

**ROBERT J. ANNESE**

ATTORNEY AT LAW

December 16, 2020

VIA E-MAIL

Jennifer Raitt, Director  
Department of Planning and Community Development  
Town of Arlington  
730 Massachusetts Avenue  
Arlington, MA 02476

RE: 400-402 Massachusetts Avenue

Dear Ms. Raitt:

I am sending along a supplement to the Application for Environmental Review filed in behalf of 400-402 Mass Avenue, LLC, following the ARB Hearing which occurred on December 7, 2020.

During the course of the hearing there was discussion with respect to comments made by Members of the ARB that one of the four (4) residential units proposed by Petitioner be converted to an office unit.

Other comments were made relating to providing a different trash enclosure area as well as moving the interior permanent bicycle storage area which is proposed in a lower level in the building to an upper street level.

Comments were also made with respect to the parking configuration at the site which involves vehicles backing out on to the street with an indication that backing out on to the street was not an approach that was permissible or acceptable.

The architect for the Petitioner, Ken Feyl has drafted modified plans which I am sending to the Board at this time showing five (5) parking spaces instead of six (6) as originally proposed with one (1) of the parking spaces being used for a 6' x 12' covered trash enclosure, an exterior three (3) bicycle rack for short-term bicycle parking as well as an interior permanent bicycle storage area, once again at the lower level as originally proposed by Petitioner.

Jennifer Raitt, Director  
Department of Planning and Community Development  
Town of Arlington  
December 16, 2020  
Page 2

I am also submitting a LEED check list with a narrative provided by the Petitioner's architect.

It is important for the Members of the ARB to be aware that the building at 400-402 Massachusetts Avenue has existed for many years and has been occupied by tenants, whether residential or commercial for many years with the occupants of the building of necessity backing out on to the street and using a tandem parking approach in the parking lot at the building.

The building has certainly existed prior to passage of the Amended Zoning Bylaw in 1975 and, in fact, was originally built in 1799.

Petitioner's proposal does not involve exterior changes of any kind to the building with the result that the exterior appearance of the building would not change with regard to Petitioner's proposal.

The building is located on a small lot which contains 4,756 square feet and is unlike many other development properties in the Town where the lots are much larger with the result that modifications to a building could be made on a lot containing much more land area than Petitioner's lot given those owners more land area to work with in redesigning the exterior of a building.

With respect to bicycle parking a current residential tenant carries their bicycle up to the second floor of the building for storage when the bicycle is not in use.

Petitioner's current submittal proposes that the long-term bicycle storage area remain at the lower level because of the difficulty and significant changes which would have to occur within the building to have the bicycle storage area at street level given the size of the lot and the interior configuration of the building.

Carrying a bicycle down to a lower level in the building would certainly be no more difficult and perhaps easier than carrying a bicycle up to the second floor within the building.

Jennifer Raitt, Director  
Department of Planning and Community Development  
Town of Arlington  
December 16, 2020  
Page 3

The current plans also show a three (3) bicycle short-term bicycle rack located outside of the building.

The trash enclosure area has been moved from the building into a parking space as mentioned previously so that the trash area is some distance from the building itself.

Petitioner cannot change the parking arrangement at the site with respect to tandem parking and backing out on to the street because of the physical characteristics of the lot and it is important to note that this situation, i.e., tandem parking and backing out on to the street has existed at the property for many years and exists in many areas of East Arlington.

In summary, I would request that the Members of the Board who made comments with regard to not allowing the fourth (4<sup>th</sup>) residential unit, but rather having that unit become an office unit reassess their position in light of the present and future circumstances relating to how employees and employers are conducting their business affairs since the pandemic began, six (6) months or so ago.

Many employees are now working from home because of the pandemic and in many instances those employees will never go back to a physical building with respect to conducting their work activities.

Indeed, an article appeared in the *New York Times* on December 11, 2020 which discusses the fact that even in Manhattan once the pandemic becomes more under control it is likely that many employees will not go back to their former offices to conduct their work activities but will continue to do so offsite through Zoom approaches.

To quote an individual representing a company which controls 26 million square feet of city office space in the *New York Times*' article, "Anyone that thinks the way that people used the workplace in the past isn't going to change post-pandemic is fooling themselves". See New York Times articles dated December 11, 2020)

Jennifer Raitt, Director  
Department of Planning and Community Development  
Town of Arlington  
December 16, 2020  
Page 4

Petitioner has obtained a letter from a real estate brokerage firm that specializes in commercial real estate leasing and investment in the Greater Boston and Southern New Hampshire area i.e., Land and Sea Real Estate, Inc. with the Principal of that firm being Demetrius Spaneas.

He indicates within the substance of that letter dated December 14, 2020 in part as follows:

“Commercial real estate, and office in particular, is going through major changes—and reevaluations—at this time. Office as we know has changed. This is due to the advancement of technology and the relationship between management and their workers. The ability to work remotely has become a major factor and incentive to attracting a strong, dynamic, and tech-savvy workforce. The need for traditional office has diminished greatly over the last few years.”

“We have seen the impact that Coronavirus has had on traditional office space. The pandemic has exacerbated the above trend greatly. Offices are averaging less than 20% occupied, and we don't see this trend changing any time soon, even after the pandemic is but a memory. Companies, both large and small, have realized that they no longer need a physical presence. Work forces that have been remote these past months will, in all likelihood, stay remote. It is both cost efficient for the companies, and logistically easier for many workers. Many office buildings are now begin repurposed, mainly for residential.”

This information is being furnished to the Members of the ARB to show why the Pasciuto Family which owns many properties in the Town, and which has and continues to deal with vacancies in commercial units has filed a Special Permit Request to have four (4) residential units rather than three (3) approved so that they do not wind up with another vacant commercial unit.

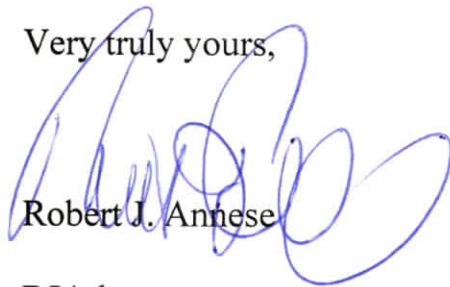
The Pasciuto family is certainly willing to invest money to perform work within the 400-402 Mass Ave building as with their other properties in town but they are not interested in doing so if the space they will be creating will not be economically productive for them given the change in the utilization

Jennifer Raitt, Director  
Department of Planning and Community Development  
Town of Arlington  
December 16, 2020  
Page 5

of commercial space which has occurred and will as the above information indicates continue to occur into the future.

Consequently, the Petitioner is requesting that its request for Special Permit be approved, as modified in this supplemental submission.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Robert J. Annese", is written over the typed name. The signature is fluid and cursive.

Robert J. Annese

RJA:lm

Enclosures