

Arlington Redevelopment Board
Monday, October 28, 2020, 7:00 PM
Meeting Conducted Remotely via Zoom
Meeting Minutes

This meeting was recorded by ACMi.

PRESENT: Rachel Zsembery (Chair), Eugene Benson, Kin Lau, Katherine Levine-Einstein, David Watson

STAFF: Jennifer Raitt, Director of Planning and Community Development, and Erin Zwirko, Assistant Director

The Chair called the meeting to order and notified all attending that the meeting is being recorded by ACMi.

The Chair explained that this meeting is being held remotely in accordance with the Governor's March 12, 2020 order suspending certain provisions of the Open Meeting Law G.L. c. 30A, Section 20. This order from Governor Baker allows for meetings to be held remotely during this time to avoid public gatherings.

The Chair introduced the first agenda item, Warrant Article Public Hearings 2020 Special Town Meeting The following articles propose changes to the Zoning Bylaw and are the subject of the public hearing: ARTICLE 21 ZONING MAP AMENDMENT/REZONE TOWN PROPERTY To see if the Town will vote to rezone a parcel of land belonging to the Town of Arlington with access from Grove Street and being identified by Map 54, Block 3, Lot 2.B from R1 to I, or take any other action related thereto. Ms. Raitt gave an overview of the warrant article to rezone the Town lot from R1 to Industrial for the new DPW facilities. Ms. Raitt said that the timeline that was submitted would see the project completed in 2023. Mr. Raitt introduced Mike Rademacher, the Director of Public Works, who introduced Jeff Alberti and David Elmer from Westford and Sampson to present the upgraded public works facility project. The project includes the renovation of 4 buildings and the construction of a new Operations building. Town Facilities and IT Departments will be located from the High School to the DPW site. The entire R1 area has engineered barriers due to historic contamination; the former MGP gas holder was used at this location, so this site cannot be used for R1 purposes. Mr. Alberti said that the project is expected to take 2 years. Mr. Lau asked about the rain water runoff from the proposed parking lot area. Mr. Alberti said that there would hold rain water in a secure tank that cannot permeate into the contaminated soil on the site. Mr. Lau asked about landscaping and Mr. Elmer said that the landscape plan is still under development but they do plan to have trees for screening planted around the perimeter. Mr. Benson asked if the Conservation Commission would be consulted. Mr. Alberti confirmed that the plan will be submitted to the Conservation Commission for review. Mr. Watson asked if there was a parking utilization study done to understand the parking needs for the site. Mr. Alberti said that a study was conducted and a parking structure on the site was cost prohibitive and not possible operationally. The Chair opened the floor to the public for comments.

John Worden asked if the historical house the DPW asked to use previously would be a part of this project. Mr. Rademacher confirmed that that house was not included with this project. Mr. Worden asked if the DPW has changed their plan to use the historic house. Mr. Rademacher said that at this time the DPW has no intention to use that house. Mr. Worden asked about permeable paving where the grass is now. Mr. Rademacher explained that there is an engineered barrier to prevent rainwater from mixing with the contaminated soil. Mr. Worden asked if there was any other space on the site for parking, Mr. Worden does not like the idea of taking the high school practice field from children. Mr. Rademacher said that parking would be difficult without this space and that the high school plans to enlarge the existing soccer and football fields make up for the lost practice field space.

Carl Wagner 30 Edgehill Rd. said that he thinks all 50 members of the public attending the meeting are concerned about the zoning changes. Mr. Wagner asked if the public will be able to comment regarding the zoning changes. The Chair said

questions for this evening are regarding to Article 21 and other comments can be made during the open forum after the hearing for Article 21 is complete.

The Chair opened the floor for comments regarding any of the 6 Articles reviewed over the last few evenings.

Rebecca Peterson 31 Florence Ave. said that Articles 16, 17, 18, and 19 ADUs will destroy the character of Arlington. Ms. Peterson said stop trying to shove increased density down everyone's throat. Just adding more housing does not make it more affordable. Ms. Peterson said these proposals should not become law in Arlington.

Maxwell Palmer 1 Roanoke Rd. spoke in favor of ADUs because Arlington desperately needs more housing. Mr. Palmer said that Arlington needs more market rate and affordable housing in Arlington. Mr. Palmer said that he strongly supports both articles.

Carl Wagner 30 Edgehill Road said with new residential housing that every unit created costs more than one replaced. Mr. Wagner asked to reject Articles 16, 18, and 19 on procedural and process grounds as they devalue open space. Mr. Wagner said it is wrong for poorly understood density initiatives to go to Town Meeting.

Marina Popova 255 Bridge St. spoke about Articles 16, 18, and 19, Ms. Popova hopes that when the Board votes the Board will represent the people of Arlington who will not benefit from these Articles.

The Chair clarified that the only Article put forward by the Board is Article 20; the remainder of the Articles were submitted by petitioners from the town.

Don Seltzer said that regarding Article 18, the earliest zoning that Arlington adopted encouraged single family housing, but racist zoning had nothing to do with it.

Elizabeth Dray Jason St. asked the Board to vote against articles 18 and 19. She was alarmed that these Articles are coming before the Board without having community outreach first.

George McDowell 90 Valentine Road article 18 Mr. McDowell said he thinks that 99% of the townspeople do not know about article 18 and asks to stop the voting now.

John Ellis Teel St. said he is in favor of increased density. Mr. Ellis said the function of zoning is more important to consider, the current zoning has been used restrict other people coming into the community. Mr. Ellis said he would like to see more diversity in town.

Mark Rosenthal 62 Walnut St. said he is against Articles 18 and 19. The lack of diversity in Arlington is due to racist realtors and racist landlords, it does not have to do with zoning.

John Worden stated that Arlington used to be a town where people could come and buy a single family house at a reasonable price. Now realtors let developers know when an affordable house goes on sale and then the bulldozers arrive and a million dollar home replaces the affordable one. He said that Articles 18 and 19 are fundamental changes in the Arlington zoning and should not come before Town Meeting.

Wynelle Evans Orchard Place is surrounded by a potpourri of zoning districts have great empathy for people who want to move here but cannot. Research on density is changing and increased density unless requires affordable housing does not allow for more affordable housing. It does nothing in low or middle income groups and just lowers pricing at the top of the market. This will not make our town more diverse. Ms. Evans said these articles should not go before this Town Meeting

this year since the articles have not been well publicized.

Nora Mann 45 Wollaston Ave. said she supports the Articles and a vote by the Board so there can be a discussion at Town Meeting. If we do nothing then we risk the trend of losing generational and economic diversity. Ms. Mann said that the metropolitan area has a housing affordability crisis and Arlington cannot depend on other communities are going to do it for us. Move towards a more diverse and accessible housing stock.

Grant Cook 16 Wollaston Ave. said this town needs both affordable and market rate housing. Mr. Cook would like to hear the debate from people at Town Meeting to see if they think this is good for Arlington.

Jo Anne Preston Mystic Lake Drive 7 teardowns of single family houses all been replaced by cookie cutter duplex town houses. So she does not see the diversity everyone is talking about. Houses will sell what the market will bear. Arlington did not have racist zoning, with the proposed zoning changes the diverse housing on Mass. Ave. may be gone due to redevelopment. There has been no increase in Black people moving to Arlington, and there may be other reasons that Black people do not want to move to Arlington.

Steve Revilak 111 Sunnyside Ave. Mr. Revilak said he has a house because someone in the 1960s allowed the duplex development he lives in to be built. Mr. Revilak said that we should pay it forward and he supports Articles 18 and 19.

Judith Garber said she would like to hear more discussion at Town Meeting.

Marina Popova 255 Bridge or Ridge St. said that no one is prevented to buy a home or apartment that they like. Increased diversity many not happen when new development will cost more than the existing homes that would be torn down.

Elizabeth Dray Jason Street takes issue with the statement that people should have been paying attention during the last few months. Ms. Dray said that during a pandemic there is no reason to push these issues for next Town Meeting, we can wait until 2021. If families of color would like to move here they would but Arlington has a reputation that it is not a welcoming place.

Michael (last name unclear on recording) 73 Randolph Street urged the Board to support Articles 18 and 19 due to the housing crisis in the area. He said he would like to see a change and having more people move here can move the town in a better direction.

With no additional comments from the public the Chair closed the floor to the public. Ms. Raitt excused herself from the meeting.

The Chair asked the Board to review and comment on the articles starting with Article 16. Mr. Watson said he is not supportive of this Article as it is worked. Mr. Watson said he has issue with the wording, the open space terminology is used as a term of art in many other communities and we would be using it as different terminology here. Mr. Lau said he does not support this article as written, changing the terms would be too confusing. Mr. Lau suggested tabling this Article and re-working on this Article for next year. Mr. Benson said it was a good intention to make a distinction between things like parks and open space on someone's property, this is not the wording we would like to use. Mr. Benson suggested updating the bylaw using the term private open space instead. Ms. Levine-Einstein said she agrees that the intention of this article was very good but does not think this particular change is quite right. The Chair said that she agrees as well.

Mr. Lau moved to recommend no action on Article 16 as presented, Mr. Watson seconded, approved 5-0.

The Chair opened the Board's discussion for Article 17. Mr. Benson thinks that adding this sentence is unnecessary and there seem to be some problems with Title VI, Article 7. Mr. Watson asked if the proposed language might have unintended consequences and broaden the application beyond Title VI, Article 7. Mr. Benson said it is not simply a reiteration and might have Title VI, Article 7 apply in situations where it is not applicable today. Mr. Benson said he does not feel this is necessary. Mr. Benson said that one of the problems with wording that refer to the timing of when things need to happen. Mr. Lau said he concurs with the other Board members, this adds another regulation that makes the process more difficult. Ms. Levine-Einstein said she agrees with her fellow Board members, we do not need to add in more regulations were it is not necessary to do so. The Chair said that she agrees with Mr. Benson's suggestion to work with the petitioner to identify the places in the bylaw where it needs to be strengthened instead of inserting this into the bylaw with questionable wording.

Mr. Lau moved to recommend no action on Article 17 as presented, Mr. Benson seconded, approved 5-0.

The Chair opened the Board's discussion for Article 18. Mr. Watson said that the issues that this article attempts to get at are important issues that we should spend time understanding and trying to correct. That being said, Mr. Watson said he is not supportive of moving forward with this article at this time. Town Meeting 2019 and the confusion surrounding the zoning proposals despite public outreach on those proposals. The Board committed to a public engagement process with the Select Board for a larger discussion of housing issues and affordability issues. That process is still ongoing and the ARB has not put forward any substantive zoning changes so Mr. Watson said he is not comfortable moving forward with this.

Mr. Lau said that he is supportive of this article because this brings up good issues for discussion and Mr. Law would like so have Town Meeting members weigh in on this issue and discussed in a larger forum.

Mr. Benson said he is torn about this because the Board wanted to have a robust public forum regarding housing. Mr. Benson said that a lot of people will know about this housing proposal if it goes to Town Meeting. Mr. Benson said there are three things that Mr. Benson would like to change in order to support this article. Mr. Benson said that many people over the last few nights of hearings said that developers are tearing down older homes in R2 districts and building more expensive duplexes. Mr. Benson said that in his area developers are buying single family homes, tearing them down, and building new larger single family homes to the maximum size the lot will allow. Mr. Benson said by doing nothing we are not stopping that from happening but if it does go into effect the builders have to decide if they should build the large one family or a duplex. This article is not going to lead to the transformation of R0 or R1. Mr. Benson wondered how the Town might recapture some of the increase in wealth that occurs when these investments occur. If a developer chooses to build a 2 unit instead of a single family house the developer has to pay a fee back to the Affordable Housing Trust Fund. Mr. Benson said that this Article should go to Town Meeting.

Mr. Lau said that he also supports a nominal fee which will go into the Affordable Housing Trust Fund. Ms. Levine-Einstein agreed that Arlington would need the fee to help build affordable housing. Ms. Levine-Einstein said that she would also like this article to go before Town Meeting, and believes an effective Town Meeting discussion can occur at virtual Town Meeting. Ms. Levine-Einstein said that the Planning Department provided helpful data that shows that while new condos being built are more expensive than the older homes that they are replacing, the condos are about \$200,000 to \$300,000 less expensive than the sales prices of single family homes in Arlington.

The Chair said she feels in order to have a robust public process that allows Town Meeting representatives to understand how residents of the town feel about this article. The Chair said that there are no other guidelines for appearance. Ms.

Zwirko said that motions are due on November 5 and the next ARB meeting is on November 2 so it is a tight timeline. Mr. Watson said that there is a larger conversation regarding an affordable housing account (the Affordable Housing Trust Fund warrant article) and that process. Mr. Watson said that if the ARB makes substantial changes to the Article vote, this will effectively be the Board's Article and he does not know if that is in keeping with the Board's commitment to public process on zoning issues. Mr. Benson said that the Board should present the Article with the best wording for discussion at Town Meeting. The Chair said that she is concerned about the timing because the Board would have to effectively craft the wording for the Article modification (the vote) within a very short deadline. Mr. Lau suggested referring this Article over to a study group to work on further. Mr. Benson moved to recommend no action on Article 18 at this time with a request for the Planning Department to identify the appropriate committee, whether existing or new, for study, Mr. Watson seconded, approved 4-1 (Ms. Levine-Einstein opposed).

The Chair opened the Board's discussion for Article 19, Zoning Bylaw Amendment for Accessory Dwelling Units. Ms. Levine-Einstein said she liked the article brought to spring Town Meeting and likes this article better. Ms. Levine-Einstein said this would increase housing supply in a town that really needs it. Mr. Lau said that he has one requested change to the article, to include that ADUs would only apply to existing structures and would not include new construction. Mr. Watson said that he supports the idea of ADUs but his concern is that if ADUs do not work for the town it would be difficult to impose tighter restrictions. Mr. Watson said he would like to take a more measured approach. Mr. Benson said he also supports ADUs but Mr. Benson said that this article needs a rewrite because some of the rules included are ambiguous and inconsistent. The Chair said that she is in favor of ADUs but she is not in favor of the wording of the article, including the zoning restrictions, limitation of owner occupancy, and clarification of the principal structure. Mr. Lau asked if the Board would approve this article with the condition that the ADU limitations will be the same as Board's ADU submittal to Town Meeting last year, with the exception of as of right. Mr. Watson said that his concern that the Board would then be making this the Board's article and he asked if that is the right way to proceed. Mr. Benson says he agrees and there are still some complications to work out before submitting to Town Meeting. The Chair said she also agrees that the Board would need more time to craft the article for Town Meeting and the Board should make the commitment to talk about the process at their next goal setting meeting. Mr. Watson moved to recommend no action, Mr. Benson seconded, approved 3-2 (Mr. Lau and Ms. Levine-Einstein opposed).

The Chair opened the Board's discussion for Article 20, Zoning Bylaw Amendment/ Parking Reductions in the B3 and B5 Districts. Mr. Lau said he supports this article as rewritten by Mr. Benson. Ms. Levine-Einstein moved to recommend action on article 20 as amended, Mr. Lau seconded, approved 5-0.

The Chair opened the Board's discussion for Article 21, Zoning Bylaw Amendment/Rezone Town Property. Mr. Lau moved to recommend action for the zoning map amendments in Article 21 as written, Mr. Watson seconded, approved 5-0.

Mr. Lau moved to adjourn, Mr. Watson seconded, approved 5-0.

Meeting adjourned.