

OPINION OF THE BOARD

This is an application by Frank Pacuito of Winchester for Special Permit pursuant to Section 5.04 (Use Regulations) Section 8.11 (Municipal Parking Lots) and Section 8.12 (Parking and Loading Space Standards) of the Zoning By-Law for the Town of Arlington. Hearing was held on March 25, 1980 after statutory notice. No one opposed the application. Mr. Pacuito was represented by Atty. Richard Keshian of Arlington.

The Department of Planning & Community Development recommended granting Special Permits.

FINDINGS OF FACT

1. The applicant owns the property located at 400-402 Massachusetts Avenue, Arlington which lies within the B1 Zoning District.
2. Building on the property was damaged by fire in 1978 and applicant plans to renovate for combined office and apartment use.
3. Building will when renovated consist of two-one bedroom apartments on the second floor, two professional offices on the first floor and one professional office in a portion of the basement.

The building has been an eyesore and a blight on the Town for several years since damaged by fire and has become a veritable dumping ground for various types of debris.

The Board feels that conditions for granting a Special Permit have been established by the petition.

DECISION

Accordingly, the Board unanimously votes to grant the Special Permit with certain conditions.

1. No more than two apartments are developed on the site.
2. At least one on-site parking space per dwelling unit is set aside for apartment tenants.
3. Entrance to basement office be from front of building with open stairway leading down from front inside entrance and clearly marked as to how to enter basement office.
4. All basement offices must have outside lighting and mechanical ventilation.

The Board hereby makes a detailed record of all its proceedings relative to this petition; sets forth the reasons for its decisions and its findings; directs that this record be filed in the Office of the Town Clerk and shall be a public record and that notice of this decision be made forthwith to each party in interest.

TOWN OF ARLINGTON
APR 10 1980
PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT



TOWN OF ARLINGTON
MASSACHUSETTS 02174
643-6700
DEPARTMENT of PLANNING and
COMMUNITY DEVELOPMENT

MEMO TO: Zoning Board of Appeals

FROM: Dept. of Planning and Community Development

DATE: March 25, 1980

SUBJECT: Docket No. 2306 - 400-402 Massachusetts Avenue

The Department of Planning and Community Development has reviewed the petition of Frank Pasciuto to rennovate the property at 400-402 Massachusetts Avenue for combined office and apartment use, or alternatively for office use only. The building, which was damaged by fire in 1978, is noted in the Mill Brook Valley Historic Survey along with the adjoining property as follows:

400-2 William Clark House. Federal, 1977

The home of several generations of the Clark family, this house is now much altered by a coat of stucco and the loss of its original doorway and window details; but it retains its handsome proportions and central location at the foot of Franklin Street, which was constructed some years after the house itself was built. In the 1920's it housed a small candy factory and shop.

404 Carriage shop. Federal, 1799 or later

This structure was the shop of Wm. Clark & Co., harness makers and carriage trimmers and painters. It has been greatly altered and converted into a multi-family dwelling, but in its relationship to the William Clark House it still reminds us of the close union of a 19th century family's craft industry to their home life.

This property in the B1 zoning district contains 4,588 square feet of land.

For mixed office and residential uses, special paints would be required under Section 5.04, Use 6.22 (Offices in building constructed as residence), and Use 8.19 (accessory apartments). Complete office use would still require a special permit under Use 6.22. Either alternative would require a special permit under 8.11 or 8.12(n) for

one parking space. It is this department's understanding that the owner prefers the mixed-use alternative.

The special permits for both alternatives under Section 5.04 are evaluated according to Section 10.11 as follows:

1. The uses requested are listed in the Table of Use Regulations
2. Office and apartment uses are in demand and will contribute to Arlington's economy, and to the serious undersupply of housing.
3. Located on Massachusetts Avenue, the requested uses under either alternative will not create undue traffic congestion. Access to the site is further facilitated by its corner location which permits cars to enter and exit from the side street, rather than directly onto Massachusetts Avenue. Regarding parking, each alternative requires five parking spaces calculated as follows:

Office Plus Apartments

Bsmt. gfa = 260 s.f.
 1st Fl. gfa = 1654 s.f.
1914 s.f.-g.f.a.

Office parking is $1914/750 = 2.55$ spaces
 Apartment parking is $2 \times 1.15^* = 2.30$
 spaces for a total of 4.85 spaces

Offices Only

Bsmt.gfa = 260 s.f.
 1st.Fl. gfa = 1654 s.f.
 2nd.Fl. gfa = 1494 s.f.
3408 s.f.

Parking required is
 $3408/750$, or 4.53 spaces

* Assumes 2 one-bedroom apartments

Since fractions of spaces are rounded off in accordance with Section 8.04, both alternatives require five spaces. The site plan indicates expansion of the existing parking area from two-to four spaces. Thus one more space is required.

It is not recommended that a 20 percent reduction in spaces be granted by special permit under Section 8.12(n) since the parking standard for office space is not stringent; thus, the small overall requirement for only five spaces should closely approximate, or be slightly less than actual parking demand.

Substitution of one space within a municipal parking lot is warranted provided it is office parking. Office visitor parking is short-term (one- to two hours); whereas residential parking is long-term including overnight. Municipal parking in the area, such as the Broadway Plaza, is short-term and thus would not work as residential parking. It should be noted that the Broadway Plaza and the Russell Common lots are 350 ft. and 900 ft. respectively from the site; therefore, they are within the 1,000 feet required by Section 8.11.

4. The requested use on a previously developed lot will not overload any utility or drainage system.
5. Article 11 does not apply.
6. The requested use will not impair the character of the district provided there are not more than two apartments on this small lot. Use 8.19 allows up to three accessory apartments in accordance with the residential standards for the district. For the B1 district, each dwelling unit requires 2,500 square feet of lot area. Therefore, the density control in this situation restricts the number of apartments to two. Office use is ideally suited for this site which is in a transition area between the Central Business District and residential neighborhoods. The office/apartment mixture duplicates the building's use prior to the 1978 fire when a dentist was on the first floor and there were apartments above.
7. The proposed offices and apartments will, in fact, bring back a previous use to this neighborhood, and as such will not create an excess of such uses.

In conclusion, the Department recommends that the special permit be granted under Section 5.04, Use 6.22 and 8.19; and under Section 8.11 for parking, with the following conditions:

1. No more than two apartments are developed on the site.
2. At least one on-site parking space per dwelling unit is set aside for apartment tenants if the building includes apartments.

JMB/md

B1 ^{4,605}
~~4,500~~ sq ft land
5 units / 2 apts
8 rooms



BOARDS OF APPEALS

Town of Arlington

Arlington, Massachusetts 02174

Planning
Docket 2306

643-6700

TOWN OF ARLINGTON
MAR 17 1980
RECEIVED

LEGAL NOTICE

Notice is herewith given in accordance with the provisions of Section 10.10,e,3 of the Zoning By-Law that there has been filed by Frank Pasciuto of Winchester, Massachusetts on February 28, 1980 a Petition seeking permission to use the premises located at 400-
402 Massachusetts Avenue, Arlington, Massachusetts for mixed residential (second floor) and offices (basement and first floor) or in the alternative, all office use. Said proposal would require a Special Permit from Zoning By-Law under Section 5.04 (Use Regulations) Paragraph 6.22 and Paragraph 8.19 and Section 8.11 (Municipal Parking Lots) and Section 8.12 (Parking and Loading Space Standards) Paragraph N of the Zoning By-Law for the Town of Arlington.

Hearing in regard to the said Petition will be held in the Hearing Room, located on the second floor of the Robbins Town Hall, Arlington, Massachusetts on Tuesday evening, March 25, 1980 at 8:30 O'Clock P.M.

ZONING BOARD OF APPEALS

Harold C. Knight
Secretary

Docket 2306 400-402 Mass. Ave.

Calculate GFA From Floor Plans

$$\text{First Floor } 38.75 \times 49.7 = 1920$$

$$\text{Less: } 14 \times 12 = 144$$

$$4 \times 12.5 = 50$$

$$4.7 \times 15.25 = 72$$

$$\underline{266}$$

$$1920$$

$$\underline{-266}$$

$$1654$$

$$\text{Total-1st. Floor GFA} = 1654 \#$$

$$\text{Basement } 17.5' \times 15' = 260 \#$$

$$\text{Second Floor } 38.75 \times 49.7 = 1920$$

$$\text{Less: } 12 \times 12 = 144$$

$$10.8 \times 17.2 = 186$$

$$4.7 \times 20.4 = 96$$

$$\underline{426}$$

$$1920$$

$$\underline{-426}$$

$$1494 \#$$

$$\text{Total-2nd Floor GFA} = 1494 \#$$

$$\text{For First+Second, } \approx 3100 \# ;$$

$$\text{Lot Area} = 4588, \text{ S.F.}$$

$$\text{Max Number of dwelling units} = 4588 / 2500 \approx 2 \text{ units.}$$

Parking:

a.) All Office

$$\text{Bsmt. } 260$$

$$\text{1st } 1654$$

$$\text{2nd. } 1494$$

$$\underline{3408 \#}$$

b.) Mixed Office w/ Apts.

$$\text{Bsmt } 260$$

$$\text{1st. } 1654$$

$$1914 \# \div 750 = 2.55 \text{ spaces.}$$

$$\text{Pkg. demand} = 4.53 \text{ pkg. spaces}$$

2nd Floor Apts, Bath-1BR

$$2 \times 1.15$$

$$= 2.30 \text{ spaces.}$$

$$4.85 \text{ spaces.}$$

S.P. 5.14, PG. 22 - Office i buildg originally residential

P8.19 - Up to 3 drs. - 2 units.

S.P. Sec. 8.11 - Substitute of spaces with ^{of principal lot} 1000' of sts.

8.12 (n) reduction of phy space to 80% of min char conditions ^{change} to the use
will reasonably justify reduction.



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March 25, 1980

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4. The requested use on a previously developed lot will not overload any utility or drainage system.
5. Article 11 does not apply.
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