



**CITY OF SOMERVILLE, MASSACHUSETTS  
SOMERVILLE REDEVELOPMENT AUTHORITY**

**JOSEPH A. CURTATONE  
MAYOR**

*NANCY A. BUSNACH  
CHAIR*

**MINUTES**

Somerville Redevelopment Authority  
Thursday, December 13, 2018 at 5:00 p.m.  
3<sup>rd</sup> Floor Conference Room, City Hall  
93 Highland Avenue, Somerville, MA

Present from the Somerville Redevelopment Authority (SRA): Nancy Busnach (Chair), Iwona Bonney (Secretary), William Gage, and Phil Ercolini. Also present were Eileen McGettigan as Special Counsel, Thomas Galligani as Director of Economic Development, George Proakis as Executive Director of OSPCD and Sunayana Thomas as Senior Economic Development Planner.

Nancy Busnach, Chair, called the meeting to order at 5:00PM. Open session commenced. A quorum was present.

**Documents and Other Exhibits Used at the Meeting**

- i. Notice of Meeting and Meeting Agenda
- ii. Draft November 15, 2018 Minutes
- iii. Sketch Plans of Proposed D2 Block License Areas

**Discussion and Actions Taken**

**1. Approval of April Minutes:**

- Motion by Iwona Bonney, seconded by Phil Ercolini
- Mr. Gage noted the following edits:
  - Change the date in the minutes section and discussion to November 15 instead of October 11
  - Executive session ended at 6:50pm.
- **Motion to approve by Phil Ercolini, seconded by Iwona Bonney**
- Unanimously approved

**2. Assembly Square Update**

Tom Galligani provided the update for Assembly Square.

- No tenant changes

### **3. Union Square Update:**

- Vote authorizing SRA execution, as Property Owner, of licenses authorizing the City or its contractors to utilize portions of D2 for laydown.
  - Special Counsel Eileen McGettigan distributed sketch plans of areas to be occupied by City's contractors.
    1. First Request: Barletta Heavy Division, City contractors for the Somerville Avenue Utility and Streetscape Improvements, will occupy a portion of the D2 Block for equipment and vehicles.
    2. Second Request: Suffolk Construction, the City's High School contractor, to temporarily store contaminated fill from the high school project on a portion of the D2 Block.
  - Ms. McGettigan also mentioned that US2 had concerns with this request regarding timeframe and placing contaminated fill on property where US2's Licensed Site Professional (LSP) need to do environmental testing. Portions of their testing were delayed due to Mr. Fahey's relocation and structures still on site.
  - Mr. Greg Karczewski, President of US2, was present and emphasized that they want to be cooperative to make all projects work; however they are concerned with their obligation to clean up the site per the MLDA based on baseline condition as understood today. If contaminated soils were being stored on site, that would exacerbate the situation. In order to continue to implement the development and obtain necessary permits, geotechnical and environmental testing need to be completed. They are concerned that the stockpile will cause delay based on where it will be placed.
  - Bill Gage questioned if the pile will have sufficient barriers and runoff protection.
  - Ms. Bonney questioned what the alternative process would be if SRA rejects the request.
  - Ms. McGettigan explained that the City will have to ship it off to a proper disposal site in New Jersey; this request is for temporary storage of the soil until it is determined whether GLX can use the soil for their purposes.
  - Mr. Ercolini questioned the amount of fill that will be transferred and cost savings for the City.
  - Ms. McGettigan mentioned that those numbers were not included in documents that were submitted but will check with the consultants and Capital Projects staff. She stated that she was told emphatically that there was no other place to put it.
  - Mr. Ercolini was reluctant to approve based on the possibility of placing new contaminants on an active redevelopment site. The heavy equipment is okay.

- Ms. Busnach requests that there be provisions in the agreement ensuring safety and protection. SRA and US2 have been trying to clean up this site for years and would like guarantees from the contractors regarding the transfer and placement of soil.
- Mr. Gage suggested the board approve Barletta's request but postpone the approval of the soil storage until the board receives additional information.
- Ms. McGettigan read the specifics of the license requests relating to the storage of materials and contaminated soil.
- Mr. Proakis explained to the board that not approving the soil transfer would be detrimental to the timing and cost of the High School project. Moving the soil to New Jersey will increase the budget of the project significantly and will cause delay.
- Mr. Gage would like assurance that no additional contaminants will be transferred, soil will be placed on an impermeable surface and runoff is controlled in order for him to be comfortable with an approval.
- Mr. Tom Bent, member of the High School Building Committee, mentioned that the issue is more than money, it's time. LSPs have done test borings and realized that there were more contaminated pipes and more mitigation work to be done. The biggest impact is to the CTE program. In this situation, the HS programs will need to be moved outside of the City. Money is still an issue however, if programs need to be moved to the Cummings School for example; that school would need to be retrofitted. He also added that the State will be monitoring the disposal of the site and its storage.
- Ms. Busnach requested a motion to approve the request with the condition to include safety precautions to ensure no contaminants will leach onto the site and that the risk and liability of cleanup will be on the contractor, as mentioned by this board.
  1. Vote: Motion to authorize execution of license with Barletta Heavy Division (streetscape contractor)
    - Motion by Bill Gage, seconded by Iwona Bonney.
    - No discussion. Unanimously approved.
  2. Vote: Motion to authorize execution of license with Suffolk Construction (High School project contractor)
    - Motion by Bill Gage, seconded by Iwona Bonney
    - Discussion: Iwona Bonney added that there is a condition added to the license to guarantee that the soil is stored in accordance with all state and federal regulations, and that Suffolk work with US2 regarding timing and siting of the soil storage on the site.
    - Unanimously approved.

- **US2 Project & MEPA Update**

- Greg Karczewski, President of US2, presented a project update and evolution of the design for the D2 Block.
  1. The revised design has 25% more civic space.
  2. The new design creates a better alley experience based on community feedback.
  3. Mr. Proakis mentioned that the alley was always designed for loading. It's understandable for bikes to cut through for quicker access to the Green Line station but an alley was what it was designed to be during the Neighborhood Plan community process.
  4. Mr. Karczewski mentioned that they received criticism of pass through open space and in response created an outdoor room.
  5. Mr. Proakis informed the board that OSPCD is conducting a basic peer review of the designs the community presented. The results of this report will be presented in January. Information to date indicates that it would cost \$38-40M to build underground parking which is roughly \$120,000-136,000 per parking space. There is a challenge of creating civic space with a narrow building. He is concerned with efficiency if a design called for building half underground and half above ground parking.
  6. Mr. Karczewski continued with his presentation to update the Board on their unsuccessful MEPA Phase 1 waiver. However, they have redoubled their efforts and will be delivering hard copies to board members of a Draft Environmental Impact Report this week. They anticipate submitting the DEIR on January 15, 2018.
  
- **Vote authorizing SRA execution, as Property Owner, of the D2 Design & Site Plan Submittal Cover Page**
  - **Motion to discuss by Phil Ercolini, seconded by Iwona Bonney.**
  - **Discussion:**
  - Mr. Gage reminded the Board that no certificate from MEPA has been granted for construction and that the community is not in favor of the position of the civic space due to air pollution concerns.
  - Ms. Busnach agreed with Mr. Gage that the application needs more work however that is not for the SRA to decide. There are other permit granting authorities in the City that render recommendations and approval on the design. The board will solely be approving as a property owner to begin that process. Ms. Busnach requested Ms. McGettigan to explain why it is necessary for property owners to sign off on any application.
  - Ms. McGettigan mentioned that as the owner of the property you have to acknowledge that an application concerning your property is being filed. The board is not endorsing the application but rather acknowledging that it is aware that an application is being submitted for review. The City has been in litigation before because someone filed a planning document and the owner

wasn't aware it was happening. Since then, OSPCD- Planning has created a cover sheet to ensure all entities are aware of the application submittal. The SRA is certifying that it is the owner and the applicant has been authorized as a developer to submit for this property. This board already approved that when they selected US2 as their master developer, which included its entire staff and consultants.

- Mr. Gage questioned why this was now necessary considering MEPA was not complete.
- Ms. McGettigan emphasized that this is a parallel process and does not require MEPA approval. US2 will not be able to submit what is required by the City without the boards' signature.
- Mr. Ercolini stated that he misunderstood the intent of the signature at the last meeting. Despite the fact that community conversations are ongoing, it is clear that the signature will get the application to the appropriate approving authority. The board will not be approving the designs because it is not in its purview to do so; for those reasons he expressed his support.
- Mr. Gage raised his concern of being listed as a proponent of the design that the developer is presenting. In his opinion, the design should be something that the Board can stand behind. Mr. Gage expressed that he is not supportive of the current design and cannot stand by it at this time.
- Mr. Ercolini agreed that any project of this size will need to go through a process but it has to be able to start the application process in order for it to be reviewed properly by the community and the approving authorities.
- Mr. Proakis further explained that the board is signing the Planning Board application as property owner, not as an agent or applicant. The Planning Department requires each owner to sign; even State and City owned properties. An example of its importance dates back to when an Assembly Square developer requested a MEPA waiver prior to undertaking the City design process. In commenting on that application, MEPA stated its preference that developers work collaboratively with the City's application processes either prior to or concurrently with the MEPA process. The Planning Board's fundamental role is design site plan review and as the application evolves, the applicant and the City will work towards answering the community's questions.
- Mr. Proakis continued, stating that Planning staff has looked at many alternatives to move the open space away from Prospect Street. Moving it away from Prospect Street is a challenge for the retail to work if it is inward facing without a street frontage. Staff does not see other ways of doing it while maintaining the structured parking on site. Otherwise, the structure would have to go underground or off site. Underground is expensive and off site is challenging. If the Public Safety complex were gone, then the offsite parking structure could be placed on the D1 Block resulting in a bigger open space on D2. However, this is not something that can be guaranteed right now. The

Union Square Neighborhood Council presented to the Board of Aldermen and expressed concern about this issue as well so Planning staff is aware that it's a priority to better understand the feasibility of various locations of the civic space. Peer review consultants will present their analysis to the community in January.

- Mr. Proakis also stressed that the land transfer by the City still needs to happen and it's a part of the ongoing steps.
- Ms. Busnach stated that this process is merely the beginning; it does not stop the community process for design review. It should not be the intention of this board to stop the review process required by the City.

- **Motion to approve by Phil Ercolini, seconded by Iwona Bonney.**
- **No discussion; Vote: 3 in favor, 1 opposed (Mr. Gage).**

**4. 90 Washington Street – Memorandum of Agreement with Board of Aldermen**

- Ms. McGettigan explained that this item was a placeholder but more time is needed in order to coordinate with the Board of Aldermen. More information will be presented in January.

**5. Other Business Not Reasonably Anticipated by the Chair**

- None

**6. Selection of Date for Next Meeting:**

- Next regular meeting will be January 10, 2018.

**7. Executive Session – Litigation Strategy (Chapian & Deutsche Bank)**

- Roll Call Vote: William Gage, Yes; Iwona Bonney, Yes; Phil Ercolini, Yes; Nancy Busnach, Yes. The Chair announced that the Board would be reconvening in open session. The Board went into executive session at 6:17 p.m.

**8. Open Session Reconvened**

- The Board reconvened in open session at 6:37 pm. The Chair announced that the Board had voted to approve the Chapian and Deutsche Bank settlements.

**9. Adjournment**

- Motion to adjourn by William Gage; seconded by Iwona Bonney.
- Meeting adjourned at 6:38 pm.