

Madalyn Letellier

From: Kate Ulloa Davis [REDACTED]
Sent: Sunday, April 12, 2026 10:30 PM
To: Public Comments
Cc: Jon Link; Jeff Work Davis
Subject: Zoning Code 15.7.2 Grace Period Request
Attachments: 29 Voters - Zoning Text.pdf; Somerville City Council_Davis_Zoning 15.7.2.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

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Hello,

We are the owners of [REDACTED] in Ward 6. We are writing to introduce ourselves and to request a grace period of transitional provision in regards to the proposed voter-initiated zoning amendment relating to backyard cottages (see attached '29 Voters - Zoning').

We've also attached a letter we sent to the City Councilors that details how the proposed amendment, if enacted without transitional relief, would materially affect a project we began in good-faith reliance on the zoning regulations in place at the time of our purchase of 163 Morrison.

This is our first development project and it is not speculative, we intend to hold and manage the property long-term. The project does not involve demolition or converting any of the structures into condominiums and differs from the types of development that appear to have prompted the petition.

We fully respect the Council's authority and understand the policy goals behind the proposal. Our aim is simply to highlight how a limited transitional provision could help avoid unintended impacts on small, owner-led projects like ours that are already underway.

If helpful please feel free to share our perspective during the discussion of the amendments during the Land Committee Meeting.

Thank you for your time and consideration.

Best,
Kate and Jeff Davis



CITY OF SOMERVILLE, MASSACHUSETTS
ELECTION DEPARTMENT
JAKE WILSON
MAYOR

March 5, 2026

Kimberley Wells
City Clerk
Somerville City Hall
93 Highland Avenue
Somerville, Ma 02143

2026 MAR - 5 P 5:16
CITY CLERK'S OFFICE
SOMERVILLE, MA

Dear Ms. Wells:

We hereby certify that the five (5) pages of the petition ("Proposed Zoning Text Amendment, Somerville Zoning Code 15.7.2") given to us by your office contains the names of twenty-nine (29) registered Somerville voters designated as such by a red check mark to the left of the name.

- ✓ against the name of each qualified voter certified.
- N - no such registered voter at that address, or address is illegible.
- S - unable to identify signature as that of voter because of form of signature, or signature is illegible.
- T - already signed

BOARD OF ELECTION COMMISSIONERS



CITY HALL • 93 HIGHLAND AVENUE • SOMERVILLE, MASSACHUSETTS 02143
(617) 625-6600 EXT. 4200 • FAX: (617) 625-5643
EMAIL: ELECTIONS@somervillema.gov • www.somervillema.gov

William A. White, Jr.
290 Revolution Drive, apt. 627
Somerville, MA 02145

Phone (617)625-2600
Fax (617)284-6880
E-mail william.a.white@verizon.net

March 4, 2026

2026 MAR -5 A 9:20

CITY CLERK'S OFFICE
SOMERVILLE, MA

Honorable Members of the Somerville City Council:

I send this letter in compliance with your requirements relating to the submission of zoning amendments by registered voters. There are multiple signatories to the Amendments, but in sending this required letter to explain the rationale of the amendments, I will set forth the reasons that prompted me to draft them. This day, I have filed four proposed zoning amendments each of which is joined by at least 10 more registered voters. I want to make it clear that I did not file these zoning amendments in my capacity as counsel to Denise and I am not charging her for any work on this. To put it simply, I filed the proposed zoning amendments as a registered voter of the City who served on the City Council for 24 years. Because many registered voters have expressed policy concerns that are similar to mine, I thought it best to present these concerns as zoning amendments. This will bring these concerns directly to the City Council and allow the public to express their opinions, whether they agree or not. I will first describe the concerns and the manner in which the proposed amendments address those concerns.

As an attorney, I have represented a number of sellers of single and two family homes in the City. In this capacity, I have spoken with a number of brokers and attorneys. Currently, many of our existing single and two family homes are being sold to developers. If their lots have sufficient size to construct a backyard cottage, developers will purchase these properties, make sure that any rental units are vacant, demolish the existing building and then construct 4 luxury condominium units, **without any requirement to provide affordable housing**. Similarly, for three deckers, the developers convert them into luxury condominiums and build a luxury backyard cottage as a fourth condominium unit. This trend has directly resulted from the decisions of the Planning Staff and Building Department that backyard cottages do not have to be ancillary to the principal structure on the lot. Instead, they can be luxury condominiums approaching 1500 square feet. Many Somerville residents have raised concerns that buildings of that size are not Backyard Cottages and they certainly have an impact on existing buildings that may be 6 or 7 feet away. Very few Backyard Cottages as rental units will ever be constructed. Instead, because of the profit potential for their construction and sale as a free standing luxury condominium that has as much square footage as many of our small single family homes, the trend will continue.

The continuation of this trend will result in two distinct impacts on our housing market. First, it reduces the supply of rental housing to the extent that existing structures are demolished or converted to condominiums. Second, this trend removes potential houses from the market for purchase by those who cannot afford a condominium or house at current prices. Ordinarily,

many of these houses are old and would require renovation. These are the types of houses that many families would purchase because their market price would be reduced due to the need for improvements. These buyers would also be able to rent the second unit and third unit, if present, to generate income to offset their mortgage. This is how many immigrants and working families purchased homes in the past in Somerville. Because of the amount that developers are paying to purchase them, they are priced out of the range of these buyers. The resulting consequences are that apartment units are being replaced by luxury condominiums. The supply of apartments are thereby being reduced. Likewise, the availability of starter type homes for immigrants and the non-rich to buy is reduced. Too many rental units are all being replaced by luxury condominiums to provide housing for upper income home buyers.. This is an ongoing process that will have drastic impacts on the demographics of our community.

Given the size of our City and its diversity, there are many other areas of the City to accommodate upper income buyers with the opportunity to purchase luxury condominiums. Preserving the NR district as an area where the less affluent might be able to rent or own a home and raise a family is a policy goal that I and others support. If, however, this policy goal is rejected, then the trend will continue year after year and the diversity of the City will be on a downward slide. Given the fact that there is an incentive for developers to demolish existing housing without the protections of the condominium control ordinance, your honorable council also might want to consider whether the Condominium Control Ordinance should be amended to provide protection to tenants who are displaced because their former units were demolished and converted to condominiums. Otherwise, you leave a hole in the ordinance large enough for an oil tanker to sail through. This, of amendment, of course, would be beyond the scope of any zoning amendment. This amendment, of course, would be beyond the scope of any zoning amendment.

To address these policy concerns, I submitted four zoning amendments:

1. Requirement that Backyard Cottages be ancillary to the principal structure. One Amendment changes the definition of a Backyard Cottage as follows. It defines it as an accessory building ~~type-structure as defined in Section 10.2.1. b-f.~~ Currently, the SZO defines both “accessory building types” and “accessory building structures.” One definition allows Backyard Cottages to be condominiums, the other would not. This amendment clearly establishes that a backyard cottage is an accessory building structure” which must be ancillary to the main structure and therefore may not be a condominium unit. This type of requirement is being implemented in a number of communities that wish to create additional rental units such as Worcester, as one example. The attorney general's office also has opined that this type of restriction does not violate the MBTA Communities Act.

2. Square footage limitation on Backyard Cottages

The second change is to limit the total square footage of a backyard cottage to 900 square feet. The following language is added to SZO Sec. 3.12. It shall be no larger in Gross Floor Area¹ than 1/2 the Gross Floor Area of the Principal Dwelling or 900 square feet, whichever is smaller. There currently is no square foot limitation to a Backyard Cottage. The Planning Staff currently permits finished basements with bedrooms to allow up to 1,500 sq. feet. These large free standing buildings can be located 3 feet from adjoining lots. They bear no similarity to existing garages and carriage houses which were envisioned as being potential existing structures that could be converted to rental housing. There is quite a meaningful difference between a 900 square foot structure and a 1,500 sq. ft. structure. The proposed 900 sq. ft. follows the limitation that is used in the Attorney General's Regulations which limits an ADU to being not larger in Gross Floor Area than ½ the Gross Floor Area of the Principal Dwelling or 900 square feet, whichever is smaller. 760 CMR 71.02(b). Of course, when there is no principal structure and, instead, is a three unit condominium structure, there is no gross floor area to use.

There is an additional issue with regard to the building department's approval of these condominium buildings. It seems the building department has approved developments that do not comply with the disability requirements of the State. As a result, the developers have sought variances before the Architectural Access Board of the Commonwealth ("AAB"). I have attached a copy of the agenda of an AAB meeting showing the Somerville properties that recently filed for variances. Perhaps this might be an area of fruitful inquiry by the Council with regard to the definition of Backyard Cottages to also make sure that there is equitable treatment of disabled folks under our current development scheme.

3. Creating transparency and opportunity for public comment on lot splits.

The ZBA no longer decides lot split. Lot split requests do not appear on a ZBA Agenda, no notice is provided to abutters and the decision is made in private by Planning Staff. Staff essentially approves all lot split requests without any consideration of the development that will be constructed on the split lot. The public does not even know when a lot split application is filed and what the application entails. I will not repeat my legal arguments against this procedure. I also have a pending complaint for the violation of the open meeting law at the Attorney General's Office because of this secret procedure. The third zoning amendment simply deletes the language that the ZBA, under the guidance of the Planning Staff, enacted in order to provide the Planning Staff with the blanket authorization to convert the process to one with no public knowledge or input and done in private. Although one might argue that this "reduces red tape" by eliminating public involvement, it really doesn't. As soon as the lot split is approved, the developer then submits their building permit applications to Inspectional Services, including the proposed development, faster than the speed of light. It doesn't reduce red tape except for totally removing public input and knowledge from the procedure.

¹ See 2.1.1 of the Somerville Zoning Ordinance for definition of Gross Floor Area

This is especially worrisome to many in the public, because it permits at least double the amount of development that would be permitted without the lot split in an NR district. As a practical matter, most of the lots in our NR District has been developed. New lots are created by destroying existing housing. Because the NR districts have been developed along a certain pattern, creating two lots out of one creates denser development than adjoining lots. This is the reason why the SZO requires a Special Permit. And, if luxury 1,500 square foot luxury backyard cottages are added to the mix, one can have 8 units on 6,200 sq. ft. lots. I have attached a virtual photo based on actual construction that shows this dense development. Based on the rationale discussed earlier, the lot split allows a developer an even greater profit opportunity, so they can outbid any potential buyer for the existing structure and lot as described in part 1 above. The proposed zoning amendment amends 15.7.2 Zoning Board of Appeals as follows:

d. Board Rules

- i. The Zoning Board of Appeals shall elect, at least, a chair and a vice chair on an annual basis from among its own number.
- ii. The chair of the Zoning Board of Appeals shall designate an alternate member to sit in the place of any member incapacitated by personal interest, inability to act, or absence when necessary.
- iii. The Zoning Board of Appeals, or its designee, shall keep minutes of its proceedings.
- iv. The Zoning Board of Appeals may adopt rules of procedure and policy as it deems necessary to conduct its affairs, including but not limited to the following subjects:
 - a).rules and procedures governing applications and fees, including required written and graphical information;
 - b).rules and procedures pertaining to the development review process;
 - ~~e).rules and procedures of a minor Site Plan Approval process for development activities that do not require the procedural steps for Site Plan Approval, but that are still deserving of plan review.~~

The Council, of course, could replace the deleted language with the specific language as far as the activities that it believes do not require the procedural steps for Site Plan Approval and the specific requirements for the ZBA to follow for such activities.

4. Affordable Housing Requirement for Lot Splits in NR District

Under current zoning, no affordable housing requirement exists for a developer who by right can develop 8 condominium units in lots as small as 6500 sq. ft. due to a lot split. It appears to be one more bonanza that is given to luxury condominium developers at the cost of renters and potential non-rich home buyers. These folks are priced out of any ability to bid for the existing house and lot because the developer will outbid them. This is not a quarrel with the decision to eliminate the affordability requirement for a three unit building with a backyard cottage in the NR District. The amendment is designed to require an affordable unit when that amount of development is exceeded as a result of a lot split. The proposal utilizes the same affordability requirement as the UR District.

12.1.2 Applicability

a. This Section is applicable to all development required to provide one (1) or more affordable dwelling units (ADUs) and to any subdivision or lot split that results in two or more lots intended for residential use, sale, legacy, or development at any time. The number of units of housing for residential units that will be constructed on each of the lots that result from the lot split shall be combined. ("Combined Number"). For the NR District, the Combined Number shall constitute the number of Total Dwelling Units to calculate the required affordable dwelling units as specified in table 12.1.2.d. For all other Districts, the Combined Number shall constitute the Total Dwelling Units for use in the Table of Required ADUs applicable to such District.

Add Table 12.1.2.d as set forth below:

<u>Table 12.1.2.d Required ADUs</u>	
<u>Total Dwelling Units Required ADUs</u>	<u>Required ADUs</u>
<u>5 or more units</u>	<u>20% of units</u>

This affordability requirement is the same as the UR District requirement.

Thank you for your attention to these amendments and their rationale.

Very truly yours,

William A. White, Jr.

William A. White, Jr.



MAURA HEALEY
GOVERNOR



LAYLA R. D'EMILIA
UNDERSECRETARY OF
CONSUMER AFFAIRS AND
BUSINESS REGULATION

KIM DRISCOLL
LIEUTENANT GOVERNOR

SARAH R. WILKINSON
COMMISSIONER, DIVISION OF
OCCUPATIONAL LICENSURE

**Commonwealth of Massachusetts
Division of Occupational Licensure
Office of Public Safety and Inspections
Architectural Access Board**

One Federal Street, Suite 600 • Boston • MA • 02110
V: 617-727-0660 • www.mass.gov/aab • Fax: 617-979-5459

ERIC PALEY
SECRETARY, EXECUTIVE OFFICE
OF ECONOMIC DEVELOPMENT

NOTICE OF MEETING

In accordance with the provisions of M.G.L. c. 30A, § 20, notice is hereby given that a meeting of the Architectural Access Board will be held on February 23, 2026, at 9:00 a.m. via Microsoft Teams.

ARCHITECTURAL ACCESS BOARD

Join on your computer, mobile app or room device

Join the meeting now

Meeting ID: 214 317 195 872 54

Passcode: 7v5wR3bT

Dial in by phone

+1 857-327-9245,,793758251#

United States, Boston

Find a local number

Phone conference ID: 793 758 251#

Location: Remote Meeting

February 23, 2026, 9:00 a.m. to 5:00 p.m.

1. Dawn Guarriello, Chairperson	<input type="checkbox"/> present	<input type="checkbox"/> absent
2. Patricia Mendez, Vice-Chairperson	<input type="checkbox"/> present	<input type="checkbox"/> absent
3. Katie Denis	<input type="checkbox"/> present	<input type="checkbox"/> absent
4. Pamela Daly	<input type="checkbox"/> present	<input type="checkbox"/> absent
5. David Johnson	<input type="checkbox"/> present	<input type="checkbox"/> absent
6. Jeffrey Dougan	<input type="checkbox"/> present	<input type="checkbox"/> absent
7. Elizabeth Myska	<input type="checkbox"/> present	<input type="checkbox"/> absent
8. Kay Bell	<input type="checkbox"/> present	<input type="checkbox"/> absent

Incoming Case Review:

- Residential Buildings, 17 Hudson Street, Somerville (V26-010)
- Residential Building, 18 Thingvalla Avenue, Cambridge (V26-011)
- Residential Building, 70 Vernon Street, Somerville (V26-012)
- Residential Building, 44 White Street, Somerville (V26-013)
- Residential Building, 22-24 Spring Hill Terrace, Somerville (V26-014)
- Veterans Inc., 69 Grove Street, Worcester (V26-015)
- Lt. Clayre Sullivan Middle School, 400 Jarvis Avenue, Holyoke (V26-016)
- Maurice A. Donahue Elementary School, 210 Whiting Farms Road, Holyoke (V26-017)
- Residential Building, 322 Prospect Street, Cambridge (V26-018)
- Residential Building, 10 Sargent Street, Somerville (V26-019)
- Residential Building, 10 Corinthian Road, Somerville (V26-020)
- Residential Building, 12 Corinthian Road, Somerville (V26-021)
- Residential Building, 1004 Broadway, Somerville (V26-022)
- Residential Building, 1006 Broadway, Somerville (V26-023)
- Residential Building, 259 Lenox Street, Norwood (V26-024)

Quasi-Judicial Session - CLOSED pursuant to General Laws, Chapter 30A, § 18

Administrative Discussion

- Curb Cuts, Ring Road, Boston (C24-062)
- Ashby American Legion Post, 35 New Ipswich Road, Ashby (V24-106 & C23-174)
- Whaling City Sober House, 52 Ash Street, New Bedford (V24-164)
- Sheraton Commander Hotel, 16 Garden Street, Cambridge (V25-016)
- Salem YMCA, 1 Sewall Drive, Salem (V25-089)
- Cabot Street YMCA, 245 Cabot Street, Beverly (V25-108)
- Residential Building, 54-56 Hayes Street, Cambridge (V25-178)
- McKinney Park, 74 Faneuil Street, Boston (V25-191)
- Residential Building, 192 Washington Street, Somerville (V25-216)
- Residential Building, 37 Plymouth Street, Cambridge (V25-235)
- Residential Building, 16 Moreland Street, Somerville (V25-237)
- Residential Building, 95 Berkeley Street, Boston (V26-009)
- BHA Cases Overview
- Advisory Opinion- Reading Nooks
- Advisory Opinion- Warren Gardens
- Minutes and Decisions from the February 9, 2026, meeting

11:00 AM –New England Sports Center, 121 Donald Lynch Boulevard, Marlborough (C24-002 & V24-192)

1:00 PM- Residential Buildings, Various Addresses, Dorchester (V25-176)

If you need reasonable accommodations to participate in the meeting, please reach out to Cheryl Yebba at 617-701-8711. While the Board will do its best to accommodate you, certain accommodations may not be available if requested immediately before the meeting.



CITY OF SOMERVILLE

Office of Strategic Planning & Community Development

ZONING TEXT AMENDMENT • APPLICATION FORM

Per Article 15.6.2 of the Somerville Zoning Ordinance (SZO), an individual property owner or ten (10) registered voters of the City of Somerville may petition the Somerville City Council to amend the provisions of the SZO in response to changes in City policy or real-world conditions. To submit a text amendment petition to the City Council, the following must be provided:

1. A completed Zoning Text Amendment Application Form.
2. The proposed change(s) to the ordinance language. Identify the proper Article and Section number(s) of the ordinance. Text to be removed must be ~~crossed out in red~~ and new text must be underlined in red.
3. A letter addressed to the City Council including a description of the proposed changes and the purpose for the petition.

Submit all required documents to:

City Clerk's Office
 1st Floor, City Hall
 93 Highland Avenue
 Somerville, MA 02143

2026 MAR -4 P 3:28
 CITY CLERK'S OFFICE
 SOMERVILLE, MA

For an individual property owner:

Name:	Signature: _____
Address:	

See next page for ten (10) registered voters.
 For ten (10) registered voters:

PROPOSED ZONING TEXT AMENDMENT

We, the undersigned, are all registered voters of the City of Somerville. Pursuant to the provisions of Somerville Zoning Ordinance Section 15.6.2.d.i.f) hereby submit the following textual amendment to the current Somerville Zoning Ordinance.

Amend the provisions of Somerville Zoning Code 15.7.2. to read as follows:

15.7.2 Zoning Board of Appeals

d. Board Rules

- i. The Zoning Board of Appeals shall elect, at least, a chair and a vice chair on an annual basis from among its own number.
- ii. The chair of the Zoning Board of Appeals shall designate an alternate member to sit in the place of any member incapacitated by personal interest, inability to act, or absence when necessary.
- iii. The Zoning Board of Appeals, or its designee, shall keep minutes of its proceedings.
- iv. The Zoning Board of Appeals may adopt rules of procedure and policy as it deems necessary to conduct its affairs, including but not limited to the following subjects:
 - a).rules and procedures governing applications and fees, including required written and graphical information;
 - b).rules and procedures pertaining to the development review process;
 - ~~c).rules and procedures of a minor Site Plan Approval process for development activities that do not require the procedural steps for Site Plan Approval, but that are still deserving of plan review.~~

PROPOSED ZONING TEXT AMENDMENT

2026 MAR -4 P 3:28

We, the undersigned, are all registered voters of the City of Somerville. Pursuant to the provisions of Somerville Zoning Ordinance Section 15.6.2.d.i.f) hereby submit the following textual amendment to the current Somerville Zoning Ordinance.

Delete section 15.7.2.d.iv.c). by striking the following language in its entirety:

“rules and procedures of a minor Site Plan Approval process for development activities that do not require the procedural steps for Site Plan Approval, but that are still deserving of plan review.”

- | | | | |
|-------|----------------------------------|--------------------------------|------------|
| ✓ 1. | <u>William A. W. [Signature]</u> | <u>290 Revolution Dr. #627</u> | <u>1-3</u> |
| | Sign Name | Address | |
| ✓ 2. | <u>[Signature]</u> | <u>17 Jackson Rd</u> | <u>4-2</u> |
| | Sign Name | Address | |
| ✓ 3. | <u>James P. Duffy</u> | <u>17 Jackson Road</u> | <u>4-2</u> |
| | Sign Name | Address | |
| ✓ 4. | <u>Dennis Michael Sullivan</u> | <u>138 Ten Hills Road</u> | <u>4-1</u> |
| | Sign Name | Address | |
| ✓ 5. | <u>Melanie J. Sullivan</u> | <u>138 Ten Hills Road</u> | <u>4-1</u> |
| | Sign Name | Address | |
| ✓ 6. | <u>Frank Bohan</u> | <u>101 Temple Road</u> | <u>4-1</u> |
| | Sign Name | Address | |
| ✓ 7. | <u>Lawrence Bohan</u> | <u>101 Temple Road</u> | <u>4-1</u> |
| | Sign Name | Address | |
| ✓ 8. | <u>Devin [Signature]</u> | <u>20 Albion Street</u> | <u>5-2</u> |
| | Sign Name | Address | |
| ✓ 9. | <u>Patricia J. Jehlen</u> | <u>67 Dame St.</u> | <u>2-3</u> |
| | Sign Name | Address | |
| ✓ 10. | <u>Alain Jehlen</u> | <u>67 Dame St.</u> | <u>2-3</u> |
| | Sign Name | Address | |

PROPOSED ZONING TEXT AMENDMENT 2026 MAR -4 P 3: 28

We, the undersigned, are all registered voters of the City of Somerville, Pursuant to the provisions of Somerville Zoning Ordinance Section 15.6.2.d.i.f) hereby submit the following textual amendment to the current Somerville Zoning Ordinance.

Delete section 15.7.2.d.iv.c). by striking the following language in its entirety:

"rules and procedures of a minor Site Plan Approval process for development activities that do not require the procedural steps for Site Plan Approval, but that are still deserving of plan review."

- | | | | |
|-------|------------------------------|---------------------------------|------------|
| ✓ 1. | <u>Brian Mahony</u> | <u>15 Waldo St.</u> | <u>5-2</u> |
| | Sign Name | Address | |
| ✓ 2. | <u>[Signature]</u> | <u>19 WALDO ST.</u> | <u>5-2</u> |
| | Sign Name | Address | |
| ✓ 3. | <u>Boyan Bouda</u> | <u>17 WALDO ST.</u> | <u>5-2</u> |
| | Sign Name | Address | |
| ✓ 4. | <u>Mark Kitch</u> | <u>20 Spring Hill Terrace</u> | <u>3-4</u> |
| | Sign Name | Address | |
| ✓ 5. | <u>Kevin McIntorn</u> | <u>6005 Sipee Rd. #1</u> | <u>7-4</u> |
| | Sign Name | Address | |
| ✓ 6. | <u>Meredith Porter</u> | <u>104 Josephine Ave</u> | <u>6-2</u> |
| | Sign Name | Address | |
| ✓ 7. | <u>Karen Mollay</u> | <u>197 Highland Ave Unit #2</u> | <u>5-2</u> |
| | Sign Name | Address | |
| ✓ 8. | <u>Elissa C. Mintz</u> | <u>167 Hudson St.</u> | <u>5-2</u> |
| | Sign Name | Address | |
| ✓ 9. | <u>Coles Kothe</u> | <u>19 Cedar Avenue</u> | <u>5-4</u> |
| | Sign Name | Address | |
| ✓ 10. | <u>Doreen W. [Signature]</u> | <u>25 Elm Place #2</u> | <u>3-3</u> |
| | Sign Name | Address | |

PROPOSED ZONING TEXT AMENDMENT

2026 MAR -4 P 3: 28

We, the undersigned, are all registered voters of the City of Somerville. Pursuant to the provisions of Somerville Zoning Ordinance Section 15.6.2.d.i.f) hereby submit the following textual amendment to the current Somerville Zoning Ordinance.

CITY CLERK'S OFFICE
SOMERVILLE, MA

Delete section 15.7.2.d.iv.c) by striking the following language in its entirety:

"rules and procedures of a minor Site Plan Approval process for development activities that do not require the procedural steps for Site Plan Approval, but that are still deserving of plan review."

- ✓ 1. ~~Lynn McWhor~~ 45 ~~45~~ ~~Ibbetson St.~~, # ~~3~~ 1
 Sign Name Address
- ✓ 2. Jane Fair Bexton 45 Ibbetson St, #3 Somerville 02143 3-4
 Sign Name Address
- ✓ 3. Lynn McWhor 45 Ibbetson St, #1 Somerville 02143 3-4
 Sign Name Address
- ✓ 4. ~~M (Jennifer D. Maria)~~ 47 Lowell St, Somerville 02143 3-4
 Sign Name Address
- ✓ 5. Cheryl Legasse 12 Westwood Rd 02143 3-3
 Sign Name Address
- ✓ 6. Dana Maxwell 5 Westwood Rd 02143 3-3
 Sign Name Address
- ✓ 7. Garrett Zettinger 17 Harvard St, Apt 3, Somerville 02143 3-3
 Sign Name Address
- ✓ 8. Kathie Grier 76 Berkeley St, Apt 2, Somerville, MA 02143 3-3
 Sign Name Address
- ✓ 9. Paul S Nesson 76 Berkeley St Apt 2 Somerville MA 02143 3-3
 Sign Name Address
- ✓ 10. Aberdeen Biel 20 Albion Street 5-2
 Sign Name Address

Kate and Jeff Davis



April 6, 2026

Somerville City Council
93 Highland Avenue
Somerville, MA 02143

Honorable Members of the Somerville City Council:

We are writing as property owners and investors who will be directly and materially harmed by the proposed zoning text amendment to Somerville Zoning Code 15.7.2 relating to backyard cottages.

We recently purchased the three-family property located at 163 Morrison Avenue in Somerville with the specific intent to develop a backyard cottage consistent with the zoning regulations in effect at the time of purchase. In reliance on those regulations, we have invested in excess of \$30,000 in architectural and engineering services in preparation for filing a building permit application, which we anticipated submitting this week.

This is a property that we intend to hold and manage for the long term and we do not intend to alter the current structure on the property. Our approach to this project has been that of long-term owner-occupants, not short-term developers.

The financial feasibility of this investment was premised entirely on the zoning regulations in effect when we made our purchase and committed to this course of development. If the proposed amendment reducing the permitted size of backyard cottages is ordained without transitional relief, the economic basis of our project will be eliminated and our investment in design and engineering costs will be rendered worthless.

We want to be clear that our proposed project is not of the type that appears to have prompted the concerns described in the filed petition supporting the amendment. As described in that petition, the concerns focus on development scenarios involving the demolition of existing homes, and replacing the original structures with multiple, free standing luxury condominium units.

Our project does not involve this practice. It does not entail demolition of the principal structure or converting any of the units or structures into condominiums. While our proposed cottage is designed to be functional and code-compliant, it remains an accessory structure intended to complement the existing three-family home, consistent with the zoning framework in place at the time of our purchase and with the original policy purpose of allowing additional housing on appropriately sized lots.

We are not writing to oppose the Council's authority to amend the zoning ordinance, nor to question the policy objectives underlying the proposed amendment. Rather, we respectfully request that if the proposed amendment is ordained, the Council include a grace period of no less than six (6) months from the effective date of the ordinance, during which property owners who have demonstrably relied on the existing zoning, through executed purchase agreements, recorded deeds, or substantial expenditures for design and permitting, may file a complete building permit application under the prior zoning standards.

Such a grace period would not disrupt the Council's policy goals. Instead, it would allow the amendment to operate prospectively, addressing the specific development practices identified in the petition, while avoiding unintended harm to small property owners whose projects do not implicate those concerns and who acted in good faith reliance on the law as it existed.

We also ask the Council to consider a broader point of policy. When municipalities alter zoning regulations in ways that retroactively undermine investment decisions made in reasonable reliance on existing rules, it introduces uncertainty into the development process, erodes confidence among small and first-time property owners, and ultimately discourages the type of thoughtful, long-term housing investment that Somerville seeks to promote. A reasonable grace period is a measured, fair, and well established mechanism that protects those who have already committed resources while allowing new policy direction to take effect going forward.

We respectfully urge the Council to provide this transitional protection for us and others who find themselves in the same position. We would be happy to provide documentation of our expenditures or to speak further with any member of the Council or its staff.

Thank you for your consideration.

Respectfully submitted,
Kate and Jeff Davis

Madalyn Letellier

From: Mounir Elhout [REDACTED]
Sent: Sunday, April 12, 2026 8:27 AM
To: Ben Ewen-Campen; Jesse Clingan; Lance Davis; Matthew McLaughlin; Naima Sait; All City Council; OSPCD; Mayor; Public Comments; City Clerk Contact
Subject: Concerns Regarding William White Petition
Attachments: Somerville_Opposition_William_White.pdf

This email is from an external source. Use caution responding to it, opening attachments or clicking links.

Dear Members of the Mayor's Office, Land Use Committee, Planning Board, City Council, and OSPCD,

I am writing to all parties involved in the decision-making process regarding William White's petition at the Planning Board meeting on Thursday. I have attached a document to this email outlining my concerns for your review.

Sincerely,
Mounir Elhout

Dear Members of the Land Use Committee, Planning Board, City Council, OSPCD, and Mayor's Office:

I am writing to oppose and respectfully urge you to REJECT ALL FOUR proposed zoning text amendments contained in File Nos. 26-0327, 26-0328, 26-0329, and 26-0330 (the White Petition) to Somerville Zoning Ordinance Sections 3.1.12 & 10.2.1, 3.12, 12.1.2, and 15.7.2, certified by the Board of Election Commissioners on March 5, 2026.

Several of the concerns raised in the petition do not reflect how housing is actually built or functions in Somerville today.

First, the concern around buildings being located 6 to 7 feet from each other is not unique to backyard cottages. This condition already exists across much of Somerville and is a direct result of the city's lot sizes and long-standing development pattern. Limiting backyard cottages to 900 square feet, similar to ADU regulations, does not resolve this issue. Buildings will still be in close proximity because that is inherent to the existing fabric of the city, not a function of this specific housing type.

Second, the claim that "very few backyard cottages as rental units will ever be constructed" is speculative and not supported by any meaningful data. As of April 6, 2026, only a very limited number of backyard cottages have been brought to market in Somerville. It is far too early to draw conclusions about how these units will ultimately be used. Making policy decisions based on assumptions at this stage risks restricting a housing type before it has had a chance to fully develop.

Third, the petition argues that backyard cottages will reduce rental housing supply. In practice, that conclusion is not supported. Allowing additional units, whether through cottages or redevelopment, increases overall housing supply, and many condominiums in Somerville are rented out after purchase. Even when units are built for sale, they still contribute to the rental market. Restricting development options does not preserve rental housing—it limits the total number of units that can be delivered and ultimately constrains supply. When new supply is constrained, demand does not disappear; it shifts to the existing housing stock, which places upward pressure on rents and further reduces affordability for renters.

Additionally, the idea that preserving older housing stock will improve affordability does not fully account for the condition of these properties. Many of these homes require significant capital investment due to their age. When factoring in renovation costs, it is often more financially feasible for buyers to purchase newer construction. While multi-family homes can provide rental income to help offset a mortgage, the upfront costs and financing requirements can make them difficult to access for many buyers at current price levels. New construction condominiums often provide a more accessible path to ownership.

It is also important to consider recent changes to the condominium conversion ordinance. The extended waiting period has already made it more difficult to convert existing housing stock. These changes directly address some of the concerns raised in the petition, and it would be premature to introduce additional restrictions before seeing the full impact of those policies.

I respectfully request that you reject File Nos. 26-0327, 26-0328, 26-0329, and 26-0330 in their entirety and preserve the current Zoning Ordinance that continues to deliver additional housing for Somerville residents.

Thank you for your time and consideration.

Respectfully,

Mounir Elhout

Somerville Developer

Madalyn Letellier

From: Niranjan Gawli [REDACTED]
Sent: Sunday, April 12, 2026 12:46 PM
To: Public Comments; Mayor; City Clerk Contact
Subject: Opposition to Proposed Zoning Text Amendments – File Nos. 26-0327, 26-0328, 26-0329, and 26-0330
Attachments: Opposition - Letter - niranjan gawli.pdf

This email is from an external source. Use caution responding to it, opening attachments or clicking links.

Hi,
Please find my letter attached for the August 16th Planning meeting.

Sincerely,
Niranjan Gawli
[REDACTED]
Somerville, MA 02145
[REDACTED]

To: Land Use Committee, Planning Board, City Council, OSPCD, and the Mayor's Office

Date: April 12, 2026

Dear Members of the Land Use Committee, Planning Board, City Council, OSPCD, and Mayor's Office:

I am writing as a Somerville resident, homeowner and real estate developer to urge you to reject in full the four amendments set forth in File Nos. 26-0327, 26-0328, 26-0329, and 26-0330 (the White Petition).

Somerville is a city facing a serious housing shortage. As someone who has lived here for seven years and has invested in this community, I have seen firsthand how difficult it has become for people to find housing they can afford. The current zoning framework, adopted and strengthened for MBTA Communities Act compliance, is working. It is producing smaller units that fall within an affordable price range. Backyard cottages and gentle infill development are adding modest, standalone buildings that families who cannot afford fully renovated or new single-family construction genuinely need. These amendments would undo that progress.

A 900-square-foot hard cap would effectively eliminate family-sized cottages and prohibit basements. To put this in practical terms: current zoning already limits the cottage footprint to 576 square feet. At that footprint, a staircase alone consumes a significant portion of the floor plan, leaving residents with an impractical layout. A hard cap on top of that constraint would result in nothing more than a box — a unit that suits no one and serves no real housing need.

Eliminating administrative review of lot splits would replace a straightforward, ministerial review with a full discretionary hearing, turning an objective compliance check into a process where neighbors can effectively veto lawful development. Beyond the fairness concern, this simply means more time before new units can be built — time that families waiting for housing do not have.

The 20% affordability mandate on small lot-split projects is, in practice, a prohibition. At the scale of 3–8 units, the cross-subsidy math simply does not work. City Planner Dan Bartman made this exact point during the 2023 MBTA compliance process, noting that no new three-unit buildings were built after the 2019 zoning changes because of a similar affordability requirement. This amendment would repeat that same mistake and produce the same result: no housing at all.

I also want to address the petition's core concern that developers outbid families. I understand the frustration, but this is a market reality, not a zoning problem, and zoning is the wrong tool to address it. More importantly, the outcome of this development model is actually a win for the community. Existing property owners receive an increased value for their land. Developers build newer, updated units that improve the streetscape through better buildings and landscaping.

And at the end of the process, families can acquire condominiums at a far more affordable price point than a single-family home on the same lot would ever offer. This brings more families into our city than the alternative, one wealthy household holding an entire property. That is not a loss. That is exactly the kind of outcome Somerville should be encouraging.

The current zoning framework was built through years of careful public process and professional planning expertise. I urge you to stand by that work and reject File Nos. 26-0327, 26-0328, 26-0329, and 26-0330 in their entirety.

Thank you for your time and service to our community.

Sincerely,
Niranjan Gawli

[REDACTED]

Somerville, MA 02145

[REDACTED]

Madalyn Letellier

From: Fernando Silva <[REDACTED]>
Sent: Monday, April 13, 2026 8:32 AM
To: Public Comments; Ben Ewen-Campen; Jesse Clingan; Lance Davis; Matthew McLaughlin; Naima Sait; All City Council; OSPCD; Mayor; City Clerk Contact; Jesse Clingan
Subject: Concerns Regarding William White Petition – Planning Board Meeting
Attachments: William White Petition (1).pdf

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Dear Members of the Mayor’s Office, Land Use Committee, Planning Board, City Council, and OSPCD,

I am writing to all parties involved in the decision-making process regarding William White’s petition at the Planning Board meeting on Thursday. I have attached a document to this email outlining my concerns for your review.

Sincerely,
Fernando J Silva

Thank You
Fernando Silva

J&F Construction Inc.

Residential and Commercial



To the Mayor's Office, Land Use Committee, Planning Board, City Council, and OSPCD,

I am writing as a former longtime resident of Somerville, a current neighbor on the Somerville–Medford line, and someone who remains deeply connected to the community. I graduated from Somerville High School in 1995 and have been an active member of the Somerville Portuguese Sports Club for many years. Through these experiences, I have had the opportunity to engage with the many diverse communities that have shaped Somerville into what it is today.

Over the past three decades, I have witnessed firsthand the city's evolution, both the contributions of longtime residents and the wave of new neighbors who have helped Somerville grow into a vibrant, thriving place. While I initially had reservations about some of the development initiatives introduced during Joseph Curtatone's administration, I have since seen how thoughtful development has strengthened the city, supported local businesses, and improved overall quality of life.

I remain closely tied to Somerville and visit daily, supporting and engaging with local businesses and community spaces such as Yafa Bakery, Diesel Cafe, Assembly Row, and the many MBTA stops that connect the city. Since 2007, I have also been actively involved in development within Somerville, owning and managing properties and contributing to multiple projects, with more currently in progress.

It is from this perspective, as a resident, community member, and developer, that I feel strongly compelled to speak out against the petition put forward by William White. This proposal moves the city in the wrong direction and would be detrimental to Somerville's future.

Somerville needs more housing, plain and simple. The need for additional housing cannot be overstated. It is essential for maintaining affordability, supporting economic growth, and ensuring that people from a wide range of backgrounds can continue to call this city home. We need more housing in every form available.

In particular, housing types such as backyard cottages represent an important and valuable opportunity. These homes, often around 1,600 square feet, provide a rare chance for residents to own a property that lives like a single-family home while fitting within Somerville's urban fabric. Eliminating this type of development would be a significant loss, especially at a time when opportunities for homeownership are already limited.

Restricting housing development now would not only limit options for future residents but would also undermine the progress Somerville has made over the years. It would be a step backward at a time when the city should be continuing to adapt, grow, and address its housing needs head-on.

I urge the appropriate departments and decision makers to carefully consider the broader impact of this petition. If adopted, it risks reversing much of the positive momentum Somerville has built.

As someone who has invested in this city for nearly two decades and who has additional projects planned, I must also be candid. Decisions like this influence where professionals like myself

choose to work. If this petition passes, I will complete my current projects in Somerville, but I will likely shift future development efforts to neighboring communities such as Cambridge, where there is a clearer commitment to creating more housing.

I remain committed to Somerville and hopeful that its leadership will continue to prioritize smart, inclusive growth that benefits the entire community.

Sincerely,
Fernando J Silva

Madalyn Letellier

From: Bradley Properties Management [REDACTED] >
Sent: Monday, April 13, 2026 2:42 PM
To: Public Comments; OSPCD; City Clerk Contact
Subject: Public Comment Zoning Amendment File #'s: 26-0327, 26-0328, 26-0329, and 26-0330
Attachments: Somerville NR Zoning Amendment - Lewis_David_Letter_of_Opposition.docx.pdf;
Somerville NR Zoning Amendment - Nurpeisova_Letter_of_Opposition.docx.pdf

This email is from an external source. Use caution responding to it, opening attachments or clicking links.

Good Afternoon,

Please find attached public comments regarding proposed zoning amendment File #'s: 26-0327, 26-0328, 26-0329, and 26-0330. These proposed zoning amendments are on the agenda for the April 16th joint Land Use Committee and Planning Board meeting.

Thank you,

David Lewis & Jansulu Nurpeisova

PLEASE ALWAYS "REPLY ALL"

Bradley Properties LLC
[REDACTED]
Somerville, MA 02144



Jansulu Nurpeisova

[REDACTED]
Somerville, MA 02143

April 9, 2026

Land Use Committee
Planning Board
City Council
Office of Strategic Planning & Community Development (OSPCD)
Mayor's Office
City Hall
93 Highland Avenue
Somerville, MA 02143

Re: Opposition to Proposed Zoning Text Amendments – File Nos. 26-0327, 26-0328, 26-0329, and 26-0330

(Submitted by William A. White, Jr. and 29 registered voters – the “White Petition”)

Dear Members of the Land Use Committee, Planning Board, City Council, OSPCD, and Mayor's Office:

As a Somerville property owner, I am writing to oppose and respectfully urge you to **REJECT ALL FOUR** proposed zoning text amendments contained in File Nos. 26-0327, 26-0328, 26-0329, and 26-0330 (the White Petition) to Somerville Zoning Ordinance Sections 3.1.12 & 10.2.1, 3.12, 12.1.2, and 15.7.2, certified by the Board of Election Commissioners on March 5, 2026.

The current zoning framework is delivering exactly what Somerville needs: gentle-density infill that adds housing without transforming the character of our neighborhoods. Since the 2019 ordinance and subsequent MBTA compliance amendments, backyard cottage permits and ADU construction have meaningfully expanded the housing stock. These are not towering apartment complexes—they are modest, neighborhood-scale additions that fit within the existing fabric of our streets. The White Petition would shut down the very pipeline that has been producing results, at a time when Somerville's housing shortage demands that we do more, not less.

There is a fundamental fairness problem with zoning property for a particular use by right and then erecting a discretionary barrier that can effectively prohibit that use. If a property owner demonstrates that a proposed lot split satisfies every dimensional standard in the ordinance, subjecting the proposal to a special permit process—where it can be denied for subjective reasons—raises serious due process concerns. Property owners are entitled to rely on the objective standards the City has established. Amendment 3 would break that promise.

An often overlooked benefit of the current framework is what it does for Somerville's aging housing stock. Many of the properties being redeveloped under the existing rules are outdated, energy-inefficient structures. Replacing a single deteriorating home with four to eight modern, code-compliant units is a net positive not only for housing supply but also for energy consumption and the City's climate goals. The White Petition would preserve aging, inefficient buildings by making it economically impractical to redevelop them—a poor trade-off by any measure.

Amendment 2's 900-square-foot cap would be particularly harmful to multigenerational families. Under the current rules, a cottage of approximately 1,500 square feet can accommodate an elderly parent with enough room for a live-in caregiver—an arrangement that is increasingly common in Somerville's diverse community. A 900-square-foot unit simply cannot serve that function. The cap would also eliminate basements, which provide essential space for bedrooms, storage, and mechanical systems. For families trying to keep multiple generations together under one roof, this amendment closes the door on one of the most practical solutions available.

Somerville certified a specific zoning framework to satisfy the MBTA Communities Act's requirement that multi-family housing be permitted by right, subject only to ministerial review. Whether other communities can get away with more restrictive approaches is beside the point—Somerville's compliance is evaluated based on its own submission, not on general AG guidance. If the cottage allowance was part of that certified plan, restricting it through Amendments 1 and 2 risks putting the City out of compliance and exposing it to enforcement actions and the loss of discretionary state funding.

The framing of Amendment 4 as an affordability measure does not withstand scrutiny. At the scale of NR lot-split projects—typically five to eight units—a 20% affordable mandate makes the entire project financially unworkable. The petitioners know this. Mr. White has acknowledged that his objective is to stop developers from acquiring properties in the NR district. The affordability requirement is not designed to produce below-market units; it is designed to prevent any units from being built at all. That is not housing policy—it is obstruction dressed in the language of affordability.

The Council should not overlook the fact that it examined and declined to adopt essentially identical proposals in File #24-1315 in December 2024. The Silverstein letter and Mullane memo submitted at that time provided detailed legal analysis of why these changes were inadvisable. Those analyses remain fully applicable today. The petitioners have presented no new facts, no new legal developments, and no changed circumstances that would warrant a different outcome. Revisiting settled policy on the strength of a petition from 29 overlapping signers undermines the Council's own prior deliberation.


If the City's genuine priority is to increase the supply of affordable housing, there are far more effective tools than imposing mandates on small-scale lot splits. The affordable housing trust fund, Community Preservation Act revenues, and inclusionary zoning applied at scales where the cross-subsidy model actually works are all available. These are proven, direct mechanisms for producing below-market units. By contrast, the White Petition's approach would not produce a single affordable unit—it would simply prevent

market-rate units from being built, tightening the housing supply further and driving up costs for everyone.

I respectfully request that you reject File Nos. 26-0327, 26-0328, 26-0329, and 26-0330 in their entirety and preserve the current Zoning Ordinance that continues to deliver additional housing for Somerville residents.

Thank you for your time and consideration.

Sincerely,

Signed by:

D044B72212C748B...

Jansulu Nurpeisova
Somerville Property Owner

CC:

[Redacted]
[Redacted]
[Redacted]

David Lewis

[REDACTED]
Somerville, MA 02145

April 9, 2026

Land Use Committee
Planning Board
City Council
Office of Strategic Planning & Community Development (OSPCD)
Mayor's Office
City Hall
93 Highland Avenue
Somerville, MA 02143

Re: Opposition to Proposed Zoning Text Amendments – File Nos. 26-0327, 26-0328, 26-0329, and 26-0330

(Submitted by William A. White, Jr. and 29 registered voters – the “White Petition”)

Dear Members of the Land Use Committee, Planning Board, City Council, OSPCD, and Mayor's Office:

As a Somerville property owner, I am writing to oppose and respectfully urge you to **REJECT ALL FOUR** proposed zoning text amendments contained in File Nos. 26-0327, 26-0328, 26-0329, and 26-0330 (the White Petition) to Somerville Zoning Ordinance Sections 3.1.12 & 10.2.1, 3.12, 12.1.2, and 15.7.2, certified by the Board of Election Commissioners on March 5, 2026.

The most damaging aspect of these amendments may not be any individual provision but the signal they would send to the market. Property owners and builders make commitments—purchasing land, hiring architects, securing financing—based on the zoning rules in effect at the time. When a city rewrites those rules retroactively to target projects already in progress, it tells every current and prospective investor that Somerville's regulatory environment is unpredictable. The chilling effect on development activity would extend far beyond the NR district. Capital flows to communities where the rules are stable; these amendments would give it a reason to flow elsewhere.

Amendment 4's 20% affordability requirement sounds appealing in the abstract, but the economics at NR scale make it a housing killer. A typical lot-split-plus-cottage project yields five to eight units. At that size, the revenue generated by market-rate units is not sufficient to cross-subsidize a deed-restricted affordable unit. Developers do not proceed with projects that lose money—they simply walk away. The City's own experience confirms this: after the 2019 zoning changes attached an affordable-housing requirement to the third unit in new construction, City Planner Dan Bartman reported that zero new three-unit buildings were built. The mandate did not produce affordable units; it produced vacant lots and missed opportunities.

Because Somerville chose not to adopt the state's Subdivision Control Law, there is no statutory subdivision review process available. The City's Minor Site Plan Approval was designed to serve that function in a practical and legally appropriate way: staff verify that proposed lots conform to all dimensional requirements. This is not a loophole—it is the system working as intended. Amendment 3 would discard this efficient mechanism in favor of full ZBA special permit hearings, adding months of delay and substantial costs to a process that, for conforming lots, involves nothing more than confirming that the numbers add up.

The Somerville Zoning Ordinance draws a deliberate distinction between “accessory building types” and “accessory building structures.” This was not an oversight by the drafters—it reflects a policy choice about how different categories of secondary buildings should be regulated. Amendment 1 would collapse that distinction by requiring all cottages to remain ancillary to the principal dwelling, without any analysis of what that change would mean for development patterns, unit counts, or housing diversity. Undoing a carefully considered element of the ordinance without understanding the consequences is poor policymaking.

One of the most valuable features of the current framework is that it allows cottage units to be sold as condominiums. For many families in Somerville—particularly first-generation homebuyers and immigrant households—a condominium cottage represents the most realistic path to homeownership in a market where single-family homes are well beyond reach. This mirrors the way earlier generations of Somerville residents bought multi-family properties, rented units to help cover the mortgage, and built generational wealth. Amendment 1's ancillary-only rule would eliminate this pathway entirely, reducing ownership opportunities for the very households the petitioners claim to be protecting.

The White Petition cites the Attorney General's ADU regulations at 760 CMR 71.02(b) as justification for a 900-square-foot size cap. This comparison is fundamentally flawed. Cottages permitted under Somerville's three-plus-cottage framework are not accessory dwelling units under state law. They are a distinct zoning category with a separate regulatory basis. Importing size restrictions from one legal framework into another simply because both involve smaller residential structures ignores the different policy objectives underlying each and lacks any supporting analysis.

The uniformity requirement of G.L. c. 40A, §4 exists to ensure that zoning rules are applied consistently to similarly situated properties. Amendment 3 would undermine this principle by subjecting fully conforming lot splits to discretionary ZBA review without articulating objective criteria for approval or denial. Two property owners with identically compliant proposals could receive different outcomes based on the composition of the hearing room rather than the merits of their applications. This is the kind of arbitrary, uneven treatment that the uniformity mandate was specifically enacted to prevent.

The Council should also weigh the breadth of support behind these amendments—or rather, the lack of it. The petition signatures come from a small, overlapping group of NR-district homeowners. The 14-voter and 29-voter lists share nearly complete overlap, including multiple spouses and family members at the same addresses. Every signer

except Mr. White himself owns property in the NR district. This is not a citywide call for zoning reform. It is a narrow effort by existing homeowners to restrict what can be built on their neighbors' land, led by a former City Councilor acting as legal counsel for clients who have been outbid in the real estate market.

I respectfully request that you reject File Nos. 26-0327, 26-0328, 26-0329, and 26-0330 in their entirety and preserve the current Zoning Ordinance that continues to deliver additional housing for Somerville residents.

Thank you for your time and consideration.

Sincerely,

Signed by:

D044B72212C748B...

David Lewis
Somerville Property Owner

CC:

[Redacted]
[Redacted]
[Redacted]

Madalyn Letellier

From: Maxwell Shortsleeve [REDACTED]
Sent: Monday, April 13, 2026 3:27 PM
To: Public Comments; OSPCD; City Clerk Contact
Subject: Public Comment Zoning Amendment File #'s: 26-0327, 26-0328, 26-0329, and 26-0330
Attachments: Somerville NR Zoning Amendment - Shortsleeve_Letter_of_Opposition.docx.pdf

This email is from an external source. Use caution responding to it, opening attachments or clicking links.

Good Afternoon,

Please find attached public comments regarding proposed zoning amendment File #'s: 26-0327, 26-0328, 26-0329, and 26-0330. These proposed zoning amendments are on the agenda for the April 16th joint Land Use Committee and Planning Board meeting.

Thank you,

Maxwell Shortsleeve

[REDACTED], Somerville, MA 02145

Maxwell Shortsleeve
[REDACTED]
Somerville, MA 02145

April 9, 2026

Land Use Committee
Planning Board
City Council
Office of Strategic Planning & Community Development (OSPCD)
Mayor's Office
City Hall
93 Highland Avenue
Somerville, MA 02143

Re: Opposition to Proposed Zoning Text Amendments – File Nos. 26-0327, 26-0328, 26-0329, and 26-0330

(Submitted by William A. White, Jr. and 29 registered voters – the “White Petition”)

Dear Members of the Land Use Committee, Planning Board, City Council, OSPCD, and Mayor's Office:

I am writing to oppose and respectfully urge you to **REJECT ALL FOUR** proposed zoning text amendments contained in File Nos. 26-0327, 26-0328, 26-0329, and 26-0330 (the White Petition) to Somerville Zoning Ordinance Sections 3.1.12 & 10.2.1, 3.12, 12.1.2, and 15.7.2, certified by the Board of Election Commissioners on March 5, 2026.

The current NR district provisions were not adopted hastily. They are the product of years of public hearings, professional planning analysis, and deliberate policy choices culminating in the 2019 Zoning Ordinance and subsequent amendments for MBTA Communities Act compliance. The planning department's framework was carefully calibrated to increase housing supply while meeting state mandates. Allowing 29 petition signers to override that process—particularly when the Council already declined to adopt substantially the same changes in File #24-1315 just over a year ago—would undermine the integrity of the City's planning function.

Good zoning practice maintains a clear separation between ministerial and discretionary actions. Verifying that a proposed lot split meets fixed dimensional standards—frontage, lot area, setbacks, coverage—is an inherently ministerial task. There is no planning judgment to exercise when every requirement is satisfied. Amendment 3 would force this objective compliance check through a full ZBA special permit hearing, introducing discretion where none is warranted. The result would be longer timelines, higher costs for applicants, and inconsistent outcomes that depend on who shows up to object rather than whether the project complies with the rules.

Zoning for something by right and then effectively prohibiting it through a discretionary gate raises fundamental fairness concerns. Property owners who can demonstrate that their proposed lots meet every dimensional requirement in the ordinance have a reasonable expectation that their projects will proceed. Subjecting compliant proposals to discretionary denial through a special permit process exposes the City to due process challenges and potential regulatory takings claims—litigation that would be costly, time-consuming, and avoidable.

The 900-square-foot cap proposed in Amendment 2 would not just shrink cottages—it would fundamentally change what they can be used for. Current practice allows cottages of roughly 1,500 square feet, producing units large enough for families with children or for elderly family members who may need space for a live-in caregiver. A 900-square-foot gross floor area cap would also prohibit basements beneath cottages, eliminating space that builders currently use for bedrooms, mechanical equipment, and storage. The practical effect is to turn family-viable housing into cramped studios that serve a much narrower segment of the population.

The 2024 Affordable Homes Act requires every municipality in Massachusetts to permit detached backyard cottages by right, up to certain size thresholds, and prohibits unreasonable restrictions on them. Somerville's current code exceeds the state minimum—which is exactly where a housing-constrained city should be. Amendments 1 and 2 would tighten restrictions on cottages in ways that directly conflict with the Act's mandate and could invite state preemption or enforcement action at a time when the Attorney General's office is actively scrutinizing municipal compliance.

The White Petition's own text is revealing. Mr. White acknowledges that his goal is to prevent developers from outbidding prospective homebuyers. Whatever one thinks of that concern, it is a complaint about market dynamics, not a zoning problem. Zoning regulates what can be built on a parcel—it does not and should not regulate who gets to purchase that parcel. The affordability mandate in Amendment 4 is being deployed not to produce below-market units but as an economic barrier designed to make development financially unworkable. That is not a legitimate use of the zoning power.

There is a common misconception that restricting new development protects neighborhood character and affordability. The opposite is true. When housing supply cannot grow to meet demand, prices rise. Somerville already has some of the highest rents in the region, and the families being priced out are disproportionately young, immigrant, and working-class households. The gentle-density infill that the current ordinance enables—replacing an aging single-family home with four to eight modern units—is precisely the kind of development that eases pressure on the housing market without dramatically altering neighborhood scale.

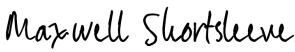
Amendment 1's ancillary-only requirement would force homeowners who build cottages to remain landlords rather than offering units for individual sale as condominiums. Many property owners in Somerville prefer the condominium model because it creates ownership opportunities—not just rental units. For middle-income buyers, a condominium cottage can be an accessible first step into homeownership in a city where single-family prices have become prohibitive. Eliminating this pathway removes a

tool that has historically helped working families build equity and establish roots in the community.

I respectfully request that you reject File Nos. 26-0327, 26-0328, 26-0329, and 26-0330 in their entirety and preserve the current Zoning Ordinance that continues to deliver additional housing for Somerville residents.

Thank you for your time and consideration.

Sincerely,

Signed by:

36D0C1F7D836438...

Maxwell Shortsleeve
Somerville Resident

CC:

[Redacted]
[Redacted]
[Redacted]

Madalyn Letellier

From: Julian Lewis <[REDACTED]>
Sent: Monday, April 13, 2026 6:51 PM
To: Public Comments; OSPCD; City Clerk Contact
Subject: Zoning Amendment 26-0327, 26-0328, 26-0329, and 26-0330
Attachments: Somerville NR Zoning Amendment - Lewis_Letter_of_Opposition.docx.pdf

This email is from an external source. Use caution responding to it, opening attachments or clicking links.

Good Afternoon,

Please find attached public comments regarding proposed zoning amendment File #'s: 26-0327, 26-0328, 26-0329, and 26-0330. These proposed zoning amendments are on the agenda for the April 16th joint Land Use Committee and Planning Board meeting.

Thank you,

Julian

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Julian Lewis

██████████
Somerville, MA 02143

April 9, 2026

Land Use Committee
Planning Board
City Council
Office of Strategic Planning & Community Development (OSPCD)
Mayor's Office
City Hall
93 Highland Avenue
Somerville, MA 02143

Re: Opposition to Proposed Zoning Text Amendments – File Nos. 26-0327, 26-0328, 26-0329, and 26-0330

(Submitted by William A. White, Jr. and 29 registered voters – the “White Petition”)

Dear Members of the Land Use Committee, Planning Board, City Council, OSPCD, and Mayor's Office:

As a Somerville property owner, I am writing to oppose and respectfully urge you to **REJECT ALL FOUR** proposed zoning text amendments contained in File Nos. 26-0327, 26-0328, 26-0329, and 26-0330 (the White Petition) to Somerville Zoning Ordinance Sections 3.1.12 & 10.2.1, 3.12, 12.1.2, and 15.7.2, certified by the Board of Election Commissioners on March 5, 2026.

As someone who owns property in Somerville, I can attest that the stability of the City's zoning framework is not an abstraction—it is the foundation on which property owners make real financial decisions. When the City adopted the 2019 Zoning Ordinance and amended it for MBTA compliance, it established a set of rules that property owners and developers relied upon in acquiring land, commissioning designs, and investing capital. The White Petition seeks to pull the rug out from under those investments. If the Council demonstrates that Somerville's zoning can be rewritten under political pressure from a small group of neighbors, every property owner in the city will have reason to question the reliability of the rules they are building around.

Property owners and developers who have incurred substantial costs in reliance on the current zoning framework have strong grounds for regulatory takings and equitable estoppel claims if these amendments pass. The City would be exposed to significant litigation risk—defense costs, delays, potential damages, and the market uncertainty that accompanies protracted legal disputes. This is not a speculative concern; courts have consistently held that when a municipality zones property for a particular use and then effectively prohibits that use through discretionary barriers, affected landowners may seek relief.

The 20% affordability mandate proposed in Amendment 4 reflects a misunderstanding of how inclusionary zoning works at different scales. In a large apartment complex, dozens of market-rate units generate enough surplus revenue to subsidize a handful of below-market ones. At the scale of a typical NR lot-split project—five to eight total units—the numbers simply do not work. The revenue from two or three market-rate units cannot offset the cost of a deed-restricted affordable unit. The inevitable outcome is that developers abandon the project entirely, and the city gets zero new units instead of several.

This is not speculation. The City's own planning staff has documented the destructive effect of affordability mandates at this development scale. During the 2023 MBTA compliance process, City Planner Dan Bartman reported that after the 2019 zoning changes, not a single new three-unit building was constructed in Somerville—because the affordable-housing requirement on the third unit made every project financially infeasible. The White Petition proposes to replicate that exact dynamic across all NR lot-split development. The Council should not repeat a policy mistake that its own planners have already identified.

OSPCD itself has determined that Minor Site Plan Approval—the administrative process—is the most appropriate review mechanism for conforming lot splits. This determination was made by the professional planning staff charged with implementing the zoning ordinance. Their reasoning is sound: when a proposed split produces lots that satisfy every dimensional requirement, there is no discretionary judgment to exercise. Amendment 3 would override the planning department's professional assessment and impose ZBA hearings that serve no legitimate planning purpose for fully conforming proposals.

The legal risks of these amendments are not hypothetical. The Attorney General's office has already initiated enforcement actions against multiple Massachusetts municipalities in 2026 for noncompliance with the MBTA Communities Act. Somerville certified its NR district provisions as its compliance mechanism. Amendments 1 and 3 reintroduce discretionary barriers to the by-right multi-family housing that the statute requires, while Amendment 4 imposes project-specific burdens that function as additional discretionary obstacles. Adopting these changes would invite the kind of state scrutiny that other communities are already facing.

Amendment 1's requirement that cottages remain ancillary to the principal dwelling eliminates an important form of flexible redevelopment. Under the current ordinance, property owners can pursue condominium development—creating individually owned units rather than rental housing. This is frequently the preferred approach for homeowners who do not want to take on the responsibilities of being a landlord. By restricting cottages to an ancillary role, the amendment removes the condominium option, reduces the total number of ownership units the city produces, and narrows the range of housing types available to buyers.


At its core, the White Petition is an attempt to use zoning to control who buys property in Somerville. Mr. White has stated openly that his concern is developers outbidding families in the real estate market. But zoning does not exist to regulate sale prices or to

determine who may purchase a parcel. It establishes development standards. If the City wishes to address housing affordability, there are direct, appropriate mechanisms for doing so: the affordable housing trust fund, Community Preservation Act revenues, and inclusionary zoning at scales where it is economically feasible. Using lot-split procedures as a tool to suppress conforming development is a misuse of the zoning power.

I respectfully request that you reject File Nos. 26-0327, 26-0328, 26-0329, and 26-0330 in their entirety and preserve the current Zoning Ordinance that continues to deliver additional housing for Somerville residents.

Thank you for your time and consideration.

Sincerely,

DocuSigned by:

BA884270BFB540B...

Julian Lewis
Somerville Property Owner

CC:

[Redacted]
[Redacted]
[Redacted]

Madalyn Letellier

From: Michael Chiu [REDACTED]
Sent: Monday, April 13, 2026 8:14 PM
To: Public Comments
Subject: Comments on proposed zoning ammendments

This email is from an external source. Use caution responding to it, opening attachments or clicking links.

I am writing in support of the four zoning amendments proposed by Attorney Bill White, and I urge the Land Use Committee to advance them.

Taken together, these amendments address loopholes and a lack of transparency that has worked against middle-income homebuyers, retention of long-term tenants, and the overall goal of housing stability and affordability.

- **Amendment 1** aligns with the Commonwealth's Affordable Homes Act and better reflects the spirit of Somerville's ADU ordinance to promote smaller, less expensive units, rather than cramming an additional house into a backyard and eliminating all greenspace.
- **Amendment 2** ensures that backyard cottages function as true accessory structures rather than as a mechanism for developers to build and sell bonus market-rate condominiums on residential lots.
- **Amendment 3** restores public notice and ZBA oversight to lot split decisions; which do have an impact on neighbors and should be subject to typical notification and review processes. If a small dormer needs ZBA review, a split-lot definitely should.
- **Amendment 4** If a developer does substantially expand the number of units on a lot, the 20% affordability requirement should be enforced - the benefit of expanding density should accrue to both the developer and the community.

Somerville's neighborhoods are under significant development pressure. These amendments would restore some balance between developer incentives and the interests of existing residents and future homebuyers. I respectfully urge the Committee to support these amendments.

Michael Chiu

[REDACTED], Somerville.

Madalyn Letellier

From: Sandra Meetran [REDACTED]
Sent: Monday, April 13, 2026 9:44 PM
To: Public Comments; OSPCD; City Clerk Contact
Subject: Public Comment Zoning Amendment File #'s: 26-0327, 26-0328, 26-0329, and 26-0330
Attachments: Somerville_NR_Zoning_Amendment_-_Meetran_Letter_of_Oppositiondocx.pdf

This email is from an external source. Use caution responding to it, opening attachments or clicking links.

Good evening,

Please find attached public comments regarding proposed zoning amendment File #'s: 26-0327, 26-0328, 26-0329, and 26-0330. These proposed zoning amendments are on the agenda for the April 16th joint Land Use Committee and Planning Board meeting.

Thank you,
Sandra Meetran
[REDACTED], Somerville

Sandra Meetran

██████████
Somerville, MA 02145

April 9, 2026

Land Use Committee
Planning Board
City Council
Office of Strategic Planning & Community Development (OSPCD)
Mayor's Office
City Hall
93 Highland Avenue
Somerville, MA 02143

Re: Opposition to Proposed Zoning Text Amendments – File Nos. 26-0327, 26-0328, 26-0329, and 26-0330

(Submitted by William A. White, Jr. and 29 registered voters – the “White Petition”)

Dear Members of the Land Use Committee, Planning Board, City Council, OSPCD, and Mayor's Office:

I am writing to oppose and respectfully urge you to **REJECT ALL FOUR** proposed zoning text amendments contained in File Nos. 26-0327, 26-0328, 26-0329, and 26-0330 (the White Petition) to Somerville Zoning Ordinance Sections 3.1.12 & 10.2.1, 3.12, 12.1.2, and 15.7.2, certified by the Board of Election Commissioners on March 5, 2026.

Requiring a special permit or affordability mandate for lot splits that already conform to every dimensional standard in the ordinance would effectively hand neighbors a veto over lawful land use. Zoning exists to establish objective, predictable rules for development. It is not meant to give abutters case-by-case approval power over projects that meet every requirement the City has set. This kind of discretionary gate undermines the predictability that residents and property owners alike depend on.

Somerville is not the only community grappling with these questions. Cambridge has conducted extensive studies on the economics of small-scale housing development and concluded that affordability mandates at this scale are counterproductive. Cambridge amended its zoning to allow up to ten units per lot without requiring affordable units, recognizing that the financial realities of small projects simply cannot support deed-restricted units. Somerville should learn from its neighbor's experience rather than repeat the mistakes Cambridge has already corrected.

Amendment 1 collapses the Somerville Zoning Ordinance's deliberate distinction between “accessory building types” and “accessory building structures” into a single ancillary requirement. This distinction was a considered policy choice embedded in the

ordinance. Eliminating it without any analysis of the downstream consequences is reckless. The amendment would restrict flexible redevelopment options and reduce the overall supply of housing units at a time when Somerville can least afford to lose them.

If the cottage allowance was part of Somerville's MBTA Communities Act compliance submission, restricting it could put the City out of compliance regardless of what the Attorney General's office has said about other municipalities. Compliance is evaluated based on each city's specific submission, not on general guidance. Somerville certified a particular zoning framework to satisfy the statute; amending that framework to restrict what was expressly permitted risks triggering enforcement actions and the loss of discretionary state grant funding.

We already have concrete evidence of what happens when affordability requirements are attached to small-scale development in Somerville. As City Planner Dan Bartman noted during the 2023 MBTA compliance discussions, not a single new three-unit building was constructed in Somerville after the 2019 zoning overhaul because of the affordable-housing requirement on the third unit. That track record should be dispositive. The White Petition proposes to replicate the exact policy approach that has already been shown to halt construction in the NR district.

Inclusionary zoning succeeds when a sufficient number of market-rate units generate revenue to subsidize below-market ones. In a 50-unit apartment building, forty market-rate units can carry ten affordable ones. In a three-unit building with a cottage—the typical scale of NR lot-split projects—two or three market-rate units cannot absorb the cost of even one deed-restricted unit. The cross-subsidy arithmetic that makes inclusionary zoning viable at larger scales simply does not translate to the development sizes the White Petition targets.

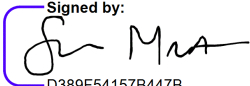
Changing the rules to target projects that are already in progress does more than affect individual developers—it sends a signal to the entire market that Somerville's zoning framework is unstable. Investors and builders make long-term financial commitments based on the rules in place at the time they acquire land and begin planning. If the City demonstrates a willingness to alter those rules retroactively under political pressure, it will chill development activity citywide and undermine confidence in the predictability of Somerville's regulatory environment.

It bears noting that the lead petitioner, William A. White, Jr., is a former City Councilor of 24 years who is filing in his capacity as a registered voter while acting as counsel to clients who have been outbid by developers. His stated concern—that developers outbid families—is a market complaint, not a zoning problem. The City has direct tools for addressing housing affordability, including the affordable housing trust fund and CPA funds. Weaponizing zoning procedures to deter lawful development is not one of them.

I respectfully request that you reject File Nos. 26-0327, 26-0328, 26-0329, and 26-0330 in their entirety and preserve the current Zoning Ordinance that continues to deliver additional housing for Somerville residents.

Thank you for your time and consideration.

Sincerely,

Signed by:

D389F54157B447B...

Sandra Meetran
Somerville Resident

CC:

[Redacted]
[Redacted]
[Redacted]

Madalyn Letellier

From: Ryan Hayden [REDACTED]
Sent: Tuesday, April 14, 2026 8:11 AM
To: Public Comments; OSPCD; City Clerk Contact
Subject: Public Comment Zoning Amendment File #'s: 26-0327, 26-0328, 26-0329, and 26-0330
Attachments: Somerville_NR_Zoning_Amendment_-_Hayden_Letter_of_Oppositiondocx.pdf

This email is from an external source. Use caution responding to it, opening attachments or clicking links.

Good morning,

Please find attached public comments regarding proposed zoning amendment File #'s: 26-0327, 26-0328, 26-0329, and 26-0330. These proposed zoning amendments are on the agenda for the April 16th joint Land Use Committee and Planning Board meeting.

Thank you,
Ryan Hayden

--

Ability can take you to the top, but it takes character to keep you there.

Ryan Hayden

Somerville, MA 02144

April 9, 2026

Land Use Committee
Planning Board
City Council
Office of Strategic Planning & Community Development (OSPCD)
Mayor's Office
City Hall
93 Highland Avenue
Somerville, MA 02143

Re: Opposition to Proposed Zoning Text Amendments – File Nos. 26-0327, 26-0328, 26-0329, and 26-0330

(Submitted by William A. White, Jr. and 29 registered voters – the “White Petition”)

Dear Members of the Land Use Committee, Planning Board, City Council, OSPCD, and Mayor's Office:

I am writing to oppose and respectfully urge you to **REJECT ALL FOUR** proposed zoning text amendments contained in File Nos. 26-0327, 26-0328, 26-0329, and 26-0330 (the White Petition) to Somerville Zoning Ordinance Sections 3.1.12 & 10.2.1, 3.12, 12.1.2, and 15.7.2, certified by the Board of Election Commissioners on March 5, 2026.

Somerville is in the midst of a housing crisis, with rents among the highest in the region. Young families, immigrants, and working-class residents are being pushed out of the city. The current Zoning Ordinance—adopted in 2019 and amended for MBTA Communities Act compliance—has begun to deliver meaningful housing gains through gentle-density infill like backyard cottages and ADUs. The White Petition threatens to undo that progress.

The proposed 20% affordable housing mandate on lot splits (Amendment 4) would render small-scale NR projects economically unviable. A typical lot-split-plus-cottage development produces five to eight new units. At that scale, the cost of deed-restricted affordable units cannot be absorbed. The cross-subsidy model that makes inclusionary zoning work in large developments simply does not function when only two or three market-rate units are expected to carry the cost of a below-market unit. The predictable result is not affordable housing—it is no housing at all.

It is worth noting that the City previously examined and declined to adopt essentially the same policy change for lot splits in File #24-1315 in December 2024. The legal analyses submitted at that time—including the Silverstein letter and Mullane memo—remain

directly applicable. No changed circumstances or new evidence have been presented that would justify reversing course now.

Amendment 3's proposal to eliminate Minor Site Plan Approval in favor of full ZBA hearings fundamentally mischaracterizes the current process. The existing administrative review is not "secret"—it is ministerial. The Planning Director simply verifies that a proposed lot split produces conforming lots that meet all dimensional requirements: frontage, area, setbacks, and lot coverage. Because Somerville never adopted the state's Subdivision Control Law, this streamlined process is the appropriate mechanism. Injecting discretionary review into what is inherently a geometric compliance check invites arbitrary decision-making and exposes the City to legal challenge.

Property owners and developers who have acquired land and invested substantial resources in reliance on the current zoning framework could pursue regulatory takings or estoppel claims if the rules are changed mid-stream. When a landowner demonstrates that a proposed lot split satisfies every dimensional standard in the ordinance, subjecting that proposal to discretionary denial raises serious due process concerns. Litigation of this nature would impose significant defense costs, delays, and market uncertainty on the City.

There is direct evidence that affordability mandates at this development scale suppress housing production. During the 2023 MBTA compliance process, City Planner Dan Bartman observed that no new three-unit buildings had been constructed in Somerville after the 2019 zoning changes, specifically because of the affordable-housing requirement attached to the third unit. This is a clear, real-world illustration that the approach proposed in the White Petition will stop construction rather than produce affordable homes.

Approving these amendments would put Somerville at risk of noncompliance with multiple state housing mandates. The MBTA Communities Act requires the City to maintain a district where multi-family housing is permitted by right and subject only to ministerial review. Amendments 1 and 3 reintroduce discretionary barriers that could violate this requirement. The 2024 Affordable Homes Act requires municipalities to permit detached backyard cottages by right. Amendments 1 and 2 directly conflict with that mandate. The Attorney General's office has already initiated enforcement actions against multiple municipalities in 2026, and Somerville should not invite similar scrutiny.

Finally, the White Petition's own language reveals that its goal is not to produce affordable housing but to prevent developers from outbidding potential homebuyers. Regulating who gets to purchase property is not a legitimate zoning purpose. Zoning sets objective development standards—it does not grant neighbors a case-by-case veto over lawful land use. Using lot-split procedures and affordability mandates as tools to suppress conforming development is not an affordability strategy; it is a development moratorium dressed in affordability language.

I respectfully request that you reject File Nos. 26-0327, 26-0328, 26-0329, and 26-0330 in their entirety and preserve the current Zoning Ordinance that continues to deliver additional housing for Somerville residents.

Thank you for your time and consideration.

Sincerely,

DocuSigned by:
Ryan Hayden
9DBAB3155C9747C...

Ryan Hayden
Somerville Resident

CC:

[Redacted]
[Redacted]
[Redacted]

Madalyn Letellier

From: Paula Garbarino [REDACTED]
Sent: Tuesday, April 14, 2026 3:38 PM
To: Public Comments
Subject: Affordability and Transparency in Backyard Cottage Rulings

This email is from an external source. Use caution responding to it, opening attachments or clicking links.

Dear Planning and Land Use Committees,

I regret that I might not be able to attend the coming hearing on 4/16, but wish to support the amendments proposed. The city should require affordable units in these otherwise under the radar small scale development projects and we should support democratic input from the immediately impacted neighborhood. Furthermore the wording “backyard cottage” should not be expanded into full scale structures that clearly do not fit the definition. I hope for a thoughtful outcome here.

Sincerely,
Paula Garbarino

[REDACTED]

Madalyn Letellier

From: [REDACTED]
Sent: Tuesday, April 14, 2026 3:49 PM
To: Planning1; All City Council; Public Comments
Subject: Union Square Zoning Amendment Opposition Letter
Attachments: Union Sq Zoning Amendment Opposition Letter.docx

This email is from an external source. Use caution responding to it, opening attachments or clicking links.

To the Members of the Land Use Committee and Planning Board, please see the attached letter opposing the Union Square Zoning Amendment.

Thank you for your consideration in this matter,

Thomas Bent

Dear Members of the Land Use Committee and Planning Board,

My name is Tom Bent, Founder of Bent Electrical Contractors Inc., located at 59A Inner Belt Road, Somerville. I also serve as Chairman of the Somerville Chamber of Commerce Government Affairs Committee and reside at 3 Harvard Place, Somerville. I am writing to oppose the proposed zoning amendment for the D6 parcel.

The D6 parcel is part of the Union Square Revitalization and the approved Union Square Master Plan, which represents more than a decade of coordinated, district-wide planning. Allowing a single parcel to proceed outside this framework risks undermining the cohesive vision, public benefits, open space, and economic activity envisioned for Union Square.

I previously served as a business representative on the formation committee of the Union Square Neighborhood Council and participated in the SomerVision 2010–2030 Plan and the Union Square Neighborhood Plan. Many stakeholders worked collaboratively over many years to develop the Union Square Master Plan, and this proposed amendment would undermine that effort.

Thank you for your consideration.

Best regards,



Thomas Bent



Somerville, Ma 02143

Madalyn Letellier

From: Justin Kunz [REDACTED]
Sent: Wednesday, April 15, 2026 2:49 PM
To: All City Council; Planning1; Public Comments
Subject: Public Comment on Zoning Map Amendment

This email is from an external source. Use caution responding to it, opening attachments or clicking links.

Dear members of the Land Use Committee and the Planning Board,

My name is Justin Kunz, and my family and I have been residents of Union Square for 8 years. I have also followed the Union Square Revitalization efforts closely over time and have a deep appreciation for the work that went into shaping it.

I am writing to strongly oppose the proposed zoning map amendment for the D6 parcel.

Somerville's distinguishing strength has long been its clarity of purpose, its willingness to plan not for what the market dictates in the moment, but for what the community has collectively determined it aspires to become.

With origins in SomerVision 2030, the subsequent Union Square Neighborhood Plan, identified this parcel specifically for commercial use. This was not incidental, nor was it aligned with prevailing market trends at the time. Rather, it was a conscious choice—one that, in many respects, ran counter to the prevailing market sentiment. The rationale was clear: to foster a level of commercial density capable of anchoring a meaningful employment center and delivering a broad set of public benefits to complement Somerville's predominantly residential fabric.

That decision reflects a deeper principle: Somerville plans with conviction. It sets a course based on shared values and follows through, even when doing so requires resisting near-term pressures or shifting market sentiment.

As a member of the more recent SomerVision 2040 Committee, I can attest that these convictions remain firmly intact. The community's commitment to thoughtful, long-range planning and to the outcomes envisioned in these foundational documents has not wavered.

For these reasons, I respectfully urge the Board to uphold the intent of these plans. The work of countless community members and stakeholders, developed over years of engagement and deliberation, should not be set aside in favor of near-term opportunism. Doing so would risk undermining not only this site's potential, but also the credibility of the planning processes that have defined Somerville's past, present and future success.

Respectfully,
Justin Kunz

Madalyn Letellier

From: Philip Ballentine [REDACTED]
Sent: Wednesday, April 15, 2026 5:40 PM
To: Madalyn Letellier
Subject: Re: Opposing zoning amendments by Bill White

This email is from an external source. Use caution responding to it, opening attachments or clicking links.

My name is Philip Ballentine and I live in Ward 3.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From: Philip Ballentine [REDACTED]
Sent: Wednesday, April 15, 2026 3:10 PM
To: Public Comments [REDACTED]
Subject: Opposing zoning amendments by Bill White

This email is from an external source. Use caution responding to it, opening attachments or clicking links.

Hello,

I am a Somerville resident off and on since 2010 and have owned a condo in Somerville since 2022.

I am opposed to the proposed zoning changes that would stop the building of backyard cottages. Please keep the rules as they are and in fact increase the ease with which such structures can be built. This should be coupled with enforcement of the rules about tree removal.

We need more housing units and less red tape. I don't see how this makes more than a marginal impact on green space.

I also do not believe the canard that more people is bad for the finances of our city and makes us poorer or that we should do central planning of Somerville's economy via zoning. That has led to the massive complexes of empty labs while housing costs continue to rise.

That philosophy has manifestly failed and the philosophy of wrapping up any construction of new housing in red tape has severely harmed the dynamism of the city and this region.

The idea that more building of market rate units will drive up housing costs and not the reverse is completely backwards and untrue. Without more building, costs will rise faster and higher.

I care about green space and the environment quite a bit but this doesn't seem to me to be genuinely a step in the direction of promoting green space but rather a thin justification for anti-housing policy.

The triple decker that I live in wouldn't exist if by right development of housing where demand exists was disallowed back in the 1920s as it has been for more than my entire lifetime, which is why housing costs are decimating and hollowing out our community.

Phil

City of Somerville Public Records Notice

Please be advised that the Massachusetts Attorney General has determined that email is a public record unless the content of the email falls within one of the stated exemptions under the Massachusetts Public Records Laws.

Madalyn Letellier

From: Janine Kunz [REDACTED]
Sent: Wednesday, April 15, 2026 6:16 PM
To: Public Comments; Planning1; All City Council
Subject: Public Comment - Map Amendment

This email is from an external source. Use caution responding to it, opening attachments or clicking links.

Dear Members of the Land Use Committee and the Planning Board,

My name is Janine Kunz, and I am a resident of Union Square. I am writing to oppose the proposed zoning amendment for the D6 parcel.

Much change has occurred over the almost eight years I have lived in Union Square, the arrival of new transit, new housing, new commercial development, new open spaces, new wider sidewalks, new plazas, new trees, new neighbors, new visitors - and I welcome them all.

Change is what makes cities like Somerville, neighborhoods like Union Square so exciting. My opposition to the zoning amendment is not because it represents more change, but because it represents a deviation from the intentional planning that came before it. D6 is a part of a coordinated framework, planned to realize very specific things... on purpose... as part of an actual plan.

The plan reflects years of collaboration among the City, the Somerville Redevelopment Authority, community groups, and residents to transform underutilized parcels into a cohesive mixed-use district that balances public benefits. We have all witnessed the results of those efforts begin to materialize. The owner acquired the property knowing these objectives were in place, and it is unfortunate that they would work to unravel all the work done.

A parcel-specific zoning change now would depart from that approach and risks undermining both the plan's integrity and the delivery of its public benefits.

I respectfully urge you to vote against the proposed amendment and thank you for your consideration.

Sincerely,
Janine Kunz

Madalyn Letellier

From: Peter Mullane [REDACTED]
Sent: Wednesday, April 15, 2026 4:59 PM
To: Public Comments; Ben Ewen-Campen; Jesse Clingan; Lance Davis; Matthew McLaughlin; Naima Sait; All City Council; OSPCD; Mayor; City Clerk Contact
Subject: Opposition to Proposed Zoning Text Amendments – File Nos. 26-0327, 26-0328, 26-0329, and 26-0330
Attachments: Opposition to Proposed Zoning Text Amendments – File Nos. 26-0327, 26-0328, 26-0329, and 26-0330 .pdf

This email is from an external source. Use caution responding to it, opening attachments or clicking links.

Dear City of Somerville,

I write to respectfully urge you to reject in full all of the four amendments set forth in File Nos. 26-0327, 26-0328, 26-0329, and 26-0330 (the White Petition), to Somerville Zoning Ordinance Sections 3.1.12 & 10.2.1, 3.12, 12.1.2, and 15.7.2, certified by the Board of Election Commissioners on March 5, 2026 (“White Petition”). The White Petition seeks to unwind duly-adopted zoning that was Thoughtfully and appropriately chosen after years of public process in a good faith effort to increase housing supply and complying with the applicable state law. Approval of this White Petition would only reduce housing production, raise costs, reverse recent gains in housing supply, and expose the City to uncertain legal and financial risks.

Therefore, I respectfully request that you reject the White Petition (File Nos. 26-0327, 26-0328, 26-0329, and 26-0330) in its entirety and preserve the current Zoning Ordinance that continues to deliver additional housing and living convenience for our Somerville residents.

Please find my Opposition attached,

Opposition to Proposed Zoning Text Amendments – File Nos. 26-0327, 26-0328, 26-0329, and 26-0330

Best,
Peter

E. Peter Mullane, Esquire
MULLANE, MICHEL & McINNES, LLP

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

To: Land Use Committee;
Planning Board;
City Council;
Office of Strategic Planning & Community Development (OSPCD); and
Mayor's Office

Date: April 2, 2026

Re: Opposition to Proposed Zoning Text Amendments – File Nos. 26-0327, 26-0328, 26-0329, and 26-0330 (submitted by William A. White, Jr. and 29 registered voters – the “White Petition” – certified March 5, 2026)

Dear Members and Mayor's Office:

I write to respectfully urge you to reject in full all of the four amendments set forth in File Nos. 26-0327, 26-0328, 26-0329, and 26-0330 (the White Petition), to Somerville Zoning Ordinance Sections 3.1.12 & 10.2.1, 3.12, 12.1.2, and 15.7.2, certified by the Board of Election Commissioners on March 5, 2026 (“White Petition”). The White Petition seeks to unwind duly-adopted zoning that was Thoughtfully and appropriately chosen after years of public process in a good faith effort to increase housing supply and complying with the applicable state law. Approval of this White Petition would only reduce housing production, raise costs, reverse recent gains in housing supply, and expose the City to uncertain legal and financial risks.

Somerville in particular is a community already facing a severe housing shortage. Rents are now among the highest in the region, and young families, immigrants, and working-class households are being priced out of our available rental market. In this context, our City has both a moral, legal and practical obligation to expand our existing housing supply. The current Zoning Ordinance (adopted 2019 and amended for MBTA compliance) has already produced a meaningful increase in our housing supply. This was achieved in large part through the increase in backyard cottage and ADU permits. This is exactly the gentle-density infill that the City and its residents need and will benefit from in the future.

However, the four proposed amendments of the White Petition are counter-productive in this regard as they would materially reduce housing production as follows:

- **Ancillary-only rule (Sections 3.1.12 & 10.2.1):** Eliminates flexible redevelopment and will only contribute to reducing the supply of available units. This type of zoning policy will be an impediment to homeowners eager to increase housing stock. Most prefer not to become landlords, and would rather maintain condominium starter-home ownership options.
- **900 sq. ft. hard cap (Section 3.12):** Current practice allows ~1,500 sq. ft. of viable cottages. The new limit would produce only small studios or one-bedroom units that few families find suitable, particularly with the increasing need for home office space. Builders would likely stop constructing them. Capping the GFA at 900 SF will have the effect of eliminating all basements below the cottage, which typically can be used as bedrooms, storage, offices, and mechanicals. Not allowing basements would only serve

hinder and discourage the efficient use of valuable livable space, and result in families avoiding the occupancy of these units.

- **Eliminating minor Site Plan Approval (Section 15.7.2):** Introduces unnecessary delay. The Zoning Ordinance was a result of a master planning process which included thorough and specific zoning case studies and years of neighborhood input, that resulted in zoning standards and regulations we all now rely upon. All newly created lots must meet all dimensional requirements that are set forth in the Somerville Zoning Ordinance, and all construction on those lots must be in full compliance. Due to their compliant nature with the underlying zoning, OSPCD has determined that Minor Site Plan Approval (Administrative Process) is the most appropriate for this kind of residential development.
- **20% affordable mandate on lot splits (Section 12.1.2):** This provision would only serve to undermine what already is in inadequate supply - the middle housing market supply. Typical NR lot-split + cottage projects create 5–8 new units. However, this proposed requirement would render them economically unfeasible on small urban lots. The City has appropriately previously exempted three-unit + cottage projects. Reversing this practical approach penalizes and deters the precise scale and developer encouragement that is most needed. Fewer units built would mean higher prices and higher rents. Cambridge has studied this matter extensively, and recently amended their zoning to allow for 10 units per lot with no affordable units. This is due to the economic reality of development at this scale per Dan Bartman comments below.

Broader policy harm: Housing supply is the most effective tool for improving affordability. Replacing outdated stock with 4–8 modern units is a net positive that adds homes and enhances energy efficiency. Restricting this process accelerates gentrification by constraining supply. Condominium cottages provide ownership pathways for middle-class and immigrant families—the same pathways many residents historically used in Somerville.

Clear case study from City’s own experience: As City Planner Dan Bartman noted during the 2023 MBTA compliance process, no new three-unit buildings were constructed in Somerville after the 2019 zoning changes precisely because of the affordable-housing requirement attached to the third unit. This is a direct illustration of how affordability mandates at this scale chill housing production in the NR district.

The NR districts are precisely where modest, transit-oriented density belongs. These amendments would curtail the very housing production the City has successfully facilitated under the current rules.

I respectfully request that you reject the White Petition (File Nos. 26-0327, 26-0328, 26-0329, and 26-0330) in its entirety and preserve the current Zoning Ordinance that continues to deliver additional housing and living convenience for our Somerville residents.

Thank you for your time and consideration.

Sincerely,

E. Peter Mullane, Esquire
MULLANE, MICHEL & McINNES, LLP

[REDACTED]
[REDACTED]
[REDACTED] [REDACTED]
[REDACTED]

cc:

[REDACTED]

Madalyn Letellier

From: Hochleutner, Brian [REDACTED]
Sent: Thursday, April 16, 2026 11:04 AM
To: All City Council; Planning1; Public Comments
Cc: SRA Email Address; Welsh, Nancy
Subject: Public Comment on Proposed Zoning Map Amendment
Attachments: Letter to Somerville Planning Board and City Council (DLA Piper 4-15-26).pdf

This email is from an external source. Use caution responding to it, opening attachments or clicking links.

Dear members of the Land Use Committee and the Planning Board,

I've attached a comment letter regarding the proposed zoning map amendment for 1-9 Union Square and 282-290 Somerville Ave, also known as the Union Square D6 parcel.

For the reasons set forth in the letter, we urge you to vote against the proposed amendment.

Thanks,
Brian Hochleutner

Brian Hochleutner
Partner

[REDACTED]



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DLA Piper LLP (US)



Brian Hochleutner



April 15, 2026

VIA *ELECTRONIC MAIL*

City of Somerville City Council
City Hall
93 Highland Avenue
Somerville, Massachusetts 02143



City of Somerville Planning Board
City Hall, 3rd Floor
93 Highland Avenue
Somerville, Massachusetts 02143



Re: Zoning Map Amendment Application Submitted by Union Square One Development, LLC (with its affiliates, "Hamilton") to the City Clerk's Office on February 10, 2026 seeking a Somerville Zoning Map Amendment (the "Hamilton Proposal")

Dear Members of the City Council and the Planning Board:

We represent Union Square RELP Master Developer LLC ("US2"), the master developer designated by the City of Somerville to redevelop Union Square's "D Blocks", including Block D6 located at 1-9 Union Square and 282-290 Somerville Ave (the "D6 Site"). We write to oppose the Hamilton Proposal for the D6 Site.

This is not the first time Hamilton has asked the City Council to amend zoning for the D6 Site: in 2023 and 2024, Hamilton previously sought amendments to the Somerville Zoning Ordinance ("SZO") in an effort to develop a large lab building on the D6 Site. Hamilton's prior efforts failed, and it is now back with a similar proposal. The current Hamilton Proposal, like Hamilton's prior zoning applications, should be rejected.

A. The Hamilton Proposal Is Inconsistent With Years of Planning and Approvals for the Redevelopment of the D6 Site and Union Square.

US2 has spent more than a decade working with City officials and staff, the Union Square community, and other stakeholders to advance a comprehensive plan for redevelopment of the Union Square "D Blocks", including the D6 Site, as part of a state and municipally approved Urban Renewal Plan. The Hamilton Proposal contradicts these plans and many existing City approvals issued through this process, including:

- (1) City adoption of SomerVision and the Union Square Neighborhood Plan ("**Neighborhood Plan**");
- (2) Adoption by the Somerville Redevelopment Authority ("**SRA**") of the Union Square Revitalization Plan ("**Revitalization Plan**"), the official urban renewal plan for Union Square under M.G.L. c. 121B, which has been approved by the Department of Housing and Community Development (DHCD);
- (3) The City's formal designation of US2 as master developer for all of the Union Square "D Blocks";
- (4) Execution by the SRA and US2 of a Master Land Disposition Agreement ("**MLDA**");
- (5) Execution by the City and US2 of a Development Covenant ("**Development Covenant**");
- (6) Approval by the Planning Board and adoption by the City Council of Union Square Overlay District zoning and Master Planned Development overlay district and Union Square sub-area zoning (collectively, "**USOD Zoning**");
- (7) Issuance by the Planning Board of a Coordinated Development Special Permit ("**CDSP**") to US2; and
- (8) Execution by the Union Square Neighborhood Council and US2 of a community benefits agreement ("**CBA**"), documenting additional US2 commitments.

These existing approvals are premised on the implementation of a master-planned development across all of the Union Square “D Blocks”, including the D6 Site, which US2 has been actively implementing as the City’s designated master developer. Together, these approvals call for a coordinated and master-planned redevelopment that is consistent with the community’s objectives as determined through a lengthy series of processes.

The Hamilton Proposal asks the City to depart from this established approach and replace years of thoughtful community input and planning with the preferences of a single parcel owner. Adopting the Hamilton Proposal could set a dangerous precedent, allowing a property owner to undermine the integrity of a public planning process and pursue piecemeal and ad hoc development. That is precisely the kind of outcome that the referenced planning and existing approvals were designed to prevent.

B. The Hamilton Proposal Fails to Address Master Planned Development (MPD) Overlay District and USQ Sub-Area Requirements Under the Somerville Zoning Ordinance.

The Hamilton Proposal seeks to amend the underlying zoning map for the D6 Site, and suggests this would be sufficient to allow it to develop Hamilton’s proposed project at the D6 Site. However, Hamilton does not address the MPD Overlay District and USQ Sub-Area requirements under the SZO, which require Hamilton to obtain a Master Plan Special Permit (“MPSP”), and Hamilton’s proposed project does not satisfy the MPSP requirements.

Under the SZO, the MPD Overlay District and USQ Sub-Area zoning requirements apply to the D6 Site irrespective of whether development is pursued through reference to the underlying zoning map, and these requirements call for an MPSP for any redevelopment on the D6 Site:

1. Section 8.4.3.a states that MPD Overlay District requirements are applicable to all real property within the MPD Overlay District as shown on Somerville’s Official Zoning Atlas, and the D6 Site will remain within the MPD Overlay District even if the Hamilton Proposal were approved.
2. Section 8.4.3.c states that MPD Overlay District requirements “supplement or supersede the provisions of the districts upon which it is superimposed” and where MPD District provisions conflict with those elsewhere in the SZO (e.g., provisions that outline underlying zoning district requirements), the MPD Overlay District requirements apply.
3. Section 8.4.17.d states that all development within the USQ Sub-Area of the MPD Overlay District – which includes the D6 Site – “requires a Master Plan Special Permit as a prerequisite to the development review required for subdivision or the development of an individual lot.”

These provisions require an MPSP for development of the D6 Site, even if the Hamilton Proposal were approved. Critically, Hamilton’s proposed project would not satisfy the MPSP requirements applicable to the D6 Site. For example, the MPSP requirements call for (under Section 8.4.17e.i) all projects to include at least one neighborhood park of not less than 27,000 square feet, plus an additional plaza.

C. The Hamilton Proposal Also Contravenes Legal Obligations Binding on the City and SRA.

The Hamilton Proposal, if adopted, would be inconsistent with the SRA’s contractual obligations under the MLDA and would undermine City and SRA commitments to implement the Revitalization Plan. The MLDA is a binding contract between the SRA and US2 and it requires US2 to acquire and redevelop all of the D Blocks, including the D6 Site, in accordance with the Revitalization Plan, the Neighborhood Plan, the CDSP, and various other approvals. The MLDA further provides that development of the D Blocks (including the D6 Site) by third parties such as Hamilton may not occur without the prior consent of both the SRA and US2. No such consent has been given here.

US2 has relied on these binding commitments. US2 and its investors have expended significant capital in reliance on the City's and the SRA's commitments. This investment has resulted in substantial progress: US2 has completed the first phase of Union Square's redevelopment, transforming the Block D2 site from an environmentally challenged, vacant parcel into a mixed-use project with a new commercial building, 450 new residential units (including 90 affordable units), new retail and open space, and improvements that facilitated the opening of the MBTA's new Union Square Station. US2 has also made progress toward development of the next commercial project, acquiring and clearing the Block D3.1 site, and completing the design review process. Throughout, US2 has invested in the community and collaborated with local organizations, including Union Square Main Streets, Somerville Arts Council, Somerville Community Corporation, and Somerville Homeless Coalition.

If the Hamilton Proposal were approved, US2 would be required to evaluate all available rights and remedies under the MLDA, the Revitalization Plan, and applicable law, to protect and preserve US2's ability to fulfill its obligations to redevelop the D6 Site.

D. The Hamilton Proposal Would Jeopardize Long-Promised Public Benefits.

The Hamilton Proposal would jeopardize future public benefits memorialized in the MLDA, Development Covenant, CDSP and CBA. Each of these documents assumes that US2 will be the developer across all of the "D Blocks" or will consent to allow development of individual parcels by others. Allowing piecemeal development that is inconsistent with what has been previously approved would make it impossible to provide such benefits. For example: the CDSP authorizes development across all of the "D Blocks" and, in exchange, imposes significant obligations on US2 as master developer, including the creation of eleven (11) civic spaces and a large neighborhood park. The Development Covenant requires US2 to make substantial monetary contributions in connection with the redevelopment of the D Blocks, including the D6 Site. Similarly, the CBA commits US2 to deliver specific community benefits tied to that same multi-parcel redevelopment. These benefits cannot be realized absent the site-wide approach reflected in US2's master plan for the D Blocks.

The remaining (potentially endangered) benefits are significant. US2's development of Block D2 alone has generated more than \$30 million in fees, contributions, and land payments to the City. Block D2 is generating more than \$4.0 million annually in new tax revenue to support City programs. These contributions represent only the first phases of US2's planned delivery of more than \$100 million in community and public benefits and more than \$500 million in new tax revenue over the next three decades through the redevelopment of the D Blocks.

E. The Hamilton Proposal Has Other Significant Feasibility Concerns.

Aside from the legal and policy considerations discussed above, the Hamilton Proposal raises substantial questions regarding the feasibility of independent redevelopment of the D6 Site.

The MLDA provides that, if US2 is unable to acquire any of the D Blocks (including the D6 Site) through private negotiation, the SRA may initiate eminent domain proceedings at US2's request (and cost) to facilitate redevelopment in accordance with the approved master plan. These provisions are central to the coordinated implementation of the Union Square Revitalization Plan.

US2 has engaged with Hamilton regarding acquisition of the D6 Site, but Hamilton has declined US2's offers and has instead pursued the current proposal (and prior unsuccessful proposals) with full knowledge of the existing framework and US2's obligations.¹

¹ Hamilton was aware that the D6 Site was in the Revitalization Plan before acquiring it, and US2 has made Hamilton aware of its obligations, rights, and intention to develop the D6 Site as described in the Revitalization Plan, the Neighborhood Plan, the CDSP, and other approvals.

April 15, 2026
City of Somerville City Council
City of Somerville Planning Board
Page Four

Given these provisions, the existing contractual framework introduces significant uncertainty regarding the ability to finance and implement the kind of project proposed by Hamilton for the D6 Site. This uncertainty would be a material consideration for prospective investors or lenders, given US2's contractual obligation to redevelop the D6 Site and the availability of eminent domain.

The Hamilton Proposal does not present a clear or reliable path toward near-term development of the D6 Site and, if anything, risks introducing delay and complexity into the continued implementation of the City- and State-approved Union Square revitalization plan.

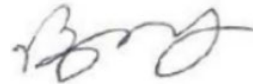
F. Spot Zoning That Would Benefit a Single Property Owner Like This Should Be Rejected.

The Hamilton Proposal, if adopted, also raises serious concerns regarding impermissible spot zoning. Spot zoning is the singling out of a specific parcel for treatment different from that afforded to similarly situated parcels, solely for the economic benefit of the parcel's owner. Here, the likely practical effect of the Hamilton Proposal, if approved, would be to enhance Hamilton's economic position with limited public benefit, and for the reasons stated above it is unclear there would be any public benefit.

The City Council and Planning Board should decline to adopt a zoning amendment that serves to benefit a single property owner with limited or no public benefit, particularly where the amendment is contrary to years of community input and to the explicit provisions of Somerville's zoning and planning framework.

For all of the reasons outlined above, we respectfully urge that neither the Planning Board nor the City Council support or approve the Hamilton Proposal.

Sincerely,



Brian Hochleutner

cc: Somerville Redevelopment Authority
93 Highland Avenue
Somerville, Massachusetts 02143
[REDACTED]

Madalyn Letellier

From: Jonathan Silverstein [REDACTED]
Sent: Thursday, April 16, 2026 11:18 AM
To: Public Comments; Ben Ewen-Campen; Jesse Clingan; Lance Davis; Matthew McLaughlin; Naima Sait; All City Council; OSPCD; Mayor; City Clerk Contact; Planning Board; LAW
Subject: File #s 26-0327, 26-0328, 26-0329 and 26-0330 – Petitioned Zoning Amendments
Attachments: Somerville - Opposition to Zoning Amendments.pdf

Follow Up Flag: Follow up
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This email is from an external source. Use caution responding to it, opening attachments or clicking links.

Good morning,

Attached please find a comment letter in opposition to the above-referenced proposed zoning amendments.

Thank you for your attention and please do not hesitate to contact me with any questions.

Best regards,

Jonathan M. Silverstein
Blatman, Bobrowski, Haverty & Silverstein, LLC

[REDACTED]

View my [bio](#)

BLATMAN, BOBROWSKI, HAVERTY & SILVERSTEIN, LLC
ATTORNEYS AT LAW

████████████████████
CONCORD, MA 01742
████████████████████

JONATHAN M. SILVERSTEIN
████████████████████

April 16, 2026

BY ELECTRONIC MAIL

City Council Land Use Committee
City Hall
93 Highland Ave.
Somerville, MA 02143

Re: File #s 26-0327, 26-0328, 26-0329 and 26-0330 – Petitioned Zoning Amendments

Dear Members of the City Council Land Use Committee:

Please accept this letter in opposition to the above-referenced petitions, which seek to amend various sections of the Somerville Zoning Ordinance (the “Ordinance”). As set forth in greater detail below, the proposed amendments should be rejected, because they are inconsistent with state law, are contrary established planning and zoning policy and practice, and jeopardize the City’s compliance with the MBTA Zoning Act and the Affordable Homes Act.

1. The Proposed Amendment of Section 15.7.2.d – Lot Splits
(File #26-0327)

The petitioners yet again seek to upend the established and proper treatment of simple lot splits by requiring full site plan review and public hearings before a property owner may divide an existing lot into two new lots that fully conform to all zoning requirements. The Council should reject this petition for several reasons.

a. The Petition is barred under G.L. c. 40A, § 5

The present proposal is substantially similar to a proposed order that the Council declined to pass in December 2024 (File #24-1315), which would have required reconsideration of “the policy of allowing lot splits and mergers as administrative approvals rather than special permits.” Pursuant to G.L. c. 40A, § 5:

No proposed zoning ordinance or by-law which has been unfavorably acted upon by a city council or town meeting shall be considered by the city council or town meeting within two years after the date of such unfavorable action unless the adoption of such proposed ordinance or by-law is recommended in the final report of the planning board.

The purpose of this two-year statutory bar is “to give some measure of finality to unfavorable action taken by a municipal legislative body so that ‘members of the public shall be able to ascertain the legislative status of a proposed change at all times, and to rely on unfavorable action ... as a complete defeat of the proposal.’” Penn vs. Town of Barnstable, 96 Mass. App. Ct. 205, 210 (2019) (quoting Kitty v. Springfield, 343 Mass. 321, 326 (1961)). The present petition flies in the face of this statutory purpose.

On December 5, 2024, after holding public hearings and receiving overwhelming opposition (including from the undersigned), the Land Use Committee recommended that the proposal “be marked work completed.” On December 12, 2024, the Council adopted that recommendation. This constituted unfavorable action on the proposal—comparable to tabling or indefinitely postponing a proposal. See Cronin v. Town of Tewksbury, 401 Mass. 537, 540 (1988) (“If passage of the motion to postpone indefinitely the consideration of Article 33 would have been unfavorable action on the article”).

Property owners and developers should be able to rely upon the finality of the Council’s unfavorable action in December 2024. Since less than two years have elapsed since that unfavorable action, the present petition is out of order and should be rejected.

b. The Petition is contrary to the uniformity requirement of G.L. c. 40A, § 4

Pursuant to G.L. c. 40A, §4, “[a]ny zoning ordinance or by-law which divides cities and towns into districts shall be uniform within the district for each class or kind of structures or uses permitted.” This rule, known as the uniformity requirement, was explained by the Appeals Court as follows:

The basic assumption underlying the division of a municipality into zoning districts is that, in general, each land use will have a predictable character and that the uses of land can be sorted out into compatible groupings... Based upon this assumption, certain uses are permitted as of right within each district, without the need for a landowner or developer first to seek permission which depends upon the discretion of local zoning authorities. The uniformity requirement is based upon principles of equal treatment: all land in similar circumstances should be treated alike, so that “if anyone can go ahead with a certain development [in a district], then so can everybody else.”

These principles underpin § 4 of c. 40A, and have long constituted a limitation on municipal zoning power. As was said on the subject in Everpure Ice Mfg. Co. v. Board of Appeals of Lawrence, 324 Mass. 433, 439, 86 N.E.2d 906 (1949): “A zoning ordinance is intended to apply uniformly to all property located in a particular district ... and the properties of all the owners in that district [must be] subjected to the same restrictions for the common benefit of all.”

SCIT, Inc. v. Plan. Bd. of Braintree, 19 Mass. App. Ct. 101, 107 (1984).

The proposal to require public hearing and approval of every proposal to divide or merge lots in full compliance with all dimensional requirements of the Zoning Ordinance would clearly violate the uniformity requirement of Chapter 40A. It would delegate to the Zoning Board of Appeals “a new power to alter the characteristics of zoning districts, a power conferred ... only upon the legislative body of the city to be exercised only in the manner prescribed by [G.L. c. 40A] ... and it [would] to do this without furnishing any principles or rules by which the board should be guided, leaving the board unlimited authority to indulge in ‘spot zoning’ at its discretion or whim.” Smith v. Board of Appeals of Fall River, 319 Mass. 341, 344 (1946).

The City has the authority to adopt reasonable dimensional requirements, such as lot area, frontage and lot coverage limitations. However, such dimensional requirements must be applied equally (and equitably) to all properties within a given zoning district. There is simply no valid basis to create a regulatory scheme whereby the owner of a property that could be divided into two fully conforming lots may be precluded from doing so, while the owner of another property in the same district is not. Such a system would represent the antithesis of uniform application of zoning requirements within a district. See, e.g., Amberwood Development Corp. v. Board of Appeals of Boxford, 65 Mass. App. Ct. 205, 211-212 (2005) (judgment exempting one lot created through reduced frontage provision from prohibition on further subdivision that applied to other properties created through that provision “undermines the uniform application of otherwise valid local zoning.”); contrast Noto v. Zoning Bd. of Appeals of Weston, 73 Mass. App. Ct. 1121 (2009) (unpublished opinion) (zoning amendment that created new lot “quadrangle” requirement did not violate uniformity requirement, because it was a “mathematical formula applied mechanistically across the district **to all lots** created after its enactment.”) (emphasis added).

c. The Petition is inconsistent with the requirements of G.L. c. 40A, § 3A

Imposing a discretionary review on the creation of zoning compliant lots would also run afoul of the City’s obligations under §3A of the Zoning Act, the so-called MBTA Communities Law. Pursuant to G.L. c. 40A, § 3A, Somerville and other communities served by the MBTA were required to adopt zoning provisions allowing for the **as of right** development of multi-family housing at minimum densities prescribed by statute and through the guidelines adopted by the Executive Office of Housing and Livable Communities (“EOHLC”).

In order to comply with the requirements of §3A, Somerville amended its Zoning Ordinance to allow for the as of right development of additional multifamily housing units. Compliance with the MBTA Communities Law requires close review of zoning amendments by EOHLC to ensure compliance with the statute and EOHLC’s Guidelines. The proposal to prevent property owners from dividing their land into lots that fully comply with all of the dimensional requirements of the Ordinance would place the City at risk of falling out of compliance with § 3A. This, in turn, would result in the loss of various state grants and other funding sources, as well as potential enforcement action by the Attorney General’s Office.

d. The Petition is contrary to public policy and established planning practices

Finally, the petition should be rejected, because it is reaction and out of step with the planning and housing policies of the City, the Commonwealth and progressive communities across the country.

In nearly every city and town in Massachusetts, the division of land into multiple, zoning-compliant lots can be accomplished through a ministerial process commonly known as the “Approval Not Required” or “ANR” process. Under the Subdivision Control Law, G.L. c. 41, § 81P, a property owner may submit an ANR plan if the lots shown on the plan satisfy applicable zoning frontage requirements. No public hearing is required, and the local planning board must endorse the plan within 21 days of submission if each lot complies with that zoning requirement.

Somerville is one of the few municipalities in the state that has not adopted the Subdivision Control Law, and the ANR process is therefore not available to property owners. However, the current practice of allowing administrative approval of lot splits is consistent with the purposes underlying the ANR process. Requiring full-blown site plan review for lot splits that fully comply with zoning requirements would make Somerville the outlier in the state by requiring lengthy and expensive public hearings simply to split a large lot into two conforming lots. No other community imposes such a burden on property owners, and Somerville should not be the first to do so.

2. The Proposed Amendment of Section 12.1.2 – Inclusionary Zoning (File #26-0328)

The petitioners also propose to amend Section 12.1.2 of the Ordinance to impose inclusionary zoning requirements on multiple lots if those lots result from lawful lot splits. This would impose inclusionary zoning requirements based on ownership of the subject lots, rather than based upon the use of those lots. As discussed above, such disparate treatment of properties within zoning districts violates the uniformity requirement of G.L. c. 40A, § 4.

In addition, regulating the use of land based upon ownership rather than use would exceed the City’s zoning authority. See Estate of Isola v. Town of Stoneham, No. 22 MISC 000290 (DRR), 2024 WL 49499, at *8 (Mass. Land Ct. Jan. 4, 2024) (inclusionary zoning requirements for subdivisions “appear to be independently invalid because they exceed the statutory limits of the Town's zoning authority by attempting to place limitations on the ownership of land, rather than on use of the land.”) (citing CHR General, Inc. v. Newton, 387 Mass. 351, 353 (1982) (ordinance regulating condominium conversion was invalid because it limited who owned land, rather than use of the land); Zuckerman v. Town of Hadley, 442 Mass. 511, 518-519 (Rate of development bylaw improperly imposed restrictions “not on how land ultimately may be used, but on when certain classes of property owners may use their land.”)).

3. The Proposed Amendments of Section 3.1.12 – Backyard Cottages
(File #s 26-0329 and 26-0330)

The petitioners also propose two amendments to Section 3.1.12 of the Ordinance, which relates to backyard cottages in the NR District. One proposal (File #26-0329) would limit the size of backyard cottages to the lower of one-half the floor area of the principal dwelling or 900 square feet. This amendment would essentially nullify the backyard cottage provision of the Ordinance by imposing the same limitations that apply to any accessory dwelling unit. Were this proposed amendment adopted, Section 3.1.12 would be meaningless, and there would be no reason for any property owner to propose a backyard cottage.

The petitioners also propose amending Section 3.1.12 by prohibiting backyard cottages from being sold as condominiums (File #26-0330). As indicated above, zoning may not lawfully regulate ownership of housing units. In CHR General, *supra*, the Supreme Judicial Court invalidated a Newton zoning ordinance that restricted conversion of rental units to condominiums. In doing so, the Court reasoned that restricting conversion of rental units to condominiums “affects not the use, but only the ownership of the property in question” and therefore “is not a valid zoning ordinance.” 387 Mass. at 357. The proposal to prohibit condominium ownership of backyard cottages is manifestly invalid under the holding in CHR General. It is also contrary to the accessory dwelling unit regulations promulgated by the Executive Office of Housing and Community Development. See 760 CMR 71.03(2)(a) and (c) (prohibiting zoning restrictions imposing owner-occupancy or use and occupancy restrictions).

For the reasons set forth herein, as well as the reasons articulated by other commenters, the Council should reject these zoning petitions.

Thank you for your time and consideration. Please do not hesitate to contact me with any questions.

Very truly yours,

Jonathan Silverstein
Jonathan M. Silverstein

Madalyn Letellier

From: Mary Cassesso <[REDACTED]>
Sent: Thursday, April 16, 2026 12:33 PM
To: Public Comments

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This email is from an external source. Use caution responding to it, opening attachments or clicking links.

I am writing in support of the zoning amendments submitted by Attorney Bill White. In particular I am concerned that there is no requirement for providing affordable housing units in small scale residential developments. I have spent more than forty years in professional positions and on boards advocating to increase and expand affordable, stable housing. That is what I learned growing up from my mother and this is what my mother and her mother committed to. As a family we continue to protect and provide below market rate tenancy opportunities - putting people over profit. Somerville continues to lose ground on producing affordable housing consequently losing the value of diversity and inclusivity of friends and neighbors that can no longer afford to live in Somerville. I have to believe you hear the same refrain daily as I do- "I had to move, I can no longer afford to live here."

The size and construction of "backyard cottages" increase density and eliminate greenspace. These massive million dollar luxury single family homes are a stark contrast to the intention and issue we hoped to solve with Accessory Dwelling Units(ADU). Unfortunately all this new construction is happening without notification to neighbors.

Mary Cassesso
[REDACTED]

Madalyn Letellier

From: [REDACTED]
Sent: Thursday, April 16, 2026 12:59 PM
To: Public Comments
Subject: Public Comment on Zoning Amendments Proposed by Bill White

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Hi,

My name is Roberto Lim and I live with my wife and two sons at [REDACTED] Somerville MA 02144.

I am writing to officially comment in favor of the amendments proposed by Bill White to the Somerville zoning regulations.

I support these amendments because i wish to protect myself and fellow citizens from over-development and to protect whatever remaining green and open space in Somerville.

Thank you!

((om))

Roberto

Madalyn Letellier

From: George Zygouris <[REDACTED]>
Sent: Thursday, April 16, 2026 1:04 PM
To: Public Comments; OSPCD; City Clerk Contact
Subject: Proposed zoning amendment File #'s: 26-0327, 26-0328, 26-0329, and 26-0330
Attachments: CRG Letter of Opposition - 4.16.2026.docx.pdf

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Good Afternoon,

Please find attached public comments regarding proposed zoning amendment File #'s: 26-0327, 26-0328, 26-0329, and 26-0330. These proposed zoning amendments are on the agenda for the April 16th joint Land Use Committee and Planning Board meeting.

Thank you

George Zygouris

Director of Sales and Operations

[REDACTED]

Cambridge Realty Group

[REDACTED]
[REDACTED]

[REDACTED]



Cambridge Realty Group

[REDACTED]
Somerville, MA 02143

April 16, 2026

Land Use Committee
Planning Board
City Council
Office of Strategic Planning & Community Development (OSPCD)
Mayor's Office
City Hall
93 Highland Avenue
Somerville, MA 02143

Re: Opposition to Proposed Zoning Text Amendments – File Nos. 26-0327, 26-0328, 26-0329, and 26-0330

(Submitted by William A. White, Jr. and 29 registered voters – the “White Petition”)

Dear Members of the Land Use Committee, Planning Board, City Council, OSPCD, and Mayor's Office:

As a Somerville-based real estate brokerage specializing in residential leasing and sales, Cambridge Realty Group strongly opposes the four proposed zoning text amendments submitted by William A. White, Jr. and others. These amendments threaten to reverse years of thoughtful planning that have successfully increased housing production in our city while complying with state mandates.

The current Zoning Ordinance, adopted after extensive public process and updated for MBTA Communities compliance, has effectively promoted gentle-density infill development such as backyard cottages and ADUs, adding much-needed units without large-scale disruption. The proposed changes would significantly reduce housing production in Somerville at a time of severe shortage. In particular, the 20% affordable housing mandate on lot splits is economically unfeasible for small-scale NR projects that typically create 5–8 units; at this scale there is no viable cross-subsidy from market-rate units, so the requirement would kill projects entirely rather than produce affordable housing. History demonstrates the chilling effect of such mandates: following the 2019 zoning changes, the affordability requirement tied to the third unit led to no new three-unit buildings being constructed in the NR district, as noted by City Planner Dan Bartman. Similarly, the proposed 900 square foot hard cap on cottages would produce only small, unsuitable units—studios or one-bedrooms—that fail to meet family needs, elder care requirements, or modern home office demands, while also eliminating practical basements.

Replacing the current Minor Site Plan Approval process for lot splits with a discretionary ZBA special permit is equally misguided. Lot splitting for conforming lots is a ministerial function

involving geometric verification of dimensional standards, and introducing discretion risks arbitrary decision-making, violates uniformity requirements, raises due process concerns, and exposes the City to regulatory takings litigation. Several of the amendments also risk putting Somerville out of compliance with the MBTA Communities Act by reintroducing discretionary barriers to by-right multi-family housing, which could trigger Attorney General enforcement actions and jeopardize state grant funding. These changes were previously considered and rejected by the City Council in File #24-1315 in December 2024, with supporting legal analysis that remains fully applicable and no new circumstances justifying reversal.

Ultimately, restricting housing supply through these measures is counterproductive to affordability goals and represents a de facto development moratorium. Increasing overall supply is the most effective way to improve affordability, while also providing homeownership opportunities through condominium cottages. The amendments are inconsistent with statewide housing reform favoring by-right approvals.

We respectfully request that you reject all four amendments and maintain the current Zoning Ordinance, which continues to deliver additional housing for Somerville residents while supporting a vibrant and stable residential real estate market for leasing and sales.

Thank you for your consideration.

Sincerely,

DocuSigned by:
George Zygouris
548929AD71E4489...

George Zygouris
Cambridge Realty Group

[REDACTED]

Somerville, MA 02143

CC:

[REDACTED]
[REDACTED]
[REDACTED]

Madalyn Letellier

From: Giles Kotcher [REDACTED]
Sent: Thursday, April 16, 2026 1:43 PM
To: Public Comments
Subject: zoning amendments

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Honorable members of the Planning Board and City Council,

I write to comment on the four proposed zoning amendments introduced by our respected former Councilor William White. His proposals address true needs of our geographically tight, primarily residential city. He clearly sees the development problems facing our heavily built up, densely populated city, and its present scene of opportunism and plunder.

Councilor White is opening up public discussion about zoning in our city, which has few adequate modes for publicizing information, or venues for achieving a civil dialogue about growth and development. He is correct to identify indiscriminate lot splits as a major harm to our city. I strongly support his amendments, which could help control this harmful practice. Other administrations have passively allowed the real estate process to unfold without adequate public oversight.

Recent Somerville administrations have focused on a maximalist land use strategy. Land is viewed as space to be transformed into tax-producing and transactionally profitable real estate. Its very scarcity increases its price and profitability, overlooking its "natural" value as part of systems surrounding it.

This tax-maximizing view is short sighted, and worsens problems connected to Somerville's hilly topography. Our runoff drains into Alewife Brook and the Mystic River. Our city's early development hollowed out low-lying areas; many parts of Somerville lie on depressed former wetlands. Already, extreme rainfalls worsen flooding and polluted runoff. Due to overbuilding, Somerville is rapidly losing its "Sponge;" the land's ability to absorb overwhelming rainfall which floods basements, streets, and CSO storm drains.

A flood which submerged the basements of houses on Cedar Street in the past 10 years required expensive replacement of a late 19th Century sewer system. More recently, the city allowed construction of huge, \$million plus condominiums on a steep embankment above us. That developer took down ten mature trees which slowed hillside run off, which means that our nearby street is now a sheet of ice every winter.

On top of this drainage-based damage, overbuilding is destroying the social quality of an urban landscape that includes trees, gardens and recreational parks. Since only the wealthy can afford Somerville's new housing, they have the resources to escape the city's worsening "heat island" effects. People on modest or fixed incomes have fewer natural amenities with every year that goes by.

That's where our present scene of opportunism and plunder show more harmful effects, and where Councilor White's other amendments come in and offer some relief.

Our city has witnessed several administrations which aggressively courted corporate development as a solution to funding our local budget. The needs of low and middle income people have been brushed aside, and they can no longer buy or rent in Somerville homes originally built for working-class people. Councilor White offers us thoughtful ways to improve affordability: just-big-enough "backyard cottages," which homeowners can offer affordably to family or renters. A modest requirement that developers making huge profits provide an occasional affordable unit when they split lots to cram in more unaffordable ones.

At the core of the exploitative aspects of Somerville's current real estate process is the autonomous unelected power of city departments which control permits. Some decision-makers have unwarranted power to direct projects, with a lack of transparency that sidelines neighbors and the general public. There may not be actual corruption in financial terms but abuse of power in specific decisions is itself corrupt, in that it lacks representative fairness and accountability.

I urge you all to back Councilor White's four amendments. Somerville needs to reset to its unchallenged trend of promoting maximalist density, when it already supports huge urban density on the narrow congested streets. Our a cityscape is vulnerable to and stressed by climactic, cultural and economic pressures; we should take this opportunity to change course now.

Respectfully,

Giles Kotcher



Madalyn Letellier

From: Ariana Bain [REDACTED]
Sent: Thursday, April 16, 2026 1:57 PM
To: Public Comments; [REDACTED]; Planning1
Cc: Pat Jehlen
Subject: Zoning Amendments Public Comment

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Hello,

I'm writing to support the zoning amendments proposed by Bill White. Specifically I support:

Amendment 1: align backyard cottages with the state's affordability law.

Amendment 2: make it clear that backyard cottages are accessory structures.

Amendment 3: restore Transparency and due process for lot split decisions.

Amendment 4: restore affordability requirements for lot splits in NR district.

The rules as they are enforced now are simply making things more profitable for developers while making it increasingly impossible for individuals and families to be able to afford to buy a home or a multifamily. My husband and I can only afford to raise our family in Somerville because we bought a very beat up 2 family 11 years ago. Even then this was very difficult, but now it would be impossible. Making the market a bit less profitable for developers is not the only thing that needs to happen to help families stay here, but it would be a very important step. If families buy beat up multi families they *will* take longer to renovate them, just like we did, but the end result will be owner occupied properties with people invested in the community.

It is essential for homeowners to have transparency, due process, and a reasonable right to object to a 3 story building a few feet from their property line. Such buildings should not be by right as they destroy the tiny amount of ecological space remaining in somerville and, in many cases, erode the quality of life for abutters. If this kind of destruction is going to happen, it should be or a very good reason (such as 100% of units being affordable to residents well below AMI), not just because developers want to maximize profits and extract more money from this community.

With 30 of such "cottages" already being built, this is a very real concern, not something hypothetical. These buildings are up to 3 levels and 3 bedrooms. Somerville is already the densest community in New England and has minuscule amounts of greenspace as it is. Any new development should focus on making a meaningful impact on affordable housing stock well below the AMI and this isn't going to be accomplished through letting developers maximize profits on small multifamily parcels. Yes we need housing, but we also need permeable greenspace, ecological space, intact mature trees, native plantings, and many other things for our quality of life and the environmental health of the city.

These proposed amendments would help protect existing tenants, preserve what little private green space remains, reduce tree loss and heat island effects, and restore some balance between developers and the families who want to live here rather than extract value from here.

I urge you to support these amendments.

Thank you,
Ariana Bain
Somerville Resident

Madalyn Letellier

From: Pat Jehlen [REDACTED]
Sent: Thursday, April 16, 2026 3:16 PM
To: Public Comments; Planning Board
Subject: Land Use and Planning Board 4/16/26

This email is from an external source. Use caution responding to it, opening attachments or clicking links.

To the Planning Board and Land Use Committee:

Planning and zoning are crucial and complex, requiring balancing of so many community needs. They require continual review and updating, sometimes revisiting unintended harm. I hope the Board and Committee will allow further public discussion of the issues after tonight, to include all voices and make good decisions.

Somerville is the densest community in New England. It has less public green space than most, and less private green space in yards. This is particularly problematic as we face climate change.

Somerville's zoning ordinance now allows construction of "backyard cottages," which are much larger than the "accessory dwelling units" which the Affordable Homes Act encourages in single-family zoning.

At a recent Zoning Board of Appeals meeting, we learned that there were over 30 such "cottages" being built in former back yards, often removing large trees. **These "cottages" are not like "ADUs."** They have up to three levels of living space and up to three bedrooms. They can be built by right, which means neighbors are not notified and have no ability to object. Some large developers appear to have template designs which they replicate in multiple sites.

Recent zoning changes also removed any requirement of affordability in these neighborhoods, which has also rapidly increased the number of such developments.

These changes greatly increase the value of the land to developers. They allow large developers to outbid potential homebuyers and eliminate naturally occurring affordable housing. The developers send frequent mail, calls, and texts asking to buy houses in any condition for cash.

As an example a developer may buy a 2 family house for \$1 million. They demolish it, and build a 3 unit home with a cottage, and sell each of the units for an average of at least \$1 million each.

Building more housing is important, especially affordable, accessible housing. But, as a local blogger has noted, "You can't build old and cheap." Affordable housing requires subsidies by either public funds or higher costs in units in the same development. **Preserving existing naturally occurring affordable housing is crucial.** It takes more time and far more money to create new affordable units. And preservation can keep families from being displaced, often far from their jobs, schools, and communities.

In [A Home for Everyone](#), the Healey administration wrote: "We are at risk of losing the homes we have, especially the affordable ones...The availability of modestly priced homes and apartments is dwindling as they are acquired and upscaled by investors who sell or rent at a much higher price point."

Bill White's proposed amendments would help level the playing field between developers and potential homebuyers. By lessening incentives to tear down existing homes, his zoning changes would help preserve naturally occurring affordable housing and protect tenants.

The amendments would also help preserve our limited private green space from overbuilding, which reduces tree cover, promotes heat islands, and increases runoff.

For example, my family, like many homeowners, bought a dilapidated house long ago, and fixed it up and expanded it over the years. The single-family now houses three generations. Like our peers, we could not have competed against deep-pocketed developers.

Another example: A neighbor was working with a family to buy his run-down house. Because of financial stress, he had to sell quickly and had to sell to a developer for cash with no conditions. The result: one lost affordable unit, and two luxury condos.

Thank you for your careful consideration of the proposals before you, and other beneficial alternatives.

Sincerely,
Patricia D. Jehlen
[REDACTED], Somerville

PS. You may also be interested in testimony from the hearing on the rent stabilization ballot question: [Tram Hoang PolicyLink Written Testimony.pdf](#).

The relevant portion is about **sub-markets**:

"Other metropolitan areas in which more housing was built than the national average – specifically, Atlanta, Dallas, Houston, Phoenix, Seattle, and Washington, D.C. – have shown similar outcomes, as demonstrated by a report by the Georgetown Center on Poverty and Inequality.

"Their research found that in high-growth metro areas, newer rental units were usually smaller, more expensive, and more likely to be occupied by higher-income households. Furthermore, **as these metro areas added new supply, lower-income households faced larger rent increases than higher-income households. As supply grew, the share of units serving lower-income renters decreased or stagnated; again, showing how the benefits of new supply do not target those who need the most relief.**"

This supports my point that, in these small developments, currently moderate-income tenants are being displaced and moderate-income homebuyers outbid by large developers. There are more units, but fewer naturally affordable ones. See MAPC's report on [Homes for Profit](#), which found that from 2004 through 2018, over half the 3-deckers and almost 2/3 of 2-families in East Somerville were sold to investors. The trend is much stronger now.

Madalyn Letellier

From: Marion Davis <[REDACTED]>
Sent: Thursday, April 16, 2026 3:39 PM
To: Public Comments
Cc: [REDACTED]
Subject: comment for tonight's joint hearing of City Council Land Use Committee and Planning Board

This email is from an external source. Use caution responding to it, opening attachments or clicking links.

Dear Committee and Board Members:

I am writing as a city resident, recent homebuyer in East Somerville, and concerned citizen to express support for the zoning amendments about "backyard cottages" proposed by Bill White.

Like many Mass. and Somerville residents concerned about housing affordability, I celebrated the passage of legislation on accessory dwelling units. I suspect we have thousands of garages, sheds, and paved-over backyards and driveways that would be better used as in-law apartments or homes for grad students, a single mom with a kid or two, or any single or couple who doesn't want or need a lot of space.

I believe that is the spirit in which "backyard cottages" were explicitly legalized, by right, in our city, but as I understand it, it's not how it's playing out in practice. With no restriction on size, developers are seizing the opportunity to even build an extra house on the lot, removing mature trees and other vegetated areas that we sorely need in our city (as a reminder, 65% of our tree cover is on privately owned land), and making our city more crowded, more impervious, and less climate-resilient in the process. Moreover, there's no indication that these units will be affordable.

I support all aspects of the proposed amendment and believe it would help balance our city's desire for more housing (even market-rate) with our concerns about green space and the legitimate concerns of neighbors who would be perfectly fine with an actual "backyard cottage," but might feel differently about a 3-story house, just a few feet from their property line, that fundamentally changes airflow, sunshine/shade, and privacy. It would also make it harder to cheat one's way out of affordability requirements by dividing up lots. And it might at least slightly reduce the powerful incentive for developers to buy up every single house that goes on the market and squeeze every last dollar out of it that they can.

I also believe it's important to recognize that ADUs are just one of multiple tools we have at our disposal to expand our city's housing supply -- and to promote housing affordability. Living just off Broadway in East Somerville, I see huge amounts of underused and outright vacant land. My neighborhood is awash in it. We also have very large parking lots that are rarely, if ever, even close to full, such as Stop & Shop's and Target's. And we have lots of single-story commercial buildings on larger streets, including close to T stations. These are much better places to add housing at scale than our already small backyards -- especially when construction sacrifices more of our scarce tree cover (just about 15%).

Thank you for your consideration!

Marion Davis

[REDACTED]

Somerville, MA 02145

[REDACTED]

Madalyn Letellier

From: Delia Marshall <[REDACTED]>
Sent: Thursday, April 16, 2026 2:38 PM
To: Public Comments
Subject: yes to Bill White's SZO Amendments

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A Somerville resident since 1985, and a homeowner here since 2009, I am writing in support of the 4 amendments to the Somerville Zoning Ordinance regarding Backyard Cottages and Lot Splits proposed by former Alderman Bill White.

These amendments would help sustain middle-income families' ability to live in Somerville by ensuring that tear-down-happy developers don't build huge, unaffordable condominiums in modest residential backyards.

Sincerely,

Delia Marshall
[REDACTED]

Madalyn Letellier

From: Susan Fendell <[REDACTED]>
Sent: Thursday, April 16, 2026 3:17 PM
To: Public Comments
Subject: In support of amendments and opposed to certain other amendments

This email is from an external source. Use caution responding to it, opening attachments or clicking links.

Dear Members:

Four amendments to the Somerville Zoning Ordinance have been proposed by Attorney Bill White and others. These comments are in support of those amendments. In addition, comments in opposition to those amendments that increase density and remove restrictions/requirements for various developments are below.

Amendment 1. Align “Backyard Cottages” with the State’s Affordability Law

The Somerville Zoning Ordinance defines “Backyard Cottage” as a “small ... detached, accessory building ... typically providing space for one (1) small dwelling unit, a home occupation, a playhouse for children, or vehicular parking on the same lot as a principal building....”

This amendment would limit the size of a “Backyard Cottage” to no more than 900 square feet, tracking the “Affordable Homes Act,” a 2024 state law. The state law requires local zoning codes to allow the creation of “accessory dwelling units”. These units can be freestanding, connected to or inside homes, or converted from other buildings. They can be rentals or housing for a family member (e.g., in-law apartment).

The state law was intended to promote affordable homes, not large houses. This amendment ensures that less expensive housing will be built.

Amendment 2. Make it Clear that Backyard Cottages are Accessory Structures

Somerville should carefully examine its assumptions about what policies promote affordable housing. Somerville allows developers to build a “Backyard Cottage” behind a standing residence and then sell it separately from the residence. Very profitable for developers, but harmful to families trying to buy a house and detrimental to increasing affordable housing. Why? Because the developers can outbid middle-income folks in anticipation of selling the bonus “Backyard Cottage.”

We need an amendment to ensure that a “Backyard Cottage” is genuinely *accessory*, which means *subordinate to and in the same ownership as the principal building on the lot*.

3. Transparency and Due Process for Lot Split Decisions

When a lot is split (divided into two or more smaller lots), it is usually to increase the total number of units built. There’s a maximum number of units that can be built per lot, so the more lots, the more units. This results in less green space and housing packed together. Privacy is sacrificed, as is safety. The closer the

structures, the more likely a fire will spread. Insurers are already reluctant to insure homes and condominiums in Somerville because of density issues.

Under relevant law, the city's Zoning Board of Appeals is supposed to decide whether to approve lot split requests. Normally, that would require a public meeting with notice to abutters and an opportunity to be heard at the meeting.

Instead, the requests for lot splits are deemed "a minor plan change" and then are decided privately by city planning staff. The public does not even know when a lot split application is filed or granted!

We need Attorney White's amendment to remove the language that gives planning staff authority to decide lot splits on their own, in private, without public knowledge or input.

4. Restore Affordability Requirements for Lot Splits in NR District

A developer need not provide a single affordable unit when building eight condominium units in the NR district. With lot splitting, this may mean eight condominium units on a lot as small as 6500 sq. ft. Developers once again are encouraged to split lots, causing the problems noted above.

Developers should not be able to use splitting lots to evade one of Somerville's tools to inch closer to making housing affordable.

This amendment would require that developers provide one or more affordable units whenever a residential lot is split into two or more smaller lots. If the total number of units constructed adds up to 5 or more units, 20% of those units must be affordable.

Opposition to those amendments that increase density and remove restrictions/requirements for various developments.

Some persons and organizations have the misperception that building larger residential buildings will in and of itself solve the city's shortage of affordable housing. This erroneous belief has motivated amendments that will not achieve the goal of ameliorating the shortage of housing for low- and middle-income persons and will actually exacerbate the problem.

Flimsy assertions that the primarily luxury housing will benefit low-income persons - even with 20 or 25% "affordable housing" - are not credible. The Copper Mill proposal is larger than that proposed in the Mayor's amendments, but it is still a good example of how the moniker of "affordable housing" can be inaccurate. The vast majority of Copper Mill's units - 75% - will not be offered at 80% AMI. None will be offered at 50% AMI. Over half of the units that supposedly will improve the housing shortage in Somerville are 346-foot studio apartments. The units that are allegedly "affordable" are not affordable or practical for those who need it most. Studios, which would be almost a third smaller than the typical studio apartment in Somerville, are being rented at \$1472 a month. The monthly income limit of a single person receiving Medicaid in Massachusetts is between \$1,305 and \$1,796. Low-income families are priced out as well, since a family receiving Medicaid is limited to an income of \$4,185. There are only 13 "affordable" units for families, which all have one bathroom, cost \$2,300 per month, leaving less than \$1,900 a month to feed four persons, including two children.

There is just as much reason to think that private development will increase rents and the costs of a home. <https://www.wgbh.org/news/local/2023-07-24/does-building-more-luxury-housing-drive-other-rents-up-or-down>. “Trickle down” did not work in Reagan’s time or now. In fact, more luxury housing can increase rents. <https://inequality.org/article/luxury-development-making-housing-crisis-worse/>

There are alternatives to building that should be considered. Somerville is already the most densely populated municipality in Massachusetts and New England. [1] Somerville is the 19th densest city in the country. [2] Green space is scarce.

Persons who oppose these amendments are not against any efforts to increase housing for low- and moderate-income people. We are pro-housing - the affordable kind. Housing should be a city-led, not developer-led process. We want to see alternatives to profit-driven building. We want to see housing that assists low- and middle-income people. It makes no sense to overbuild market rate units to gain just a few more allegedly affordable units.

Rather than or in addition to building public (social) housing in the most densely populated city in Massachusetts, we ask that the city pursue alternative means to provide housing.

One such option is "shared housing" which provides free or low-rent housing to students or low-income persons/families in the home of an elderly person in exchange for services and/or companionship. To enable seniors to remain in their own homes, [6] intergenerational living, as piloted by Boston, [7] would benefit both seniors and area students and others. Seniors (65 and over) in Somerville have less than half the household income than other age ranges. Seniors benefit from the companionship and services provided by their boarders and the boarders benefit from reduced rent or free housing.

<https://www.boston.gov/departments/new-urban-mechanics/housing-innovation-lab/intergenerational-homeshare-pilot#results>. See also <https://www.wbur.org/onpoint/2018/11/06/senior-citizen-roommates-rent-companions> and <https://www.service-public.gouv.fr/particuliers/actualites/A17556?lang=en#:~:text=combating%20isolation;,near%20you%2C%20you%20can%20consult>.

[1][1] <https://www.mma.org/community/somerville/>

[2] https://en.wikipedia.org/wiki/List_of_United_States_cities_by_population_density

[6] *Copper Mill touted the idea that seniors could age in place in the tiny studio apartments it proposes. Seniors, on the whole, do want to age in place – in their own homes!*

[7] <https://www.boston.gov/departments/new-urban-mechanics/housing-innovation-lab/intergenerational-homeshare-pilot#results>. See also <https://www.wbur.org/onpoint/2018/11/06/senior-citizen-roommates-rent-companions> and <https://www.service-public.gouv.fr/particuliers/actualites/A17556?lang=en#:~:text=combating%20isolation;,near%20you%2C%20you%20can%20consult>

[Footnote numbering is out of order, but matches text.]

Thank you for your consideration of these comments.

Susan Fendell

██████████ Somerville, MA 02144