



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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PLANNING DIVISION

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SARAH WHITE, *PRESERVATION PLANNER*
ALEX MELLO, *PLANNER*
CHARLOTTE LEIS, *ADMINISTRATIVE ASSISTANT*

MEMBERS

MICHAEL A. CAPUANO, *ESQ.*
JOSEPH FAVALORO
DOROTHY A. KELLY GAY
REBECCA LYN COOPER
GERARD AMARAL, *ALT*

PLANNING BOARD MINUTES

Aldermanic Chambers, Somerville City Hall, 93 Highland Avenue, Somerville, MA
Tuesday, July 24, 2018
7:00 P.M.

Previously Continued to a Future Date

114 Broadway (PB 2017-29)	
Applicant:	116 Broadway LLC
Property Owner:	116 Broadway LLC
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicant/Owner, 116 Broadway LLC, seeks a Special Permit with Site Plan Review under SZO §5.2 to approve replacement of a one-story building with a new construction 5-story mixed-use building (commercial ground floor and 8 residential units, 1 of which is an inclusionary unit with 0.6 of a unit payment-in-lieu) and §6.1.22.G.7 for payment-in-lieu of parking for 11 spaces. CCD Zone. Ward 1.
Date(s) of Hearing(s):	3/8, 3/22, 4/5
Staff Recommendation:	Conditional approval
PB Action:	Voted on June 21, 2018 to continue the application to August 9, 2018.
Previously continued to August 9, 2018.	



176-182 Broadway (PB 2017-22)	
Applicant:	Yihe Patsy's Corporation
Property Owner:	Yihe Patsy's Corporation
Agent:	Richard DiGiralomo
Legal Notice:	Applicant and Owner, Yihe Patsy's Corporation, seeks a Special Permit with Site Plan Review (SPSR) to construct a 26-unit mixed-use building with commercial space along the street frontage and residences above. CCD-55 zone. Ward 1.
Date(s) of Hearing(s):	6/21
Staff Recommendation:	Conditional approval
PB Action:	Voted on June 21, 2018 to continue the application to August 23, 2018.
Previously continued to August 23, 2018	

Previously Opened Cases to be Heard

374 Somerville Avenue (PB 2017-16)	
Applicant:	374 Somerville Ave, LLC
Property Owner:	374 Somerville Ave, LLC
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicant and Owner, 374 Somerville Ave, LLC, seeks Design and Site Plan Review (DSPR) approval under SZO §6.1.22 to construct an addition on top of and in the rear of the existing structure. Retail space will remain and a live/work unit will be added to the first floor, the second floor will have three dwelling units, and a fifth dwelling unit will occupy the third and fourth floor. A Special Permit under SZO §9.13 is also being sought for parking relief. CCD-55 zone. Ward 2.
Date(s) of Hearing(s):	11/30, 1/4, 1/30, 3/8, 3/22, 4/5, 4/19, 5/3, 7/12
Staff Recommendation:	Conditional approval
PB Action:	Voted on June 21, 2018 to continue the application to July 12, 2018.
The Applicant submitted a written request to withdraw the application without prejudice. Michael Capuano made a motion to accept the Applicant's request to withdraw the application without prejudice. Joseph Favaloro seconded. Motion passed 5-0.	

Other Business

1. Recommendation to the Board of Aldermen on the Zoning Overhaul.

- Favaloro: document brings entire process into the 21st century and understandable. Leave the minutia alone and approve the document. Affordability still stands out and needs to set it apart and studied further. 2-3 units, micro-units, and in-law apartments. 4 unrelated should be considered in some areas of the city.
- Amaral: supports Favaloro's comments but there also needs to be more enforcement. Recent example is air quality. Commend the Staff but enforcement should be stepped up for quality of life.
- Gay: well organized and no easy task so kudos to Staff. Unique perspective of an immigrant of 50 years this overhaul is timely and necessary even though change is difficult for longtime residents.
 - o Traffic and parking issues are studied and walkability.
 - o Affordability – workforce as well as low income.
 - o Civic meeting spaces are needed.
 - o Open space is critical and can't be stressed enough.
 - o Public interest in tiny houses and should be considered. Might be an incentive or enforcement of renting 2nd units within buildings.
 - o Recommendation to approve as soon as possible to protect our character. Enforcement is the key, without it all attention is null and void.
- Cooper: echo strength of information and engaged public. Staff's effort has been above and beyond to ensure that process and produce has been open and transparent.
 - o Most significant shift is platform that launches availability of additions and revisions as required.



- “Once in a lifetime” should not be used as excuse to slow down or attempt to stop growth. The pressure is now from the real estate market and will continue but need to be channeled.
- Critical planning issue is ability to move nimbly to respond to changing criteria and much of the delay items cannot be solved simply as they are moving targets.
- Current code doesn’t provide the structure we need
- The overhaul puts the language and the tools into the hands of the citizenry in understandable text and images. Metrics and kit of parts.
- Urge to pass immediately.
- Organized comments into specific topics in a chart. Can submit the comment chart in writing but would be personal comments.
- Tiny houses:
 - Temporary structures don’t give tenants same protections as permanent structures. Need to be careful.
- 2-3 units:
 - The back and forth has been difficult. Recommend staff has metric for transform. Example: perhaps structures evaluated as neighborhood such as measure of number within 300 ft.
 - Favalaro: don’t want to make a city of unaffordable homes worse and may need to require owner occupied to control negative effects
 - Capuano: starting was a multi-family with family or tenants in additional unit and should still be possible but there are areas where that makes sense for all 2.5 story and others with triples alternating which looks odd. Each street should be considered visually through special permit not just a metric.
 - Cooper: mapping could be useful to understand where the condition could be applied.
 - Capuano: make it clear so that character is protected
- Capuano: this is great – a lot more readable and user-friendly even though a lot longer
 - Good process of having public comments electronically
 - Last comprehensive overhaul was 1991 and was done to make everything non-conforming so everyone had to ask permission
 - This direction feels like the right way to move forward
 - More than 4 unrelated should remain a special permit – problem areas should be identified and monitored. Need to make sure there’s a balance and not abused
 - No parking provided in TOD, then no parking stickers should be allowed/provided – perhaps exceptions for lower income and seniors
 - Other comments regarding up and down zoning should be Board of Alderman
 - Route 16 should be UR instead of mr3 – enjoys neighborhood scale
 - Broadway (Capuano’s neighborhood) from North St to Russell should also be UR (not MR3) so scale isn’t overwhelmed
 - Public notice on the city website is terrific idea
 - Planner Sarah Lewis: close to having a system for that
 - Only one space per unit outside of transit zone is concern
 - These are the residents that will require more cars, especially if only 15% of land area is outside
 - MR3 and MR4 need 2 cars per unit for families and roommates
 - High-rise also has concern about parking but understand district-wide approach is also employed which gives more peace of mind
 - Gay: high rise is 24 stories?
 - Planner Dan Bartman: Building code considers anything over 70’ as high rises. Building Types control so narrow footprint of Podium Tower and only one allowed to be that tall
- Capuano: some elements in NR can go ahead without Special Permit but neighborhood meetings are now required
 - Planner Bartman: dormers are by-right but with strict dimensional standards and can be done with Building Permit. We don’t regulate other windows but should be considered as guidelines for offset of views
 - Capuano: concerned about intrusive in high density neighborhoods and should be studied further by BoA
 - Gay: can it be case by case basis?
 - Cooper: is there a metric? E.g. is it a 30 degree offset? Best practice.

- Planner Bartman: previously city has abused dormers into making the 3rd unit. This needs to be revisited with additional unit.
- Cooper: parking question is a good debate especially for affordability. Municipal parking per neighborhood for unbundling is good to keep rent costs down
- Capuano: concern is more about existing areas that are not transformational can necessarily have municipal lots – UR within existing areas
- Cooper: BoA should do a real parking study – garage, on-street, lots, etc. Need to understand how much parking is actually available. Realities should be understood then balanced.
- Gay: many apartment buildings have spaces that go empty because they won't pay for space and take up street permit which is unfair so policy needs to be adjusted
- Cooper: enforcement of permit and space use
- Planner Bartman: price per day is currently 8 cents for parking permit. Policy must be addressed but is a different can of worms.
- Cooper: moving to the overhaul structure provides the neighborhood based calibrations to be made nimbly
- Capuano: recommend strongly the overhaul as a Board. There are differences of opinion that should be considered as topics for BoA to take up (those that have been discussed this evening)
- Director Proakis: next BoA meeting is August 23 so draft can be back and forth in next few meetings or by blind copy emails.
- Capuano: can we complete by August 9th Planning Board hearing after email drafts of letter so can be on website for 2 weeks before BoA.

Michael Capuano made a motion to continue working on the recommendation letter. Seconded by Rebecca Lyn Cooper. Motion passed 5-0.

2. Approval of minutes from the following meetings

2014: 1/16; 2/6; 2/20; 3/6; 3/20; 5/8; 5/22; 6/19; 7/10; 8/21; 9/4; 9/18; 10/2; 10/16; 11/6
2016: 1/7; 2/18; 3/3; 3/24; 4/14; 6/2; 7/14; 8/18; 9/8; 9/12; 9/22; 10/6; 11/3; 11/17; 12/8
2017: 1/5; 1/19; 3/16; 5/18; 6/8; 7/13
2018: 1/4; 2/27; 3/8; 3/22; 4/3; 4/19; 6/7

Joseph Favaloro made a motion to approve the minutes from 2014. Rebecca Cooper seconded. Motion passed 5-0.

Dorothy Kelly Gay made a motion to approve the minutes from 2016. Michael Capuano seconded. Motion passed 5-0.

Michael Capuano made a motion to approve the minutes from 2017. Dorothy Kelly Gay seconded. Motion passed 5-0.

Rebecca Cooper made a motion to approve the minutes from 2018. Michael Capuano seconded. Motion passed 5-0.

3. Election of officers

- Planning Director George Proakis: cannot remember how.
- Favaloro: Has not seen an election in at least 21 years and was appointed by Dorothy Kelly Gay 14 years ago.
- Director Proakis: Reviewed SZO but there is no guidance or in 2011 Rules and Regulations. Only a reference to election of Chair, Vice Chair, and Clerk from within members.
- Favaloro: Mike was elected as Vice Chair and Kevin assigned me as Clerk.
- Cooper: quite a number of things that the board doesn't take advantage of, such as running meetings and order.
- Gay: Doesn't want an officer position. Is done running meetings.
- Favaloro: only willing to continue as Clerk. Chair and Vice Chair are fully invested in order and process rather than be a good member.
- Amaral: no desire to be Chair or Vice.
- Cooper: joining this Board has been a great pleasure and want to contribute more.
- Director Proakis: Amaral sits as full member until another alternate is appointed. Recommend not waiting until new board member is appointed.
- Staff Planner Sarah Lewis: perhaps Capuano and Cooper could step out of the room for the discussion.
- Director Proakis: be careful of open meeting law.
- Favaloro: still have operating Chair so no rush.
- Director Proakis: Sept 8 is joint meeting.
- Favaloro: if we want to officially vote.

Michael Capuano made a motion to appoint Joseph Favaloro as Clerk. Dorothy Kelly Gay seconded. Motion passed 5-0.

- Favaloro: term limits and rotating officers should be established.
- Gay: motion open up to vote on position of Chair between Capuano and Cooper.
- Favaloro: logic to having a year or so as Vice Chair prior to becoming Chair. Concerned about some of Capuano's friends but never seen Cooper run a meeting. Don't want to necessarily lose Rebecca as the strongest member and would like to have as Vice for a while.
- Gay: support Favaloro's observation and would like Capuano as Chair with Cooper as Vice. Wants to make a motion.
- Amaral: nominate Cooper as Chair.
- Capuano: abstains from voting.
- Director Proakis: vote each position separately.
- Cooper: being nominated by Amaral great honor and not accepting Chair but will accept Vice.

Dorothy Kelly Gay made a motion to appoint Michael Capuano as Chair. Joseph Favaloro seconded. Motion passed 4-0 with Michael Capuano abstaining.

Dorothy Kelly Gay made a motion to appoint Rebecca Lyn Cooper as Vice Chair. Michael Capuano seconded. Motion passed 4-0 with Rebecca Lyn Cooper abstaining.

Will revisit elections in February as required by the Ordinance.

Capuano: need to recognize Kevin's lifelong love and contribution of service to the City in the letter of recommendation to the Board of Aldermen. Michael Capuano made a motion. Dorothy Kelly Gay seconded. Motion passed 5-0.

Recommend a citation from Mayor and will try with Board of Aldermen. Michael Capuano made a motion. Rebecca Cooper seconded. Motion passed 5-0.

Plans and reports are available at the City of Somerville website at the following link:
<https://www.somervillema.gov/departments/ospcd/planning-and-zoning/reports-and-decisions>