the project itself.

Chair McLaughlin opened the public hearing at 7:01 PM.

16 residents spoke on this item. Those in favor spoke to potential community this site would create, the favorable location near public transit, and the ability to address the lack of housing. Those in opposition spoke to issues such as flooding, pollution, traffic, and concern for the number of accessible parking spots available.

Chair McLaughlin closed the public hearing at 7:27 PM. Public comments will be accepted until 7:30 PM on Thursday, October 31st and should be emailed to publiccomments@somervillema.gov.

RESULT: KEPT IN COMMITTEE

Referenced Documents:

- Land Use - 2024-10-17 Public Comments (with 24-1367)
- Land Use - 2024-10-17 Public Comments (with 24-1197)
- Land Use - 2024-10-17 Day Cares Amendment 20240819 - Scriveners Correction (with 24-1196)
- Land Use - 2024-10-17 Errata & Clarifications 20240906 - Scriveners Correction (with 24-1259)
- Land Use - 2024-10-17 Parking Minimums Amendment 20240819 - Scriveners Correction (with 24-1197)
- Land Use - 2024-10-17 Errata & Clarifications Amendment Presentation (with 24-1259)
- Land Use - 2024-10-17 McGrath Highway Permit Presentation (with 24-1367)
- Land Use - 2024-10-17 Storm Water Memo (with 24-1367)
- Land Use - 2024-10-17 Arborist Report (with 24-1367)
- Land Use - 2024-10-17 Arch+Zoning Presentation (with 24-1367)
- Land Use - 2024-10-17 Access and Traffic Assessment (with 24-1367)