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November 27, 2007

REPORT OF THE COMMITTEE OF THE WHOLE
ON LEGISLATIVE MATTERS

The Committee on Legislative Matters convened as a Committee of the Whole on November 27, 2007 with Chairman Thomas Taylor presiding and Committee Members Aldermen John Connolly, Bruce Desmond, Rebekah Gewirtz, Maryann Heuston, Sean O'Donovan, William Roche, Dennis Sullivan, Robert Trane and William White also present and voting. Also present were City Solicitor John Gannon, Monica Lamboy from SPCD, Brandon Wilson from Historic Preservation, Michael Payne from the Historic Commission and Tax Title Attorney Carol Wessling.

Brownfields:

Ms. Wessling addressed the members regarding a proposed amendment to the city's Code of Ordinances that would encourage environmental cleanup of Brownfields, by adopting MGL chapter 59 section 59A. Under the amendment, innocent owners of contaminated parcels may get a tax abatement as an incentive to rehabilitate their property. Alderman White requested that Ms. Wessling provide the committee with information from other cities and towns having the same ordinance, for comparison. The committee withheld action on this item pending receipt of additional information.

Historic District:

Alderman White recused himself from this discussion.

Ms. Lamboy addressed the members, informing them of the rich architectural and historic assets that are found in the city, that in turn promote Somerville as a place for people to live. Mr. Payne stated that since 1960, the Legislature has allowed cities and towns to designate Historic Districts and he believes that such districts preserves and encourages keeping property as opposed to tearing it down. Ms. Wilson outlined the process used by the Historic Commission in designating 171 properties as historic. Alderman Trane requested that the Historic Commission provide the Board of Aldermen with a breakdown of which properties responded to their survey and which properties did not. Alderman Connolly requested that Ms. Wilson furnish the committee with a list of insurance companies that would insure historic homes and help an owner rebuild in the event of a fire.

Comments (in favor):

- Ed Gordon – helps city maintain its historical diversity and its property

- John & Joanne Murray – honored to have their property selected as historic
- Lee Auspitz – churches should be preserved

Comments (opposed):

- Ministers from the College Ave. Methodist Church and the Presbyterian Church spoke against their churches being designated as historic
- Fr. Brian McHugh – doesn't know why St. Catherine's of Genoa wasn't designated by the Historic Commission

Alderman Heuston requested a legal opinion from the City Solicitor regarding information provided by Minister Gustanson regarding the Religious Land Use and Institutionalized Persons Act of 2000. Alderman Heuston also requested that the Historic Commission address the issue of ADA compliance in their designation of properties as historic and provide a report to that effect to the Board of Aldermen.

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

184487: Communication from Mayor - Requesting the designation as Special Municipal Employees of all members of the Design Review Committee and all members of the Assembly Sq. Design Review Committee.

RECOMMENDATION: Should be approved

VOTE: Unanimous 10 - 0 in favor

Alderman Thomas F. Taylor, Chairman
Committee on Legislative Matters

COMMITTEE REPORT

Report of the Committee of the Whole on
Legislative Matters, November 27, 2007

In Board of Aldermen

Clerk