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Subject: Zoning Bylaw Amendment Comments

Dear ARB Members,

Attached please find my written comments on the 2019 Zoning Bylaw amendments being proposed by the ARB. These comments reiterate and in some cases extend my oral comments at the recent ARB hearings.

I hope the board is aware of the recent decision of the Mayor Newton to slow down and more fully study some of the zoning changes being proposed there. I hope the ARB will do the same at least with Articles 6-9 as it has become clear that more work is needed on them.

Thank you for considering these comments.

Chris Loreti

56 Adams St.

Article 6

Master Plan p. 34 Residential Districts

Other Requirements. *Standards that affect intensity of use, such as maximum floor area ratio (FAR), lot coverage maximum percent, setbacks (front, side, rear), open space ratios, and minimum lot area/D.U., seem reasonable and consistent with prevailing development patterns in the neighborhoods. One exception is that townhouses typically have a higher FAR than 0.75. These building forms should be considered separately from apartment houses and office structures in the dimensional requirements.*

Actual Changes Contrary to the Master Plan:

1. **Go well beyond townhouses**
2. **R5 through R7 zoning districts treat townhouses and apartment buildings the same**
3. **R5-R7 not even mentioned in the master plan as needing changed dimensional requirements**

Article 7

Master Plan

Key Recommendations p 13 (Economic Development)

1. Amend the Zoning Bylaw to enhance flexibility in business districts to promote the development of higher value mixed use properties.

The B1 district helps to preserve small-scale businesses in or near residential areas, but changes in other business districts should be considered.

From the current Zoning Bylaw:

B1: Neighborhood Office District. In the Neighborhood Office District, the predominant uses include one- and two-family dwellings, houses with offices on the ground floor, or office structures which are in keeping with the scale of adjacent houses. Primarily located on or adjacent to Massachusetts Avenue, this district is intended to encourage preservation of small-scale structures to provide contrast and set off the higher-density, more active areas along the Avenue. Mixed-use buildings without retail space are allowed in this district. The Town discourages uses that would detract from the desired low level of activity, consume large amounts of land, or otherwise interfere with the intent of this Bylaw.

Actual Changes Contrary to the Master Plan and District Definition:

- **Small-scale businesses not preserved in B1 district**
- **0 side yard setback (mixed use) is not in keeping with scale of adjacent houses**
- **45' maximum height vs. current 35' is out of scale**
- **4 stories maximum vs. current 3 maximum is out of scale**
- **FAR doubled to 1.5 from 0.75 greatly increasing intensity of use.**

Master Plan

Land Use p 34. Referring to business districts:

The maximum FAR of 1.0 to 1.4 is reasonable and can be adjusted with a special permit.

Actual Changes Contrary to Master Plan:

- FAR increased to as high as 2.2 much greater than any FAR currently allowed for any use in any district.
- Elimination of distinction between small and large lots for B3 and B5 regarding maximum heights and stories

On the same page of the Master Plan

In areas with many 2- or 3-story structures, a building of 5 stories and 60 feet could appear out of context and scale, but this type of impact can be mitigated with additional setback or building step backs, or a combination of thereof.

And from the Visual Preferences Survey conducted as Part of the Master Plan, most residents said this 5-story development was not of appropriate scale for Mass. Ave. or Broadway:



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Actual Changes Contrary to Master Plan:

- Height limit and FAR increased to promote such 5-story buildings.
- Setbacks reduced to increasing rather than decreasing the feeling the building is out of scale

Article 8

Master Plan:

Land Use p 34. Referring to business districts:

Finally, Arlington's open space requirements (percent-age of total gross floor area) seem reasonable....Usable open space in the village centers is critical...These usable open spaces are a significant draw to the districts....

Actual Changes Contrary to Master Plan:

- Usable open space requirement is eliminated
- Landscaped open space is increased, but up to 25% can be on roofs
- Most open space in town is on privately owned lots. If reduced by just 10%, town would lose more open space than the total in the open space district.

Article 9

Combined with the changes proposed in Article 7, this article will promote the kind of ugliness exemplified by the townhouse recently completed at 75 Decatur St. This 3-unit townhouse is constructed with the front of the houses facing the side, and not the street, with a large garage right next to the sidewalk. The house is far too large for the lot, and completely out of scale with neighboring properties.

Article 10

The text of this article is not consistent with the recommendation made with MAPC. Step-backs were recommended to begin at the fourth story for buildings of four more stories. As written, the bylaw would only apply to 5-story buildings. This needs to be corrected.

Article 17

Portable signs should be eliminated from this amendment. As proposed they represent an unpermitted additional sign that may be installed without any time limits as long as the sign (or multiple signs) conform to the form and size limit described.

Other Corrections

To the extent they can be accommodated within the current set of warrant articles, the ARB should propose amendments that clarify that the open space requirements in the bylaw are based on percentage of gross floor area and that for all mixed used developments, the usable open space requirement is 20 percent. These requirements are not clear from looking at the tables.