

Union Square Neighborhood Council Meeting

November 9, 2020

7 pm – 9 pm

Zoom Meeting

Attendees:

Board Members:

Michèle Hansen

Ann Camara

Andy Greenspon

Bill Cavellini

David Scott

Bill Shelton

Gary Trujillo

Isabella Drago

Danyal Najmi

Pennie Taylor

Phil Privitera

Tori Antonino

Community Members:

Frank Kautz

Allen Nissenbaum

Chris LaRoche

Phil McKenna

Cosmo DiSchino

Kristin Phelan, External Relations, Somernova

Edwidge Hercule

1. Welcome and Introductions

2. Public Comment

David: Thanks to everyone who organized the walk around the Boynton Gateway site. It was nice to meet everyone in person.

Gary: We did not add discussion of Bill S's articles for the agenda for this meeting. Perhaps we should add that item to the agenda for the next meeting.

Andy will add it to the next meeting.

Bill Cav: It was great to meet David at the walkaround. It was the first time I realized how tall he was.

3. Approval of minutes from October 26 and September 29 meetings

Unanimous approval of both meeting minutes.

4. Boynton Yards (DLJ) - Report from Planning Board meeting reviewing DLJ Master Plan, and report from meeting with DLJ

Bill Cav: What was disappointing is that DLJ was listed as the first item on the Planning Board, but they discussed it last, not until after 9 pm. I almost gave up staying at the meeting. There was not much of a presentation by DLJ, but the Planning Board members asked a lot of questions. Rob Buchanan did not ask any questions. Rob did not ask any questions and at the end of the meeting, Rob asked Mike Capuano Jr if he could ask questions at the next Planning Board meeting with DLJ. Mike responded yes. The next Planning Board meeting discussing DLJ is November 19.

The deadline for written comments from the public is this Friday November 13, at noon. If I had to guess, the public will not be able to provide public comment at this meeting if written comment is closed before this meeting. Though the Planning Board members will still be able to ask questions. I think only ~3 members of the public testified, including myself and Tori. We asked how people can get across the railroad tracks to Boynton Yards and why the Planning staff did not provide alternative locations where you can cross the tracks. In the USQ Neighborhood Plan, there was a vehicle crossing proposed, an underground crossing for cars, cyclists, pedestrians. The Planning Department replied that since the Neighborhood Plan had been approved that they had looked at the possibility of an underground vehicular connection below the railroad tracks as not feasible, because of the expense and the need for a lead-up/ramp on both sides that would take up a lot of land that could be developed and because there are a lot of underground utility connections that would have to be moved if there were a tunnel under the tracks. In response to the issue of a pedestrian bridge above the tracks, Melissa Woods said the Planning Department had looked for the best location and that Windsor St extended would be the best location for such a bridge. And that Windsor St is not within the ownership of DLJ, so a pedestrian bridge did not have to be in the Master Plan for DLJ. 1,000 parking spaces. In all of Boynton Yards, there is a max of 1500 parking spots, so all future developers could only have 500 parking spaces. I testified that it was not just an issue of other developers not being able to build parking spaces but also the issue that this development is near a transit stop, so why are we building all these parking spaces. I pointed out that there was a petition signed in Cambridge by over 200 people in Cambridge that there is not a northbound crossing to Boynton Yards, such that all cars from Boynton will empty out onto Cambridge St. I think there is some sympathy

from the Planning Board that something has to be done about the parking in Boynton Yards, both from the DLJ development and future developments.

The Planning Department reported that the Covenant to be signed between the Mayor and the developer has not been signed yet. John Fenton from DLJ confirmed that on Friday night at the USNC meeting with him. They are having trouble coming to an agreement over how much of a contribution DLJ makes to the infrastructure improvements that are needed both for Boynton Yards and those that are needed for the whole city for the holding tank for stormwater for the City, to be located underneath the South Street Farm. Similar to the holding tank that was placed under Union Square. It holds the water until the pipes are draining better and then releases water when there is space to release it, so that water does not overflow into the streets.

The Covenant is not being negotiated by the Mayor but primarily negotiated by the Planning Department members, Melissa Woods, and I assume Sarah Lewis and George Proakis. So we may want to bring to the attention of the Mayor any issues we see that are not being handled.

Bill S: I think Tom Galligani is the point person regarding what contribution DLJ will make to Somerville infrastructure in the Covenant.

Bill Cav: Bob McWatters (former City Councillor) was called on as he signed up to testify but he was having technical difficulties so did not speak. Feel free to ask him his thoughts on the current development plans.

Meeting with John Fenton and Nick Barker Friday night, November 6.

Ann: The meeting lasted two hours, and we went over every item on our list.

Michèle: It was a good meeting. Beforehand, we agreed that a lot of the emiled answers were insufficient. Once we were in the meeting, we had a more detailed dialogue.

Green roofs: Not enough space to put them on the lab buildings. Tori with her expertise and me with my practical views, are that even if it's not a green roof, it can have some patch even if people cannot access it. If it's just for the pollinators or butterflies, then it would be good. John Fenton

Bill Cav: John Fenton did not think there will be any room on the rooftops of any of the lab buildings for extra things. But as we kept pressing and gave him an example of at least one life science building that has been built with some effort to make part of the roof green, John said he would look at it again. But building 1 already in construction will not have any part of a green roof. Building 2 has terraces planned in it, and some of those terraces could have a green aspect that could help with the heat island effect. He said he would look at building 3 again regarding any green roof space. And building 4, which is currently slated for residential, if it became a lab building, John would look at if there's any small part available on that roof. Most roof space on lab sciences buildings are taken up by the large HVAC systems. John has been very consistent on this issue across our three meetings with them.

Bill S: Our experience with John is that when he can accommodate an issue, he will. So if he can find space on the roofs he will.

Bill Cav: John Fenton understood most of the questions, but there were questions that he gave short answers to in his written response where he did not understand the question. On our zoom meeting, we were able to correct his understanding on these issues. For example, John Fenton thought we were asking DLJ to pay for the pedestrian bridge. At the end of the meeting, John said he wants the pedestrian bridge, which would be great to allow his tenants easy access to the Target and the T station as opposed to going around from the Prospect St bridge. He even said that he would be willing to pay for part of it. It was important for us to make clear to him that we did not have the expectation that DLJ would pay for the entire bridge.

I had a thought later that the owner of the shopping center that holds Target would find it very useful for a pedestrian bridge to land right next to it, such that workers in the life science building would stream over for business.

It's important to encourage people to walk and cycle instead of drive, but also to improve physical connectivity between neighborhoods.

We covered all five overarching topics from our list: community and community center.

Housing, jobs and job training, sustainability, connectivity.

The two most controversial topics were the pedestrian bridge and parking.

Bill S: There is precedent for developers contributing to critical public infrastructure. In Assembly Square, as part of our legal settlement, Federal Realty Investment Trust gave \$15 million for a new T station, which motivated the government to pay another \$35 million to get the station built.

I think we will establish some precedents here with DLJ that can be used for developers to follow.

Michèle: In the DLJ development, they want to have a childcare center as part of the 20,000 sq ft allocated to "community center" related space. John Fenton would be willing to aggregate the rest of the space into a larger community center.

Bill Cav: There were some things on our list for a community center that John Fenton was not in favor of having on his site. Whether there is an aggregated community center or not, John will try to attract a childcare center to his site, of size not determined yet. I said that if 8,000 sq ft went to that, then what would John want to happen to the other 12,000 sq ft required by zoning. If he was let out of the obligation to make the other 12,000 sq ft into community space, he would need to compensate whatever developer took on the remaining 12,000 sq ft. John seemed interested in this proposal.

Gary: This subject of the community center might be something that can allow us to engage the public more broadly. I once aggregated a list of email addresses to reach out to people who were interested in ideas for a community center that serves their needs.

Michèle: We can talk about that at the Outreach and Communications Committee meeting.

Bill Cav: John Fenton said he would get back to us with answers to the questions he needed to review (at least six including whether a small portion of the lab science building roofs could be green) by Friday November 13. And then we would presumably set up another meeting with DLJ after that.

None of us made any commitment to any support for the development under any condition. We are still just talking about the issues. The fact that we testified at the Planning Board on the issues at hand shows the many issues that still exist.

One of the Planning Board members asked if DLJ has an agreement with the USNC and John replied no. The Planning Board asked if DLJ had a meeting planned with USNC and John replied yes and stated the date of last Friday.

Ann: The Planning Board also asked for a summary of Friday's meeting and the status of negotiations between DLJ and the USNC.

5. Progress setting up mtg with Columbia partners on Boynton Gateway Project (10 min)

Ann: I reached out to them once, but have not received a reply yet. *Ann will reach out again.*

6. Scheduling another meeting with Melissa Woods and Sarah Lewis regarding bridge and Earl St extension in Boynton Yards

Bill S: I believe that Melissa Woods is leaving the Planning Department. Once we figure out times to meet, we should ask that we meet with whoever will be the point person for DLJ for the long-term. I believe that will be Dan Bartman.

Bill Cav: This is why I want the meeting invitation to go out to Melissa Woods and Sarah Lewis. For now, Melissa Woods is the point person for Boynton Yards. I don't know if Tom Galligani would be important to address this issue too.

Ann will send an email to Melissa Woods, Sarah Lewis, and Tom Galligani to get possible times from them as to when to meet.

Find a time near the beginning or end of the work day, which might allow more USNC Board members to attend a meeting.

Andy will then send a Doodle to see the best of those times for USNC Board members who want to attend.

7. Any updates from Outreach & Communications Committee - first meeting planned for Thursday

Andy: Because of the Planning Board meeting last Thursday regarding DLJ, I moved the Outreach & Communications Committee meeting to this coming Thursday, November 12, 6:30 pm.

Andy suggests adding every Board member to Gary's O and C listserv. General approval to do this.

Gary: As I've been listening to discussions of the various items we want developers to address which involve things like zoning and overlay districts and various technical and procedural matters, I find myself thinking that it could be good for some of us to get together to write an explanation of some of those concepts to make it easier for more people to join these meetings, since they would have a better understanding of what is being talked about. Members of the public will come to one meeting and hear all this terminology that may go way over their head. We need some sort of document or video or something.

Bill S: That is an excellent idea and in two weeks, I'll have more free time and can collaborate on that. One reason people are hesitant to participate is that these processes are mystified. And we should demystify the process and explain where people can participate.

David: Video is often more engaging than written documents. I have some video editing skills and am happy to help.

Bill Cav: The complex nature of the approval process and the many steps of review of development, particularly in Somerville with the new zoning - it's important that people know about it and that we explain it in the most essential terms. In Cambridge when I was involved in a zoning issue, there were two sides with disagreements over height limits on housing, we prepared a basic diagram to visualize the possible heights under each proposed zoning idea. And this helped us come together as a community to support a zoning plan that passed.

Michèle: **We can start with the basic explanations.** More complicated things we can do with voice over.

David: Can anyone help with drawing? It can be very simple.

Ann: We did a lot of drawing and video work with Union United, and I can get whatever we have from that process to start from.

Bill Cav: I am happy to help with drawing.

8. Updates from Macone (Glass Stop-@ 200 Medford St) Neighborhood meeting that was on October 28th

Michèle: There was not enough notice and outreach to the surrounding neighborhood by Capital Hall, which led the community to push for another neighborhood meeting about the development, which Capital Hall agreed to do.

Bill S: 80% or more of the meeting was people unhappy about traffic problems, especially those from Brickbottom who already have egress and exit problems there already. My feeling was that the traffic engineerings that Macone has retained, who were also FRIT's traffic engineers during the conflict at Assembly Row, that they keep saying that everything will be okay without explaining *how* everything will be okay. We heard the same complaint over and over again and the same non-responses.

Michèle: The people who live here understand how bad the traffic is here. If they add 1,000 parking spots in that development, the traffic will only get worse. Somerville is 4.2 square miles. I gave the example that when Snow removal is being done in one part of the city, it creates traffic on the other side of the City. So these parking spots can cause traffic backup throughout the entire city.

Bill S: This is pure speculation, but when we met with Melissa Woods and Tom Galligani, both of them expressed skepticism regarding the planned development here. So my thought is that they are hoping uprisings by the neighbors will give them cover to be more restrictive on the plan. Again, this is pure speculation.

Andy: Isn't this only a problem because the new Zoning allows them to put in 1,000 parking spaces? Dan Bartman wrote the overall zoning overhaul, but I don't know who allowed 1,000 parking spaces into this small Union Square East section, and the City Council just went along with it. So even if we as neighbors are against this current plan, and the Planning Department points this out, couldn't the developer then theoretically sue to be allowed to build because the zoning allows this?

Michèle: I believe the answer is yes to your last question. Regarding your first question, [Councillor] JT [Scott] acquiesced to the fact that he did not do due diligence on this aspect of the Zoning.

Bill S: JT is representing to the neighbors that this is a bad developer creating these problems without acknowledging that he had some responsibility for this issue.

Michèle: I think JT in the end did acknowledge his contribution to this parking issue via the Zoning overhaul.

Bill Cav: The planned development is 23 stories high. The original proposal at the first neighborhood meeting early in 2020 was for 1.369 million sq ft. The proposal at the October 28 meeting was for 1.5 million sq ft, so instead of decreasing the size of the development after hearing the huge neighbor issues regarding parking and traffic, the developer made it bigger.

Michèle: The Planning Staff seem to have reservations about this development as is, so we will see what happens.

X. Issue of Evictions in Somerville and advertising tenant help

Bill Cav: I want to ask permission from the Board to have the leaflet that will be circulated around the City be put on our website and in our next tinyLetter. That tenants have rights and only a judge can evict them. And now that the statewide eviction moratorium is over, the housing court is hearing eviction cases by the hundreds, that no tenant should leave their apartment until a judge says they have to leave. The leaflet also says where tenants can get legal help.

David: Are there paper copies of the leaflet?

Bill Cav: You can get hard copies from CAAS in Union Square, but they are only staffed minimally right now due to the pandemic, so you would want to call ahead to schedule a time to go there. But you can also print a paper copy from the attachment in the email and fold it into a leaflet. They are looking for people to help post and hand out leaflets as well.

Gary: I would be happy to put anything related to this effort on the website. I already have a page on this issue and would be happy to work with Bill Cav to find and add high quality links that can help people deal with their needs.

Link to leaflet:

bit.ly/Somerville_KYR

Email leaflet copy to:

Frank@Kautzlaw.com

Michèle: The moratorium on utility shut-offs will end November 16. If you call the utility (Eversource) before November 16, they can work with you to get a better rate.

Frank: By the State Housing code, if your landlord pays you utility bill, they cannot shut that off ever. If you as a tenant pay for your utilities, under many conditions such as elderly, disabled, with small children, the utility cannot shut off your utilities for lack of payment.

9. Public comment

Frank: Landlords will often forgive back rent. If you built up \$8,000 in back rent, they may forgive it if you leave at a certain date. But make sure that forgiveness is in writing and signed and keep copies.

Phil: It sounds like there are a lot of promising discussions in Boynton Yards on cars, parking, and a pedestrian overpass. Has the issue of noise concerns from lab science buildings been discussed? They often have fans on the rooftops that run 24/7. I'm not sure if anything can be done in the design of the building or types of HVAC equipment used to minimize that noise. This is largely a residential area on a number of sides.

Michèle: Noise is an important question that we will ask about.

Bill Cav: As I'm watching the first building being constructed, I'm looking at the screen they are creating that most life sciences build. They shield most of their HVAC systems between a 4 and 6 foot high screen. The quality of that screen really determines how much sound goes out. This is one thing we should ask John Fenton about.

We also did bring up with John Fenton that there are some life science activities that are on the edge of safety for neighborhoods adjacent to those buildings. For example, there was a big struggle in Dorchester and South Bay Shopping Center when they were trying to put up a level 3 or level 4 bio-laboratory. They were going to be testing vaccines for anthrax and other dangerous diseases, which means they have to have those diseases present to practice on them. We asked John Fenton if any of the life sciences would be built in such a way that level 3 or level 4 testing or experimenting would be happening. John Fenton said that they do not have tenants yet, so he cannot answer that question. John said that things have changed a lot since the South Bay Development was proposed in the 1980s and 1990s. John said he would get back to us on that. People live on two or three sides of the development, and there are a few hundred seniors who live in a public housing development nearby. We should be asking these questions of the Webster/Columbia developers as well.

Michèle: Did we ask which direction the vents from the lab science buildings will be oriented?

Bill Cav: I think that was included in our asks about bio-safety levels in these buildings.

David: Thanks to Phil for bringing up the issue of noise. There are lots of follow-on effects of noise, such as forcing neighbors to keep their windows closed on hot days.

Michèle: I know people on Medford St near the construction of one of the GLX stops and it is horrible. They were doing work sometimes at 3 or 4 am. They were spewing tons of dust and did not do any mitigation.

10. Executive Session for purposes of developer negotiation strategies

Unanimous vote to go into Executive Session.