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January 22, 2008

**REPORT OF THE COMMITTEE OF THE WHOLE**  
**ON LEGISLATIVE MATTERS**

The Committee on Legislative Matters convened on January 22, 2008 with Chairman Thomas Taylor presiding and Committee Members Aldermen Bruce Desmond, Rebekah Gewirtz, Maryann Heuston, Walter Pero, John Connolly, Dennis Sullivan, Robert Trane and William White also present. Also present were City Solicitor John Gannon, Asst. City Solicitor David Shapiro, Brandon Wilson from Historic Preservation and SPCD Director Monica Lamboy.

Alderman White recused himself from all deliberations.

Mr. Gannon explained a memorandum regarding designating church property as historic and said that as long as the religious activities of a church are not impacted, such a designation would not be a violation of federal law. MGL Chapter 40C Section 3 gives cities and towns the authority to establish historic districts. Alderman Heuston inquired why Ward 2 was designated as an historic district rather than just having some neighborhoods designated as such and Mr. Gannon explained that the designations can be large or small, as long as the city is consistent with its designations. Mr. Gannon informed the members that MGL states that once the Board of Aldermen approves the district designations, the effected property owners are subject to the regulations and cannot opt out of the designation except through the passage of a home rule petition. Ms. Wilson said that the properties are designated base on their architectural and historical significance. Chairman Taylor stated that it is important for the Board to vote for the historic designations of districts as a means of preserving Somerville's history. Alderman Heuston recommended that the city assist owners of designated properties to obtain low income loans.

Chairman Taylor made a motion that the Historic Commission communicate to the Board of Aldermen, the list of designated historic properties and involve the Board of Aldermen to assist in expediting the process.

Alderman Connolly offered an amendment to the motion that the City Solicitor draft an affidavit to be signed by property owners, once their property receives an historical designation, stating that the owner is aware of the legal designation of district.

The amendment was tabled on a roll call vote of 8 in favor, 0 against, 2 absent and 1 recused.

The amendment was removed from the tabled on a voice vote.

The amendment was passed on a roll call vote of 5 in favor, 3 against, 2 absent and 1 recused.

The original motion was passed on a roll call vote of 6 in favor, 2 against, 2 absent and 1 recused.

The members took 17 roll call votes regarding the designation status of various properties, (see attached list).

No papers were acted on.

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Alderman Thomas F. Taylor, Chairman  
Committee on Legislative Matters

**COMMITTEE REPORT**

Report of the Committee of the Whole on  
Legislative Matters, January 22, 2008

In Board of Aldermen

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Clerk