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April 13, 2010

REPORT OF THE COMMITTEE
ON LEGISLATIVE MATTERS

The Committee on Legislative Matters convened on April 13, 2010 with Chairman Thomas Taylor presiding and Committee Members Aldermen Rebekah Gewirtz and John Connolly also present and voting. Also present were Administrative Assistant Matt Dias, DPW Commissioner Stan Koty, Superintendent of Lines and Lights Steve MacEachern, Rob May from OSPCD and Assistant City Solicitor David Shapiro.

188371 - amendment to Sec. 9.9 (c) of the city's Zoning Ordinances regarding curb cuts:

188587 - report on the number of curb cuts could potentially exist on residential corner lots:

Mr. May discussed the research performed by George Proakis on the more than 2000 corner residential lots in the city. Mr. Koty stated that curb cuts are controlled by the DPW and that, according to current law, corner lots are not allowed to have 2 curb cuts. Mr. Koty also stated, however, that most corner lots could have 2 curb cuts if certain criteria were met and he discussed the requirements that must be met in order for a curb cut to be approved. Mr. MacEachern reviews each property that applies for a curb cut and determines if any variances were approved.

Chairman Taylor would like to eliminate curb cuts as a way to stop development and he would like to know what impact reducing curb cuts would have on development and parking issues. Alderman Connolly feels that it should be looked at on a case by case basis and Alderman Gewirtz feels that the city is developing to the point of unsustainability and is concerned about green space issues, believing that an extra driveway would take away green space. Alderman Gewirtz continued by saying that she feels that people should not be allowed to pave their own property if they so choose, believing that it encourages subdivisions. Chairman Taylor stated that there is too much hard top in Somerville and development must be curbed. He feels that development in Somerville is bad and wants to legislate based on what is best for the community. Mr. Koty stated that there are not many requests for 2 curb cuts and noted that many corner lots are not big enough for 2 cuts. Mr. Koty explained, however, that there are some positive aspects to 2 curb cuts and he suggested that determinations be made on a case by case basis. Chairman Taylor favors creating a rule for RA and RB districts allowing an additional curb cut provided that no additional units are created. Alderman Connolly feels that such a blanket regulation might interfere with those cases where an additional curb cut might be beneficial. Chairman Taylor requested to know how many of the 2200 corner lots have 2 curb cuts and how many use them for development. Alderman Connolly requested to know how many curb cuts were approved within the last 6 years and how many are on corner lots. Mr. MacEachern told the members that he remember only 1 corner lot curb cut during the last 3 years and Mr. May stated that it would be a cumbersome project to research all curb cuts in the last 6 years.

Mr. Koty stated that the DPW performs

10-15 curb cuts per year and that the city does not cut curbs for projects of over 4 units. The item was left in committee for further discussion.

188476 – ordinance to limit the storage of unregistered vehicles:

Mr. May stated that the city has public nuisance codes but none apply to unregistered vehicles. Chairman Taylor stated that he has had junk cars towed from private property in the past. Alderman Connolly stated he believes that these vehicles may be removed for the improper storage of oil and gasoline. Chairman Taylor asked Mr. Shapiro to review the laws on the books. The committee also discussed the storage of boats on private property.

The committee discussed matters before it and took action on the following item:

188825: Communication - Asst. City Solicitor submitting a draft letter from this Board to property owners re: local historic district designation.

RECOMMENDATION: Should be approved

VOTE: Unanimous, 3 - 0 in favor

Alderman Thomas F. Taylor, Chairman
Committee on Legislative Matters