

Union Square Neighborhood Council Meeting
September 29, 2020
7 pm – 9 pm
Zoom Meeting

Attendees:

Board Members:

Michèle Hansen
Ann Camara
Andy Greenspon
Bill Cavellini
Bill Shelton
David Scott
Gary Trujillo
Tori Antonino
Sarah Dunbar
Phil Privetera

Community Members:

Wig Zamore
Frank Kautz
Edwidge L Hercule

1. Welcome and Introductions

2. Public Comment

Wig: I'm concerned that too little attention is being paid to long term, critical issues. At Assembly Square, there will need to be a direct entry from McGrath and I-93 to the center of Assembly Square and the Orange Line Stop. If the US2 garage goes ahead, it blocks the Green Line Union Square station path to the current Target site. If we don't have a bridge from Boynton to the Union Square Green Line station, then that will just be a Cambridge Street development. Over 100 years, if you mess up the big things, those issues will exist for 100 years.

Michèle: We are advocating at the very least to not make it impossible to have a bridge connection from Boynton Yards to Union Square.

Bill S: Both with the Planning Board and DLJ, we advocated to ensure a right-of-way across the railroad tracks.

Bill Cav: We are advocating both a vehicular and pedestrian right of way. John Fenton said the Planning Staff report is going to have several possible recommended places for a connection, but I think they are only going to push for the pedestrian connection, not vehicular.

3. Approval of minutes from last meetings

August 18 Meeting Minutes.

September 08 Meeting Minutes.

6 approve, 1 abstention.

4. Debrief on latest meeting with DLJ

Michèle: John Fenton acknowledged that we had the meeting last week Thursday. And he will send responses to all our comments and questions.

Bill Cav: We sent John the list we prepared Monday ahead of the Thursday meeting. He had 4 days to prepare his responses, and he did not respond except to say that he'll look into ~ 6-8 different things. He did answer a lot of other issues. He first said most of what we were asking for is either in the zoning or anticipated to be in the Planning staff report coming in on October 1 at the next Planning Board meeting this Thursday, with the staff commenting on the draft Master Plan and recommending conditions being attached to any approval of the submission by the Planning Board.

Sarah: It would be very useful for us to reach out to the Planning staff now, especially for follow-up on what we are thinking regarding the community center, the open housing questions, and the north-south connection across the railroad tracks.

Ann: Fenton doesn't pull any punches. And we got some good yes's in there.

Michèle: Fenton seemed to think that developers needed to make a covenant with the City or the Planning staff or the mayor? They are not a prerequisite to anything that needs to get done legally in the city as far as I know. Fenton seemed confused when we said that we didn't know what he was talking about.

Sarah: We should ask about this with the Planning Staff - there may be some issues requiring a Covenant due to moving of City public roads around the development.

Bill Cav: I had this exchange with Fenton at the beginning of our meeting regarding a possible covenant. At the planning board meeting, Melissa Woods discussed the Covenant in some detail. And this was the first we had heard about any covenant - Fenton might think covenants are made

with the Planning Staff and approved by the Planning Board, but they are made with the mayor. The existence of a covenant with US2 has caused us issues in our community benefits agreement (CBA) negotiations and current implementation of the signed CBA.

Tori: I thought it was interesting when John Fenton said we were kinda hung up on that word, the “covenant.” I wanted to say to him, “yeah, we are, because we kinda got burned by it, so even though it might be a matter of course that this happens in general, yeah, we are hung up on it because we got kinda blindsided by it. And, to echo what Ann said, I just feel at ease when talking with John, because he’s very honest, and I find that such a relief. Like when we were talking about the green roofs, and I said, “will you have further conversation with us?,” and he quipped, “well, yeah, if ya make me,” so I just wanted to echo appreciation, but also just wanted to bring that up, because I don’t think we got into it with him exactly why.”

5. Decide whether to set up a meeting with Sarah Lewis & Melissa Woods about Boynton Yards development

Unanimous approval to reach out to them to schedule a meeting.

Andy will set up a when2meet poll to find a time that works for most Board members.

6. Report by Monitoring Committee on US2—questions being asked at next quarterly meeting 9/30

Bill Cav: The meeting was supposed to be tomorrow evening, and for the second time, Greg K has asked for a delay, not for this scheduled meeting but for a previous one. We went along with it as it was only a week delay. We will be meeting on October 5 now.

Previous questions asked to follow-up on:

We’ll be asking follow-up questions similar to what we asked last time, but they are basically the same issues. Has the construction mitigation task force met with the general contractors of both the lab and residential buildings? When can we meet with Gilbane (lab) and Cranshaw (residential)? We asked this question at the last meeting, and Greg K asked us to ask closer to when US2 gets the building permits. Q2: Has all the land for phase 1 been transferred to US2 ownership - the transfer was to occur around the same time that the building permits were approved. At the last meeting, Greg K said he didn’t own any of the land yet. Q3: When will the site work begin for phase 1? What is the latest on the plan for the Green Line station elevators? Will there be one or two elevators? (So far, he’s said one, and that US2 will pay the cost of them.) Which contractor is doing the elevators? [We have] specific questions that give us assurances that this is real, and not a promise that might be broken. Q4: When are you going to the Planning Board for approval of the housing plans on D4.3? Construction for this project is supposed to start around the same time construction on D2 starts. Q5: When are you going to the Planning Board for changes to the CDSP to allow planning and construction of the housing on

D4.3? Q6: When will USNC receive the list of changes mentioned in the previous two questions that we are going to be expected to support? (That's the exchange we agreed with US2 in return for getting the CBA - to support the zoning changes US2 may need at the Planning Board or City Council in order for the housing to be built on D4.3 (Webster Ave.) before the next phase of commercial is built after D2. Has US2 had any discussions with SCC or POAH moving towards a contract for development of the affordable housing on D4.3? Has the City approved your draft work plan for building on D4.3? At the last meeting, Greg K said US2 had submitted a draft work plan for that housing to the City in order to get the needed approval. So the question is, did you get that approval?

New questions:

Q1: What are the appraisal results of D4.3? Greg K said they were doing appraisals at the last meeting 3 months ago.

Q2: Have you approached either of the owners of the Webster garages on their willingness to sell? Would you be willing to approach the owners of the triangular parcel across from D4.3 that may be needed for parking on D4.3?

Q3: Will you join us in an effort to get quarterly reports for the positions at Union Square Main Streets (USMS) and Somerville Community Corporation (SCC) Somerville First Source Jobs Program?

Q4: Have you filled the position to serve as a liaison between US2 and Somerville First Source Jobs Program and, if not, when?

Q5: Will you work on aggregating space with other developers to get a centralized location and larger building for a community center?

7. Report on Washington and Dane Neighborhood meeting

Sarah: The neighbors appear to not support the zoning change because they don't want their yards to be obstructed by the development. But the FAB building by right would obscure those properties more. Tom explained this. JT suggested an agreement between developer and USNC that the developer won't develop a part that blocks the view from Pat Jehlen's house. It can be a private agreement with USNC, but cannot be any agreement with the City.

Ann: Tom Lichoulas reached out to us again and asked if there are any other ideas we have. I asked why he didn't change his design at all since the first showing. Tom said it costs \$25,000-\$50,000 just to change a design, so he just wanted to show the zoning envelope for now.

Sarah: A residential 4 story building would be much nicer along that street than a fab building.

Michèle: A lot of different things can go into a fab building as per the zoning. Tom needs to explain that the first presentation is not a design - it's just the basic zoning envelope.

Ann: Tom said MR4 would be one story of businesses and three stories of housing, but the neighbors may have misunderstood and thought it was originally only going to be three stories - it's a bit unclear.

Michèle: Tom has to give a better visual for what this development will look like, so that people can understand it.

Bill Cav: We should wait until the neighborhood has come to some conclusions before Tom comes back to talk at a USNC meeting. Tom can get scale models, show equivalent buildings as models. If the neighborhood position is anywhere near reasonable, we should back them up, but they are not ready to define what that position is yet. They are asking for certain things that they don't see in the first presentation Tom gave.

JT said Tom could sign an agreement with the USNC or some other similar entity

Bill S: I support what Bill Cav said. There are certain developments that will affect all of USQ neighborhood and the City, such as DLJ. But Tom Lichoulas level developments will primarily affect the abutters, so we should give priority to their views.

Sarah: That stretch of Washington St is very barren. There's another site with a bunch of cars behind a chain link fence, an old house, and The Training Room. It would be a nice stretch to have retail on and to be activated. I think Washington St is a very important street for those who live further away.

Bill S: I disagree with Sarah, because I think the area should be four stories. If we want to get into it, then we should. Otherwise, we should let the neighbors lead, and if they want to come to us, they can.

Ann: I can convey this info as the liaison to this neighborhood I live in.

Tori: I agree with Sarah and disagree with Bill S. Washington St does not belong to one set of neighbors even if it is adjacent to them. If it is a fight about the little red house that is historic, then I propose the rest of the parcel going to 5 stories and the historic house become an open space/community building. This site has the potential for affordable housing, for small businesses, etc.

Andy: Convey to neighbors that FAB by right is possibly worse than MR4. Convey to Tom to better explain to neighbors these differences. Wait until neighbors have all the info to come to conclusions, and then see if their requests are reasonable and whether the USNC should provide different viewpoints on the possible development.

Resolution: Agreed to talk to Tom Lichoulas to ask him to explain to the neighbors more clearly the structure of the by-right FAB building and the alternative MR4 that would require a zoning change. Ann will convey to neighbors similar information about what is allowed by-right and what the alternatives could be. Let the neighbors come to conclusions with all the available info, and then the Board will decide whether USNC should take a position.

8. Discuss possible support for Painter's Union at Assembly Row—wage theft by General Contractor, Cranshaw (same GC as for US2's housing)

Bill Cav: This was discussed at a Somerville Stands Together meeting. The General Contractor (GC) being picketed at Assembly Row is Cranshaw, who is the same GC for the housing US2 is building on D2. According to both the Painters Union business agent and two other representatives at the SST meeting, the Painters Union has accused Cranshaw of wage theft and has filed a case with the Attorney General. If Cranshaw is engaging in wage theft through their subcontractors, then we need to know that, so that the CBA Oversight Committee can take it up with Greg K. In our agreements, wage theft is forbidden, and contractors who have a history of wage theft or safety violations are not allowed to develop any of the parcels. For those who do not know, wage theft is defined as paying wages in cash with no benefits, no payment into workers comp, and a lack of proper safety protocols and conditions, etc. The workers are often undocumented such that they are paid under the table.

Bill S: Pennie was essential to getting the wage theft ordinance passed in Somerville, so I'm pretty sure she put this on the agenda, though she cannot attend this meeting.

Bill Cav: The contractor is Universal Drywall, which has a track record of engaging in wage theft with contractors they sign. Universal is a contractor of the painting and drywall installation at Assembly. Universal Drywall is working for Cranshaw and Universal Drywall has its own subcontractor that is accused of engaging in wage theft.

Discussion of whether this subject is outside the purview of CBA monitoring committee. General discussion indicates that it is within their purview as it relates to a contractor who will be used by US2.

Agreement for CBA Monitoring Committee to bring up this issue at their next meeting with US2.

9. Website discussion—Zoom meetings archived on it? Updating of info on committees, & possible removal of oldest meeting minutes

Bill Cav: This is something I brought up before and am bringing up again now. Gary wrote an email this afternoon. Gary might want to expand on that [posting] right now.

Gary: I agree with the proposition that we look at the web site in its entirety and see what is working, what isn't working and what we might want to think about changing in some way. But I propose we make that a responsibility of the Outreach and Communications Committee. As Michèle has pointed out, everyone on the Board should participate in the activities of that committee. But we can also invite our general membership to be part of that discussion. I would like to separate the identification of problems from the notion of solutions, until we've had an opportunity to really think about what the problems are, and then put our heads together to work on coming up with good solutions. One case in point - truncating the proceedings of our meetings going back a couple years now. I would propose we simply find a way to make older meeting minutes less visible, but still available to view. But this is a discussion that is going to take more than five minutes.

Bill Cav: I agree there is more efficiency when things are done at the Committee level and then brought to the Board with summaries and conclusions. We have so many developments to handle and we need to divide up the work. Bill S mentioned a meeting he had to attend during the DLJ meeting about another huge development in the works at Boynton Yards, that has already had meetings with the Planning Department. I would not define these as problems. I would call them refinements. Neither the Outreach and Communications nor the Build Environment committees have met in the last 6-8 months as far as I know. What if a member wanted to join one of these committees and then finds out they don't seem to exist.

Gary: We should discuss what we are lacking without those two committees functioning. I would like to revive both those committees. I'm a member of both of those committees. There actually is a general member waiting anxiously to be part of the Built Environment committee.

Andy: Both of these committees need at least one Board member to take charge and be the organizing and scheduling force for those committees.

Gary: We only had 13 people running for our 15 seats in the last election in March, and voter turnout was very low, though I know COVID shortened our election. We really need to do outreach. We're getting pretty good at this virtual meeting, so I think we can pull it off.

Bill Cav: We have three informational things on the website. One about the virus and where to go for information, one about USMS and SNAP benefits being doubled, one about advice for landlords and tenants in the midst of the pandemic. I would like to update all that information. There is a deadline coming on October 17 when the eviction moratorium in Massachusetts will end. The National Moratorium on evictions kicks in until January 1. We need to have at least one line that says "If your landlord gives you a notice to quit in these two time periods, you should seek advice from the two links on the website under this category." We have a lot of folks who are really hurting in this time period, who we should be helping at least by providing all available information that can help them.

Frank: Be careful about putting out any notices about notices to quit, because a federal judge may decide notices to quit are allowed, but no judicial summonses or execution of evictions.

Bill Cav: Notices to quit may be allowed, but the summary execution of the evictions will not be allowed until January 1 at least.

Gary: I would want to correct or update any inaccurate or outdated information on the website immediately; there is no need in such cases to wait until we can transfer the responsibility to the O & C committee.

10. Getting the conflict of interest paper signed

Andy will re-send the conflict of interest document to the board for board members to sign and send back to Andy.

11. Get approval to send other organizations our DLJ list

Bill Cav: Philip Parsons asked for our DLJ list to be sent to USMS and we approved that over email. Did we send the list to JT Scott and Ben E-C?

Ann: Why would we not put the list out publicly on our website?

Sarah: We might want to do one more round on the list after the October 1 Planning Board meeting before posting on the website.

Ann: I can tell John Fenton we plan to put the list on our website.

Unanimous approval to send the DLJ ask list to Councillors Scott and Ewen-Campen.

Gary: I was supposed to get in touch with the Somerville Media Center but I have not. I would like to send them the list and ask if they want to add any items.

Bill S: We might come off as disingenuous if we ask SMC for additional items and then bring those to DLJ after already discussing our items with them.

Michèle: We already sent SMC two emails asking for things, and they did not reply. SMC is included in the list discussion about a recreation center.

Bill Cav: I would love if Gary follows up with the director of SMC and gets us some more information. We can weave that in without making additional asks to DLJ that would come across as disingenuous.

Unanimous approval to send the DLJ ask list to all groups originally sent a letter asking for feedback to put into our list, with a preface explaining that this list is in discussion and negotiation with DLJ and are not all things that will happen yet.

Vote on whether to put DLJ ask list on the website for the public to see.

Bill Cav: Whether or not the list is in discussion/negotiation, it will develop a life of its own. A final trimmed down list will be the important part to get out to the public.

We are in negotiations right now, and in negotiations there are certain ground rules. This proposal gets close to violating a ground rule we had in the US2 negotiations.

Andy: I tend to agree with Bill Cav on this. Note: Phil Parsons is part of USMS, so we sent the document to him to provide to USMS, a group we sent our initial letter out to.

Bill S: Put the document on the website after our next meeting with DLJ.

Gary: I tend to agree with what Bill Cav said. We want to wait to post on the web site only the boiled down list with things that are still up for discussion.

Unanimous agreement to wait to put the list on the website publicly until after the next meeting with DLJ. The list might get modified or trimmed down based on discussion with them.

12. Public Comment

Wig: Boynton Yards developers put in underground parking, unlike US2. Gilbane is great at marketing, but they don't always perform in their construction. They were the developer at Charles Square and GLX, but never got a shovel in the ground. So watch them to see what happens.

The Small creative economy is important in Somerville. We made Artisan's Asylum and Greentown Labs, etc. I am concerned about their future. Should they be dispersed or centralized in a space like USQ. Proposed to put them in a space in ASsembly Square.

I had proposed there be a sliding tax break for the early years with commercial development in Somerville, in exchange for a permanent set aside of 10% for creative space, diverse small businesses. We have a massive imbalance in houses vs jobs, the opposite to Cambridge. There is no way Somerville can make up for the massive jobs-housing imbalance of Cambridge and Boston. I am a firm supporter of the long-term Somerville plans for live-work balance, median income housing, and more green space.

Andy will send Doodle tonight on what day of week of October 12 to have the next meeting.

13. Executive Session for purposes of developer negotiation strategies

Unanimous vote to go into Executive Session.