



CITY OF SOMERVILLE, MASSACHUSETTS
CLERK OF COMMITTEES

June 9, 2010

REPORT OF THE LEGISLATIVE MATTERS COMMITTEE

Attendee Name	Title	Status	Arrived
Thomas F. Taylor	Chair	Present	
Rebekah L. Gewirtz	Vice Chair	Present	
Robert C. Trane	Ward Seven Alderman	Absent	
John M Connolly	Alderman At Large	Present	
Bruce M. Desmond	Alderman At Large	Present	
William A. White Jr.	Alderman At Large	Present	
Maryann M. Heuston	Ward Two Alderman	Present	
Dennis M. Sullivan	Alderman At Large	Present	
Sean T. O'Donovan	Ward Five Alderman	Present	
William M. Roche	Ward One Alderman	Absent	
Walter F. Pero	Ward Four Alderman	Absent	
Monica Lamboy	Executive Director - OSPCD	Present	
Robert May	OSPCD	Present	
Frank Wright	City Solicitor	Present	

The Committee met as a **COMMITTEE OF THE WHOLE.**

187978 - Requesting Approval of an Ordinance Regarding Weeds, Grass and Overgrowth.:

The committee considered the purpose of the ordinance and its interpretation by the city's inspectors and expressed concern about the language of the ordinance stating that it was unclear what the responsibilities of residents are. There was also some concern about the difference between decorative grasses that are often used in gardens and an unkempt property, noting that some properties are a threat to public health and may contribute to the rodent problem. Alderman Heuston asked that the City Solicitor craft an explanation of the differences and Alderman White asked the Solicitor to research similar laws in other cities and states. Alderman Sullivan believes that there is a need for minimum standards, however, he does think residents should be responsible to cut grass in tree wells. Alderman O'Donovan does not want residents to be responsible for the grass aprons between the sidewalk and street, such as on Highland Road, and he indicated he would not vote for something that requires residents to cut grass on city property. Alderman Gewirtz commented that this is over-legislation of an issue and said that if there is a problem with a property, ISD can be called to rectify it. Chairman Taylor asked the City Solicitor review and re-draft the language.

188476 - Requesting Approval of an Ordinance to Limit the Storage of Unregistered Vehicles.:

Requesting approval of an ordinance to limit the storage of unregistered vehicles.

Alderman O'Donovan stated there are many unregistered vehicles in his ward that are creating a public health hazard. Some of these vehicles have animals living in them and some are leaking oil and gas. Mr. Wright discussed the choices in the proposed ordinances to deal with unregistered vehicles. Committee members raised questions regarding enforcement on private ways, the difference between a business with a garage licenses and a residence and the difference between sailboats and motor boats.

188655 - Requesting Approval of an Amendment to the Local Historic District Ordinance to Create and Add Properties to the Lower Franklin and Florence-Myrtle St. Districts, Expand the Existing Lowell St., Mt. Vernon St., and Boston St. Districts, Consolidate and Create the Union Sq.-Somerville Ave., Porter-Linden, and Upper Perkins-Webster Districts, and Create Two Single-Building Districts (60 Linden St., 14 Everett St.) (All Labeled Group B):

Ms. Lamboy explained the particulars of why some properties were being considered for historic designation and how property values are related to the designation. She also discussed financial hardships situations for repairs, tax credits and other possible relief and responses from property owners. Alderman Heuston spoke about the property at 461 Somerville Avenue and told the members that the owner does not want it to be designated as historic. She also inquired about a property on Somerville Avenue owned by Mr. Hebert, adding that she would like that property to be deemed historic. There was a discussion about voting on the properties in group as opposed to individually and Ms. Lamboy asked to have the properties in question severed as opposed to de-designated, for convenience purposes.

Ms. Wilson and Ms. Chase told the members that if the present owner of 461 Somerville Avenue sells the property, they are afraid that the new owners will not maintain the historic properties of the structure. Ms. Lamboy stated that there is a possibility of securing a \$5,000 grant to improve the property.

Alderman O'Donovan expressed concern regarding the printed information for each property not clearly identifying the people who do not want to have the historic designation and Alderman Gewirtz spoke about being unclear about portions of the Historic Commission's notes.

The committee discussed the property at 31 Porter Street is being designated and Alderman Desmond stated that he is concerned about the owners being able to maintain the value of the property since the value is in the ability to develop the parcel into 8 units. Ms. Lamboy responded that there may be concessions made for the property if things are done respectful to the Historic Commission's wishes. Chairman Taylor added that the owner of the house doesn't understand the program and added that he, (Chairman Taylor), is against development and thinks the house should be designated as historic.

Alderman Heuston said that she is supportive of historic designations but is concerned about those who do not want their properties so designated and she would like the Historic Commission to reach out to the woman at the Somerville Avenue property before approving the designation. Alderman Heuston asked sever 461 Somerville Avenue, Alderman Desmond asked to sever the Porter Street property and the Somerville Avenue property and Alderman

O'Donovan would like to sever all properties in Ward 5 until he has the chance to speak with the property owners.

A motion to sever 31 Porter Street, 461 Somerville Ave, 5-7 Lowell Street, 28 Nashua Street and 326-328 Lowell Street was approved.

Chairman Taylor's motion to reject the designation of 71-73 Boston Street was approved.

A motion to amend the designation list was approved.

RESULT:	APPROVED AS AMENDED [UNANIMOUS]
AYES:	Taylor, Gewirtz, Connolly, Desmond, White Jr., Heuston, Sullivan, O'Donovan
ABSENT:	Robert C. Trane, William M. Roche, Walter F. Pero

188998 - Kevin Paquette and Joseph Barros Submitting Comments Re: 71-73 Boston St. and Its Designation as a Local Historic District.:

No discussion

RESULT:	PLACED ON FILE
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189229 - Triumvirate Environmental Submitting Comments Re: #188847, a Proposed Zoning Amendment to Amend Allowable Uses, Requirements for Special Permits, and Purpose Statements in IA and IP Zones.:

No discussion

RESULT:	PLACED ON FILE
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