

SOMERVILLE RESIDENTS FOR SENSIBLE DEVELOPMENT
Some Sense

Somerville, MA

1

January 11, 2010

2010 JAN 12 P 2:07

John Long
City Clerk
City Hall
93 Highland Avenue
Somerville, MA 02143

CITY CLERK'S OFFICE
SOMERVILLE, MA

RE: Submission of Proposed Zoning
Ordinances Pursuant to M.G.L. c.
40A, s. 5 and SZO s. 3.3.1.

Dear Mr. Long:

In accordance with the provisions of M.G.L. c. 40A, s. 5 and SZO s. 3.3.1, Somerville Residents for Sensible Development (hereinafter "SOME SENSE") herewith submits to you for transmission to the Board of Aldermen, five (5) proposed zoning ordinances along with the accompanying cover letter.

In compliance with the "Guide to Submitting An Amendment to the Somerville Zoning Ordinance," published on the city clerk's website, the following are the intended purposes of each proposed ordinance, as identified by the numbering ascribed to them in our letter of transmittal:

- 1.) the purpose of this ordinance is to remove from the zoning board of appeals the authority to grant special permits or special permits with site plan review and to vest it in the Board of Aldermen;
- 2.) the purpose of this ordinance is to down zone to a more restrictive residential district certain parcels of land and the buildings thereon situated near Park Street in Ward 2;
- 3.) the purpose of this ordinance is to require development projects seeking a special permit that are a certain minimum size to be subject to water & sewer and traffic studies that are conducted by an independent engineer who has not had a business relationship with the city or the developer during the seven (7) years preceding application submission;
- 4.) the purpose of this ordinance is to suspend the SPGA's authority to grant density bonus special permits until a comprehensive analysis and report has been prepared and submitted to the Board of Aldermen by an independent land use consultant detailing the impact(s) of the ordinance on the city;

SOMERVILLE RESIDENTS FOR SENSIBLE DEVELOPMENT

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5.) the purpose of this ordinance is to correct a serious flaw in the zoning ordinance that allows the true applicant(s) for special permits or variances to hide behind this loophole and not disclose themselves at the time of application to the SPGA or the zoning board of appeals.

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CITY CLERK'S OFFICE
SOMERVILLE, MA

We have attached a copy of the relevant assessors' map #53 to the proposed zoning ordinance that seeks to rezone certain land in Ward 2. Set out below are the record owners of the parcels to be affected, as gleaned from the assessors' commitment list:

Park Street

Name/Address

#44 Park Street Housing LLC, 15 Ward St., Somerville, MA
#50 Peter Forg Manufacturing

Village Street

#3 Pierre & Jules Belizaire
#5-7 Bruce M. Scott
#11-A Geoffrey Hargadon
#11-B Christopher Carsten
#11-C Amy Honda & W. O'Neil
#11-D Timothy Jamison
#11-E Ute Bauer
#11-F Steven Taranto
(All of the units at #11 are condominiums at that location.)
#19-21 17-21 Village Street LLC
#25-27 Adele Naude Santos

Properzi Way

#55 Josef Dustin Tracy
#57 Antonio Fernandes, c/o 57 Properzi Way Nominee Trust, 9 Spring St., Somerville, MA

Dane Street

#3 Figuerido Apartments, 48 Walnut St., Somerville, MA
#7 George DeFelice Jr.
53-C-6 B&M, c/o Guilford Transportation, Iron Horse Park, N. Billerica, MA
53-C-7 MBTA, c/o Michael Brennan, 10 Park Plaza, Suite 5750, Boston, MA

SOMERVILLE RESIDENTS FOR SENSIBLE DEVELOPMENT

Some Sense

Somerville, MA

2010 JAN 12 P 2:09

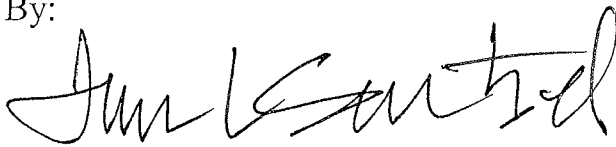
Should there be any questions, please feel free to contact me at the address listed below. Similarly, all required notices should be sent to this address.

POST OFFICE
SOMERVILLE, MA

Thank you for your cooperation.

Sincerely,
Somerville Residents for
Sensible Development
(SOME SENSE)

By:



Teresa L. Swartzel
80 Rev. Nazareno Properzi Way
Somerville, MA 02143

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SOMERVILLE RESIDENTS FOR SENSIBLE DEVELOPMENT
Some Sense

Somerville, MA

2010 JAN 12 P 2:07

CITY CLERK'S OFFICE
SOMERVILLE, MA

January 11, 2010

The Honorable, the Board of Aldermen
City Hall
93 Highland Avenue
Somerville, MA 02143

RE: Zoning Ordinance Amendments

Ladies & Gentlemen:

In accordance with the provisions of section 5 of chapter 40A of the Massachusetts General Laws we, the undersigned ten (10) registered voters of the city of Somerville, herewith submit for your consideration and action, the within described amendments to the Somerville zoning ordinance, as follows:

- 1.) An Ordinance Establishing the Board of Aldermen as the Special Permit-Granting Authority;
- 2.) An Ordinance Removing from the Residence C (RC) District and placing in the Residence B (RB) District Certain Land and Buildings Situated in Ward Two;
- 3.) An Ordinance Requiring That Water & Sewer and Traffic Studies for Certain Projects Be Prepared and Submitted to The Special Permit-Granting Authority by An Independent Consulting Engineer;
- 4.) An Ordinance Temporarily Suspending the Density Bonus Until A Comprehensive Analysis and Report Has Been Prepared by An Independent Land Use Consultant and Submitted to the Board of Aldermen for Review;
- 5.) An Ordinance Requiring the Full Disclosure of the Name And Address of Every Person or Entity That Holds Any Interest in An Applicant for A Special Permit or Variance.

SOMERVILLE RESIDENTS FOR SENSIBLE DEVELOPMENT
Some Sense

Somerville, MA

We submit these ordinances of our own initiative because this city government has consistently ignored our concerns about unrestrained and, in our opinion, unwise development in our community. Instead of acting in a manner that carefully scrutinizes proposed development projects key decision makers, especially the planning board and zoning board of appeals, have been little more than “rubber stamps” for the well-connected developers and their well-connected lawyers and consultants who appear before them on a regular basis, many of whom are former city officials and financial contributors to a host of city office-holders.

Far too often, these boards have failed to provide critical, objective analysis of projects put before them. In at least one instance, the planning board acted like a “cheerleader” for a developer whose project clearly could not meet the legal threshold for the grant of multiple variances. Indeed the planning board ignored its responsibility to the community when it urged the zoning board of appeals to violate the law and grant the variances. Regrettably, this egregious example of zoning and planning “run amok” is but one of many such cases where the planning board has acted in this manner.

However, the planning board has not been alone in ignoring many community residents who have often raised their voices against this “stampede” of development in their neighborhoods. The members of the zoning board of appeals, by their virtual non-stop approval of these projects, often over the strenuous objections of abutters and other concerned neighborhood residents, have shown themselves to be manifestly indifferent to the injuries resulting from their ill-conceived decisions. Their public hearings, as well as those of the planning board, have become little more than theatrical productions staged in order to give the impression that the legitimate concerns of neighborhood residents are being given careful consideration. Yet the decisions of these boards reflect anything but this.

Our proposed zoning ordinances are the result of much thought and deliberation. They are intended as a means to strengthen the zoning review process and thereby restore residents’ confidence in it - a confidence that, we believe, has been in steady decline for some time.

We will anticipate that you will afford these proposals the same full and complete consideration that Chapter 40A requires and you have given to zoning ordinances submitted to you by His Honor, the Mayor, to every member of this Board of Aldermen who has initiated a zoning ordinance and to zoning

SOMERVILLE RESIDENTS FOR SENSIBLE DEVELOPMENT

Some Sense

Somerville, MA

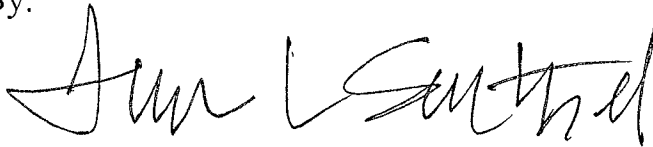
ordinances initiated by the planning board and the zoning board of appeals. We will look forward to making our case for enactment of these ordinances at the appropriate public hearing(s).

2009 JUN 12 P 2:00
CITY OF PLYMOUTH OFFICE
PLYMOUTH, MA

Sincerely,

Somerville Residents for
Sensible Development
SOME SENSE

By:



Teresa L. Swartzel
80 Rev. Nazareno Properzi Way
Somerville, MA 02143

ZONING ORDINANCES SUBMISSION

NAME	STREET	WD PCT DS
✓ 1.) <u>Lucy Borodkin</u> 1/9/10 Lucy Borodkin	27 Milton Street	6
✓ 2.) <u>Lisa Dezmelyk</u> 1/9/2010 Lisa Dezmelyk	16 Hawthorne Street	6
✓ 3.) <u>David Guss</u> 1/11/2010 David Guss	72 Rev. Nazareno ^{Properzi} Way	2
✓ 4.) <u>Stacey Khosla</u> 01/11/10 Stacey Khosla	7 Hanson Street	2
✓ 5.) <u>Ragav Khosla</u> 01/11/2010 Ragav Khosla	7 Hanson Street	2
✓ 6.) <u>Jeff Kleinman</u> Jeff Kleinman	3 Hanson Street	2
✓ 7.) <u>Kest Schwartzman</u> 1/10/10 Kest Schwartzman	55 Rev. Nazareno Properzi Way	2
✓ 8.) <u>Teresa L. Swartzel</u> 10 JANUARY 2010 Teresa L. Swartzel	80 Rev. Nazareno Properzi Way	2
✓ 9.) <u>Josef Dustin Tracy</u> 1-10-10 Josef Dustin Tracy	55 Rev. Nazareno Properzi Way	2
✓ 10.) <u>Katherine Wheeler</u> 1-11-10 Katherine Wheeler	72 Rev. Nazareno Properzi Way	2

2010 JAN 12 P 2:09
 CITY CLERK'S OFFICE
 100 STATE ST. MA

WD= Ward PC=Precinct DS=Date Signed



2010 JAN 12 P 4:33

CITY CLERK'S OFFICE
SOMERVILLE, MA

CITY OF SOMERVILLE, MASSACHUSETTS
BOARD OF ELECTION COMMISSIONERS
JOSEPH A. CURTATONE
MAYOR

January 12, 2010

John J Long
City Clerk
Somerville City Hall
93 Highland Avenue
Somerville, Ma 02143

Dear Mr. Long:

We hereby certify that the petition given to us by your office contains the names of ten (10) registered Somerville voters designated as such by a red check mark to the left of the name.

BOARD OF ELECTION COMMISSIONERS

*Michael P. Salvano
Anthony Albanese
Arnold T. Belloni
Dm M. Kuchlo*



CITY OF SOMERVILLE

1

BOARD OF ALDERMEN

2010 JAN 12 P 2:07

In Board of Aldermen

CITY CLERK'S OFFICE
SOMERVILLE, MA

Ordinance No. _____

AN ORDINANCE AMENDING THE ZONING ORDINANCE
TO ESTABLISH THE BOARD OF ALDERMEN AS THE
SPECIAL PERMIT-GRANTING AUTHORITY

SECTION 1. Section 2.2.149 of Article 2 of the zoning ordinance, entitled "Definitions," is hereby amended by striking out the entire text as appearing therein and inserting in place thereof the following:

2.2.149 Special Permit-Granting Authority

In accordance with the provisions of Chapter 40A of the Massachusetts General Laws and notwithstanding anything contained in this zoning ordinance to the contrary, the Board of Aldermen shall be the special permit-granting authority in all cases and for all relevant purposes.

SECTION 2. Any reference in the zoning ordinance to any individual, board or other entity as special permit-granting authority, other than the Board of Aldermen, is hereby expressly repealed.

SECTION 3. This ordinance shall take effect upon its passage by the Board of Aldermen and approval by the Mayor.

#2

CITY OF SOMERVILLE
BOARD OF ALDERMEN

2010 JAN 12 P 2:07

In Board of Aldermen

CITY CLERK'S OFFICE
SOMERVILLE, MA

Ordinance No. _____

AN ORDINANCE AMENDING THE ZONING MAP
BY REMOVING CERTAIN PARCELS OF LAND
FROM RESIDENCE C (RC) DISTRICT AND
PLACING THEM IN RESIDENCE B (RB) DISTRICT

Be it ordained by the Board of Aldermen of the city of
Somerville, in session assembled, as follows:

SECTION 1. The zoning map, as currently appearing in the
zoning ordinance and as amended from time to time, is hereby
further amended by removing from their current Residence C (RC)
district and placing in the Residence B (RB) district, the land and
buildings more particularly described in the assessors' maps, as
follows:

Map 53, Block C, Lots 1, 2, 3, 5, 6, 7, 8, 9, 10, 11 and 12;

Map 53, Block D, Lots 1, 2, 3, 4, 5, 6, 8.

SECTION 2. This ordinance shall take effect upon its passage
by the Board of Aldermen and approval by the Mayor.



Assessors Map

- Parcel Boundary
 - Block Boundary
 - Assessor Map Boundary
 - Water Body
 - Building
 - Railroad ROW
- Lot Dimensions*
Lot Number
Square Footage
Frontage Dimension
Street Address



February 07, 2002

Source: Right-of-way and building footprints
1992. Parcel data developed from assessor maps
by Camp Dresser & McKee, 1993.

NOTE: The data represented on these maps
is for planning and informational purposes only.
They are NOT survey data and should not be
relied on as such.



53



CDM

#3

CITY OF SOMERVILLE

BOARD OF ALDERMEN

2010 JAN 12 P 2:07

In Board of Aldermen

CITY CLERK'S OFFICE
SOMERVILLE, MA

Ordinance No. _____

AN ORDINANCE REQUIRING CERTAIN DEVELOPMENT
PROJECTS TO BE SUBJECT TO INDEPENDENT WATER &
SEWER AND TRAFFIC STUDIES AND PROVIDING FOR
THE ASSUMPTION OF COSTS BY A PROJECT PROPONENT

Be it ordained by the Board of Aldermen of the city of Somerville, in session assembled, as follows:

SECTION 1. Section 5.1.4 of Article 5 of the zoning ordinance is hereby amended by striking out the entire text as appearing therein and inserting in place thereof the following:

Section 5.1.4. Prior to granting a special permit the SPGA shall make findings and determinations, in writing, that the proposed use, structure, activity, new construction or change(s) in use in existing buildings (1) is consistent with the urban design objectives of the city and, (2) does not impose any adverse impacts on: a.) city traffic, b.) drinking water supply or distribution or ground water, c.) sewer capacity or flow, d.) the location and survival of existing trees within the jurisdiction of the city arborist, e.) pedestrian movement within and over the public ways, f.) the quiet enjoyment of abutters or the immediate surrounding neighborhood, which is affected by excessive noise, glare of light(s), emission of dust, smoke or other particulate matter, unpleasant or noxious odor(s), the release of hazardous substances or materials, interference with the reception of telephone, telegraph, cable television, internet or wireless communications signals.

The SPGA shall not grant a special permit if it determines that: (1) the project under consideration is inconsistent, in whole or in part, with the

general purposes or intent of the zoning ordinance, or (2) fails to comply, in whole or in part, with the standards set forth in the zoning ordinance for the grant of a special permit, or (3) any aspect of the project, including without limitation its design, choice of materials, placement on site, height of structure(s) or density is incompatible with the fundamental character of the immediate surrounding neighborhood in which it is to be situated. Nor shall any special permit be granted until all information and data required for submission under section 5.1.2 has been submitted to the SPGA.

A.) *Review Procedure.* The planning board shall assess the impact of items a.) through f.) above, as well as any other matters they deem necessary or appropriate to consider. Such review shall primarily focus on the impact(s) on abutting properties and immediate surrounding neighborhood, the impact(s) on the streets and ways more distant from the development site, the impact(s) on public and private transportation facilities serving the site and the impact(s) on pedestrians entering and exiting the site and traversing the sidewalks, streets and ways abutting the site.

Every application, petition or appeal to the SPGA shall include:

1.) a narrative description of how the development proposal affects any of the items set forth in items a.) through f.) above. The applicant's submission shall, at a minimum, include but not be limited to comments specifically on the following: a.) the design and location of proposed mechanical equipment, including HVAC equipment, as well as the strategy for possible future expansion, if relevant, (b) the location and operation of trash storage and removal system(s), c.) location and operation of loading facilities, (d) measure(s) taken to minimize any potential negative visual and noise impacts on abutters and (e) the provision in the building and site design to facilitate vehicular and pedestrian access and egress in a safe manner;

2.) a report prepared by a professional engineer licensed by the Commonwealth of Massachusetts, detailing the impact(s) of the proposed development on the city's water delivery system and its sanitary, storm water and combined sewer system. Such report shall indicate the adequacy of the preliminary and final site plan(s) in meeting city, state, MWRA and federal requirements or established standards for implementation of best management practices management and the likely improvements to

infrastructure that will be necessary to accommodate the impacts of the development. Where such determinations cannot be made at the of application, petition or appeal the report shall indicate what investigations must be undertaken to make such determination, their anticipated cost(s) and the schedule for their completion;

3.) a report prepared by a professional engineer licensed by the Commonwealth of Massachusetts, detailing the impact(s) of the proposed development on the movement of vehicles and pedestrians into and out of the site and their movement on the abutting streets, sidewalks and ways and the streets and ways of the city generally.

The SPGA shall not approve any application, petition or appeal for special permit unless it finds and determines, in writing, that the proposed development will not have any adverse impact(s) on the city's water delivery, sewer discharge and transmission and storm water discharge and transmission systems. Nor shall the SPGA approve such special permit unless it finds and determines that traffic generated by the proposed development will not have any adverse impact on the immediate abutting Neighborhood or the city generally.

B.) *Application Procedures.* Every application, petition or appeal to the SPGA shall include the following materials:

1.) *Application Form.* The application, petition or appeal shall include all required plans and narrative statements. The site plan and other plans, elevations and drawings shall clearly show: a.) the access and egress points for all forms of travel to and from the site, b.) the location of adjacent bus and transit stops, c.) the schematic design of proposed mechanical equipment, and d.) the architectural screening treatment proposed for that mechanical equipment. The development proponent shall provide perspectives of the proposed development, including mechanical equipment, from all critical viewpoints.

2.) *Water & Sewer Study.* Where the proposed development is residential and contains ten (10) or more dwelling units or it is commercial or industrial and contains building(s) with a total of eight thousand (8,000) or more gross square feet the application, petition or appeal to the SPGA

CITY CLERK'S OFFICE
FALL, MA

JAN 12 P 2: 01

shall include a study prepared by a professional engineer licensed by the Commonwealth of Massachusetts, detailing the impact(s) of the development on the city's water distribution, sewer discharge and transmission and storm water discharge and transmission systems. Such engineer may be an employee of a consultant under contract to the development proponent.

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CITY OF FRENCH'S OFFICE
FRENCH, MA

3.) *Traffic Study.* Where the proposed development is residential and contains ten (10) or more dwelling units or it is commercial or industrial and contains buildings with a combined total of eight thousand (8,000) or more gross square feet, the application, petition or appeal shall include a traffic study prepared by a professional engineer licensed by the Commonwealth of Massachusetts; provided, however, said engineer shall be an active member of the American Traffic Institute. The traffic study shall have a geographic and functional scope determined appropriate by the city's traffic and parking department. The study shall, at minimum, review intersections where the development will have significant and measurable impact(s). The traffic and parking department shall issue a certificate to the proponent within twenty-one (21) days of its submission that the traffic study has been performed in a comprehensive and reliable manner. If the certificate fails to issue within the prescribed time or it is denied, the proponent may revise the information contained in the study and resubmit it. A certificate approving the revised study shall be issued within fourteen (14) days of its resubmission. Failure of such certificate to issue within the prescribed time shall be deemed a denial.

4.) *Independent Water & Sewer and Traffic Studies.* Where the proposed development is residential and contains twenty (20) or more dwelling units or it is commercial or industrial and it contains building(s) with a combined total of ten thousand (10,000) gross square feet or more, the SPGA shall not approve any application, petition or appeal for special permit until it has first obtained and reviewed an independent water and sewer study and an independent traffic study, each of which shall have been prepared by a professional engineer licensed by the Commonwealth of Massachusetts, which shall include but not be limited to an analysis of the traffic indicators set forth in paragraph C.) above.

In order to establish his or her independence and prior to execution of a contract with the city, such professional engineer shall certify, under the

pains and penalties of perjury: a.) that he or she has not represented the city in any capacity whatsoever nor received compensation or emolument of any type from the city during the seven (7) years immediately preceding the proposed contract execution date, and 2.) that he or she has not represented any development proponent before any city department, board, commission, committee or agency nor prepared any document, plan, survey, instrument or report of any type whatsoever in behalf of such proponent which was submitted to any of the aforementioned during the seven (7) years immediately preceding the proposed contract execution date. The entire cost of such study or studies shall be borne by the applicant, petitioner or appellant who is seeking the grant of special permit.

Written notification of the execution of the consulting contract required by this section shall be filed with the Board of Aldermen within sixty days from the effective date of this ordinance; provided, however, if such notification has not been so filed, the planning board shall prepare the analysis and submit the report as otherwise required; and provided further, if such notice has not been so filed, the one year time period set forth herein shall be measured from the sixtieth day from the effective date of this ordinance.

C.) *Traffic Impact Indicators.* In determining whether a proposed development will have adverse impact(s) on local traffic the SPGA shall apply the indicators set forth below. When one or more indicators are exceeded, it shall indicate adverse impact(s) on local traffic. In making its findings, however, the SPGA may, but is not compelled, to consider mitigation efforts by the development proponent and their probable effectiveness in reducing such adverse impact(s). The indicators are: 1.) project vehicle trip generation on weekdays and weekends for a twenty-four hour period as well as morning and afternoon/evening peak vehicle trips generated; 2.) the change in the level of service at identified, signalized or signed intersections; 3.) the increased volume of trips on residential streets and ways; 4.) the increase of length of vehicle queues at identified, signalized or signed intersections; 5.) the lack of adequate pedestrian walkways and street crossings, 6.) proximity of the proposed development site to any railroad grade-crossing that is in active use by any public or private entity for a period of not less than five (5) days each week. The exact numerical values that shall be deemed indicative of adverse impact(s) for each of these indicators shall be adopted and from time-to-time revised

by the SPGA in consultation with the traffic and parking department; and they shall be published and made available to every applicant, petitioner and appellant.

SECTION 2. This ordinance shall take effect upon its passage by the Board of Aldermen and approval by the Mayor.

2010 JAN 12 P 2:09
CITY CLERK'S OFFICE
WILMINGTON, MA

#4

CITY OF SOMERVILLE

BOARD OF ALDERMEN

2010 JAN 12 P 2:07

In Board of Aldermen

CITY CLERK'S OFFICE
SOMERVILLE, MA

Ordinance No. _____

AN ORDINANCE TEMPORARILY SUSPENDING
THE OPERATION AND EFFECT OF THE DENSITY
BONUS AND PROVIDING FOR THE PREPARATION
OF A COMPREHENSIVE ANALYSIS AND REPORT BY
AN INDEPENDENT LAND USE CONSULTANT
DETAILING ITS IMPACT UPON THE CITY'S
TAX BASE, EXPENDITURES AND THE QUALITY
AND AVAILABILITY OF AFFORDABLE HOUSING

Be it ordained by the Board of Aldermen of the city of Somerville, in session assembled, as follows:

SECTION 1. Article 7 of the zoning ordinance is hereby amended by inserting after section 7.3. a new section 7.3. (a), as follows:

Section 7.3. (a) The operation and effect of section 7.3 of this ordinance is hereby immediately suspended for one year or until the Board of Aldermen has received and reviewed a comprehensive analysis and report prepared by an independent land use consultant engaged for that purpose, detailing the impact(s) the grant of so-called density bonus special permit(s) have had upon the city, whichever first occurs. Such analysis and report shall include but need not be limited to a consideration of the following matters and shall include such recommendation(s) for amendment to section 7.3 as will, in the professional opinion of such consultant, improve the efficiency, economy and objective(s) of the density bonus special permit procedure.

- 1.) the total number of density bonus special permits

approved by the SPGA since the enactment of said section;

2.) the identity of the specific individual, firm, corporation, trust, LLC or other entity to whom each such special permit was granted and the date and location of such approval;

3.) the exact number of market-rate units originally proposed for each permitted project and the number finally approved;

4.) the exact number of affordable units originally proposed for each project and the final number finally approved;

5.) the identity of every developer who chose to make a monetary contribution to the affordable housing trust in lieu of building the required affordable units;

6.) the exact amount(s) said developer(s) contributed and the length of time, measured from the grant of the special permit, until the entire financial obligation to the housing trust was met;

7.) the identity of every developer, if any, who was granted a special permit but failed to fulfill their obligation to build affordable housing or to make a monetary contribution to the housing trust;

8.) in any case where the developer failed to fulfill their obligations(s) to build affordable housing under the special what action di the SPGA undertake to seek compliance by the developer and what were the result(s) of such action;

9.) the identity of every developer, if any, who sold, assigned or otherwise transferred their title to or interest in such special permit prior to: a) the issuance of a building permit for their project, or b) prior to the issuance of any certificate(s) of occupancy for their project;

10.) in those instances, if any, where the original project developer sold, assigned or transferred their title or interest,

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CITY CLERK'S OFFICE
BOSTON, MA

the value of the project at the time of application to the SPGA, as evidenced from the sale price of the recorded or registered deed into the developer and the value of the after the grant of special permit, as evidenced by the sale price on the recorded or registered deed out of the developer;

11.) the assessed value of the project at the time of application to the SPGA and the assessed value at the first assessment date after the grant of special permit and the issuance of all certificate(s) of occupancy;

12.) the aggregate amount of annual real estate tax revenue generated by each project site at the time of application for special permit and the aggregate annual real estate tax revenue generated post-grant of the special permit;

13.) the annual marginal increase in real estate tax revenue directly attributable to additional units granted as the density bonus;

14.) the amount of decline, if any, that has occurred in the annual tax assessment of any project granted a density bonus both in absolute and percentage terms and the amount of such decline, if any, directly attributable to the additional units granted as a bonus;

15.) the amount of decline, if any, that has occurred in the annual tax revenue generated by any project granted a density bonus, both in absolute and percentage terms and the amount, if any, that is directly attributable to the additional units granted as a bonus;

16.) the identity of those project(s), if any, that were granted a density bonus that had unit(s) that were foreclosed;

17.) of those unit(s) that were foreclosed, if any, the average length of time such units remained on the market until such Unit(s) were repurchased;

18.) of those unit(s) that were foreclosed, if any, the sale price immediately preceding foreclosure and the sale price at the foreclosure sale;

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19.) the amount and type of request(s) for city services that have been made by those project(s) that have been granted a density bonus, including without limitation requests to the: 1.) police department, 2.) fire department, 3.) school department, 4.) inspectional services division, 5.) board of health, 6.) water division, 7.) plumbing inspector, 8.) electrical inspector, 9.) highway division, including sanitation and F.W. Russell Waste Disposal Co., 10.) MWRA, 11.) MBTA, 12.) council on aging, 13.) youth services department, 14.) recreation commission, 15.) housing and community development department, including the housing services division.

CITY CLERK'S OFFICE
BOSTON, MA

20.) the aggregate increase in the city budget, both in absolute and percentage terms and the amount of increase in each annual city budget;

21.) the amount of each annual city budget that is allocable to each of the seven wards.

The report shall be filed with the city clerk who shall certify, in writing, that there has been compliance with this ordinance and shall immediately transmit said report to the Board of Aldermen; whereupon this ordinance shall expire of its own limitation and shall have no further force of effect.

SECTION 2. Article 13 of the zoning ordinance is hereby amended by inserting after section 13.5, a new section 13.5 (a), as follows:

Section 13.5 (a). The operation and effect of section 13.5 is hereby immediately suspended, in the same manner and to the same extent as the suspension of Section 7.3; provided, however, wherever in SECTION 1. hereinabove the reference and application is to Section 7.3 of the zoning ordinance, for purposes of this SECTION 2., the reference and application shall be to Section 13.5.

SECTION 3. This ordinance shall take effect upon its passage by the Board of Aldermen and approval by the Mayor.

2010 JAN 12 P 2:09

CITY CLERK'S OFFICE
BOSTON, MA

#5

CITY OF SOMERVILLE

BOARD OF ALDERMEN

2010 JAN 12 P 2:07

In Board of Aldermen

CITY CLERK'S OFFICE
SOMERVILLE, MA

Ordinance No. _____

AN ORDINANCE REQUIRING THE FULL DISCLOSURE
OF THE NAME AND ADDRESS OF EVERY PERSON WHO
HOLDS ANY INTEREST IN AN APPLICANT FOR SPECIAL
PERMIT OR VARIANCE

Be it ordained by the Board of Aldermen of the city of Somerville, in session assembled, as follows:

SECTION 1. Section 5.1.2 of Article 5 of the zoning ordinance is hereby amended by striking out the first paragraph and subparagraph 1., as appearing therein and inserting in place thereof the following:

Section 5.1.2. Every application, petition or appeal for special permit or variance shall include the information set forth in items 1 through 4 below and such additional information as the SPGA or zoning board of appeals shall, from time to time, deem necessary and relevant to its evaluation of the merits of the matter under consideration and in determining what, if any, conditions and safeguards it may impose on any approval(s) it may make.

Basic information required:

1. the name, address, telephone number and facsimile number of every individual or entity that holds an interest, legal or beneficial, in the applicant, including without limitation, if the applicant is a trust, a copy of the most recent trust instrument on file in the recorded or registered land section of the Middlesex south district registry of deeds plus a copy of the most recent schedule of beneficial interests for the trust and if the applicant is a

corporation or LLC, a copy of the articles of incorporation or similar document creating the entity, which discloses the name and address of every officer, director manager and, if relevant, stockholder unless the entity is publicly-traded, in which case the list of stockholders need not be provided;

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SECTION 2. This ordinance shall take effect upon its passage by the Board of Aldermen and approval by the Mayor.