

Arlington Redevelopment Board
Monday, December 16, 2019, 8:00 PM
Second Floor Conference Room, Town Hall Annex
Meeting Minutes

This meeting was recorded by ACMi.

PRESENT: Andrew Bunnell (Chair), Eugene Benson, David Watson, Kin Lau, Rachel Zsembery

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 introduced the first agenda item, Continuance Requests: Docket #3610 - 1386 Massachusetts Avenue, Apothca requested a continuance to the next ARB meeting on January 6, 2020. Mr. Benson moved to approve the continuance to the January 6, 2020 meeting, Mr. Lau seconded, all voted in favor 5-0.

The Chair moved to the next item, the applicant for Docket #3602 – 1207-1211 Massachusetts Avenue requested a continuance to January 27, 2020. Mr. Lau moved to approve the continuance to the January 27, 2020 meeting, Ms. Zsembery seconded, all voted in favor 5-0.

The Chair introduced the next agenda item, Open Forum, and opened the floor to members of the public who would like to speak.

Don Seltzer said he wanted to discuss the special permit fee for the proposed "Heights Hotel". Mr. Seltzer said he addressed this fee in his email to the ARB (sent 12/16/19). Mr. Seltzer said he feels that the builder should not be exempt from special permit fees and if the exemption is granted it should be contingent upon the purchase of the 1207-1211 Massachusetts Avenue property. Mr. Seltzer said that the Board has yet to approve the waiver and fees have not yet been paid. Mr. Seltzer suggested that the Board reject the fee waiver and allow the applicant to apply for a refund of the special permit fees once the applicant purchases the property.

Marlon Banta, Clark Street, said he had trouble finding the documents regarding the 1207-1211 Massachusetts Avenue proposal. Mr. Banta said that he has not seen any updated documents regarding the solar access study and the parking plans for the hotel. Mr. Banta said he is concerned that the proposed hotel does not meet at least the LEED Silver requirements. Ms. Zsembery said that these concerns were addressed with the applicant and the Board will receive the updated plans and post them for the continued hearing. The Chair added that the public hearing was continued to the January 27, 2020 meeting.

Don Seltzer suggested adding the plans for the hotel to the Redevelopment Boards major projects page in order for the public to find the documents more easily.

Mr. Benson said that the points raised by Mr. Banta were brought to the applicant's attention by the Board and members of the public who attended the public hearing. Mr. Benson explained that the continuance was required in order for the applicant to address these issues since the Board would not approve the applicant's request as first presented. Mr. Benson said the fee waiver discussion would have to continue when the applicant is present and with an agenda item to discuss the fee. The Chair said that Town Counsel provided his opinion that the Board has the authority, within its discretion, to waive certain permit fees. The Chair said that the Board will revisit that decision for this applicant at a future meeting.

The Board called a brief recess prior to the posted 8:30 p.m. public hearing. The Chair called the meeting back to order at 8:30 p.m. and reminded all attending that the meeting is recorded by ACMi. The Chair provided an update regarding the fees paid by the Applicant for 1207-1211 Mass. Ave, Docket #3602. The Applicant has paid 50% of the application fee, which is the only fee the Board has the authority to waive. The Applicant has paid \$2,694.30 out of a total fee of \$5,338.60 as documented in the August 7, 2019 memo to the Board from Ms. Raitt and Ms. Zwirko. Don Seltzer said that he does not understand the rationale of only paying half of the fee. Mr. Seltzer also questioned the fee calculation if the Town property being sold to the applicant is only approximately one-third of the total property in question. The Chair said that this topic is not up for discussion this evening.

The Chair opened the continued public hearing for Docket # 3348, 833 Massachusetts Avenue. Robert Annese introduced architect Monty French and property owner Jeff Noyes. Mr. Annese said he would like to provide the Board with an update. Mr. Annese said that Mr. Noyes will comply with the 2009 ARB decision condition to maintain the

Atwood House. Mr. Annese said that Mr. French sent a memo to the Town's Building Inspector stating that the building was assessed and was found to be structurally sound. Mr. Annese said that there will have to be substantial changes to preserve the Atwood House. Mr. Annese cited zoning issues that arise from the 2009 decision, including the 10 parking spaces dedicated to the house. Since the Atwood parking is accessible through the CVS parking lot, Mr. Annese noted that CVS customers would be able to turn around in the rear parking lot by the Atwood House without intruding into any of the 10 dedicated parking spaces for the Atwood House. Mr. Annese said that he believes that it is the case regarding the turnaround in the rear parking lot at present.

Mr. Annese said that they would like to return to the Board with a proposal for a multi-use design, including office space on the first floor and market price residential units on the second floor. Mr. Annese said it is not financially feasible to provide affordable housing units. Mr. Annese said that after the 2009 decision the Atwood House was added to the list of Arlington's historically significant buildings. Mr. Annese said that he and his client would like to come up with a design that will work for the Atwood House. Mr. Annese said that there is also an Order of Conditions from the Conservation Commission. Mr. Annese said that Mr. French is working to create a plan to present to the Board that will take these conditions into account.

Mr. French said that they will need the opportunity to survey, document through drawings, and do some research in order to bring the building back to life. Mr. Annese said that this site is zoned as B4 but asked the Board to keep in mind that they will be improving the site from a vehicle oriented site to a site that is not vehicle oriented. Mr. French said that remediation is required before the building can be entered to be completely surveyed and documented. Mr. French said that once he can gain access the surveying and documentation may take a month.

Mr. Lau said he would like an estimated timeline to know when to expect an update. The Chair said that he would like Mr. Annese to file a progress report with the DPCD by February 24, 2020. The Chair said that the Board would like Mr. Annese to return to the Board to discuss the progress report on February 24th. The Chair expressed disappointment that they will not propose any affordable housing units, but was pleased about the owner's interest in preserving the existing structure.

William Peterson, Manager of the CVS located at 833 Mass. Ave., introduced himself. Mr. Benson said that he wanted to make sure that there was a representative from CVS present. Mr. Benson said he thinks that the CVS permit is at risk. Mr. Benson said that the permit from 10 years ago was granted and the onus is not on the ARB because there were no updates made to the Atwood House in the past 10 years. Mr. Benson said that he would like a solid proposal by February 24th. Mr. Benson said he would also like a financial report showing why an affordable housing unit cannot be included in the building. Mr. Annese said the number of the housing units will determine the number of affordable housing units. Mr. Annese said that there was nothing in the ARB decision that conditioned the CVS's permit upon decisions regarding the Atwood House. Ms. Zsembery said that the Board expects an actual timeline on February 24th. Ms. Zsembery said that the Atwood House is listed in Arlington's historically significant building inventory.

The Chair opened the floor for comments from members of the public. John Worden said that he was a participant in the hearings when the ARB made the decision back in 2009. Mr. Worden said in the context of the discussions at the time of the 2009 there were expectations to work with the Housing Corporation of Arlington to move to create affordable housing units within a reasonable period. Mr. Worden said that he finds the plans to move forward encouraging. Mr. Worden said that the parking issue can somehow be worked out between Mr. Noyes and CVS. Mr. Worden said that the zoning was R1 and at some point there was a request to change the zoning to the current B4.

Carl Wagner wanted to thank the ARB for holding the project to the terms that were spelled out 10 years ago. Mr. Wagner said CVS and the Atwood house are nice transitions in the neighborhood as opposed to the multi-use building with expensive housing units on the other side of the high school.

Michael Ruderman said he was on the Historical Commission at the time of the 2009 decision. Mr. Ruderman said that the Historical Commission said they were concerned about losing the Atwood house to demolition due to neglect. Mr. Ruderman thanked Mr. Benson for his note of urgency in his comments. Mr. Ruderman said that nothing has happened for far too long.

David Baldwin said very few of the early 20th century properties remain along Mass. Ave. As Arlington is under more pressure for development we have to save as many properties as we can. Mr. Baldwin said that it is important to refrain from modernizing the exterior of the building.

Don Seltzer Irving St. said that the Atwood House is not on the Town's Assessors site. Mr. Seltzer said that according to the property card it looks like property taxes have not been paid for the last decade. Ms. Raitt said that the Atwood

house is listed as card 1 and card 2 and the Atwood House is also listed on the vacancy registration fee has been paid over the past few years. Ms. Raitt said that the Assessor would have to confirm tax payments. Mr. Noyes said that taxes have been paid all of these years.

The Chair said that he will continue the hearing to February 24, 2020 when the Board expects to receive the updated report and timeline. Mr. Lau motioned to continue the hearing until February 24, 2020, Mr. Watson seconded, all voted in favor 5-0.

Mr. Lau motioned to adjourn the meeting and to reconvene at Tryst restaurant, Mr. Benson seconded, all voted in favor 5-0.

Meeting adjourned.

DRAFT