

Comments on Proposed Hotel/Restaurant at 1207-1211 Mass Ave, Arlington

Docket # 3602 – Special Permit and Environmental Design Review

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These comments reiterate and expand on some of the statements that other neighbors and I made during the ARB's continued public hearing on this proposal on May 18, 2020.

Regarding the 5/11/20 Letter from Mary Winstanley O'Connor (Doherty lawyer) to Jenny Raitt

1. Bonus FAR – "The petitioner is proposing 'public access' space which will provide for a public art and presentation area located in the front right area of the Property. As such, the Property ... is entitled to a 10% increase in FAR."

Is that argument, the provision of public access space, sufficient to grant increased FAR? Such access would be weather-dependent, and thus would be in effect only during summer months. Further, no plan or design has yet been provided to justify this request. No decision about bonus FAR in exchange for "public access" should be considered until it is vetted more thoroughly.

Members of the neighborhood have already expressed concerns about noise and hours of operation of the proposed outdoor patio seating/dining area. Adding additional outdoor activity is also problematic and requires more explanation.

2. Parking – The petitioner is requesting a reduction in required parking, but has not yet provided any details about how they will accommodate overflow from hotel usage or the parking needs for restaurant clients and employees. As the neighbors have noted previously, the additional traffic and parking activity generated by this proposed project are of grave concern. Further information is needed to address how these various parking needs will be accommodated so that the nearby residential streets (Clark, Peirce and Locke) are not overburdened as a result.

Although hotel parking is to be handled by a valet, he/she will still be driving in and out of the parking area on Clark Street many times a day, and will have to make either a difficult left turn onto a busy Mass Ave or drive around the block on Peirce and Forest Streets to reach the front of the hotel. What about when the valet is absent, unavailable or too busy? What about hotel or restaurant customers who may not know the rules regarding self-parking under the hotel? Again, much more information is needed on how these issues will be addressed.

We look forward to seeing the comprehensive traffic study that the ARB has requested before we can comment further about this complicated parking/traffic situation.

3. Upper Story Step Back (setback) – The petitioner is asking to reduce or eliminate the required step back on the 4th floor. She argues that this mixed-use project "contains a boutique hotel on substantially unimproved lots." In fact, the B-4 vehicle-related lot is owned by James Doherty and his real estate trust. He has owned it since 2012, so he is responsible for its "unimproved" appearance, including abandoned vehicles, stacks of tires and other trash, and storage containers.

A second argument for a step back waiver states that "in order to be successful, there must be adequate room revenue" (i.e., presumably additional space on the 4th floor for more rooms or higher room rates). Is it the ARB's responsibility to worry about the financial success of this project and to take such issues into consideration when granting extra FAR and step back flexibility?

In earlier correspondence on January 7, 2020, Jenny Raitt noted in item 6 that "DPCD has not received a marketing study of similar hotels" as previously requested. In her January 21, 2020 letter in reply, Ms. O'Connor stated, "The petitioner will not be providing this information as it is proprietary and is not relevant to the relief requested." But, how can the ARB determine if a decision about the step back would or would not contribute to the project's success if it cannot know what the hotel's marketing and business plan is meant to achieve?

Both of these arguments seem to me to be completely irrelevant and specious. The Town Counsel's letter of May 13, 2020 clarifies that upper story step backs should start on the 4th floor in this particular case, and the ARB should not consider any flexibility on that issue.

Regarding the 5/14/20 Memo from Jenny Raitt on outstanding information still needed

Ms. Raitt itemizes many missing plans and documents based on her previous January 21, 2020 checklist, and we also look forward to seeing more details about these concerns, especially the need for more extensive traffic studies. In light of two recent bicycle accidents (one of them fatal) at the corner of Mass Ave. and Appleton St., extra scrutiny is required regarding traffic patterns in this section of the Mass Ave. corridor. Other committees, such as the Transportation Advisory Committee and the Bicycle Advisory Committee, are also looking into this difficult section of roadway, and all of their findings should be considered together as part of this special permit.

The Covid-19 pandemic has added further concern about the validity of the petitioner's forthcoming traffic study, since normal pedestrian and car activity in general, but especially traffic related to the Ottoson School, Children's Place and St. Athanasius Greek Church, has been curtailed for several months when presumably such studies would have been done. Input from all of these neighborhood institutions should be solicited as well.

Further questions/concerns

Parking – only 1 spot is designated for handicapped parking in the hotel parking area – is that sufficient for expected hotel usage, and does it meet town requirements?

Interior reconstruction in the former Nicola's Pizza shop at Clark St./Mass Ave. has started for conversion to a liquor store, so that future usage also needs to be factored into the analysis of traffic and parking in the area.

The probable loss of several large trees behind the DAV building is not addressed in Ms. Raitt's 5/14/20 memo, but has been raised in previous correspondence and hearings. This possibility continues to be a concern in terms of its impact on neighborhood character, and I would like an opinion from the Tree Warden or other relevant official as to regulations protecting mature trees in such a situation.

A related concern is the height and massing of the proposed structure, especially as viewed from residences on Peirce Street. As discussed at the hearing on May 18, a more complete and accurate set of architectural plans, elevations and other details need to be provided in order to gain a true sense of how this building will affect the neighborhood.

At the May 18 hearing, Carol MacDonald of 1182 Mass Ave. mentioned that this site was formerly a gas station, and that gas tanks might have created contamination on the site. I hope that is being investigated as well.

What recourse will neighbors have in years to come if this hotel project is built but creates even worse traffic or other problems for the area? This developer/landowner has a poor history of caretaking the 1211 Mass Ave. property. The town also has not been a good steward of the DAV property, which is now abandoned and overgrown with weeds.

I think we can all agree that some redevelopment of the two properties at 1207-1211 Mass Ave will be beneficial and is long overdue, but **this particular hotel/restaurant project as presented to date is too large for the site already**, and the developer is asking for even more space (bonus FAR, less step back).

There are so many outstanding concerns and incomplete information that it is difficult to know what to expect. I look forward to seeing the additional plans and traffic studies already requested by the ARB, and to further discussion at the July 6 public hearing.

Thank you for your consideration of these ongoing concerns.

Ann LeRoyer