Arlington Redevelopment Board
Monday, April 27, 2020, 7:00 PM
Meeting Conducted Remotely via Zoom
Meeting Minutes

This meeting was recorded by ACMi.
PRESENT: Andrew Bunnell (Chair), Kin Lau, Eugene Benson, David Watson, 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 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, Continued Public Hearings. The Chair said that the Board will take Docket #3348, 833 Massachusetts Avenue, for the Atwood House first. Bob Annese attorney for the proponent, Jeff Noyes owner, Monty French Architect. Submitted plans sent to ARB with an updated proposal that states the Atwood House would have to come down. They need to go in front of the Historical Commission and file for a demolition permit with the Town. Monty French opined that even though the building is structurally sound it would not be feasible to rehab the building. Mr. Annese said the Atwood House is on the list of historically significant buildings. Mr. Annese said that at this point they have to determine if they will apply for a demolition permit and meet with the Historical Commission. The plans are for a mixed-use building with residential and commercial space. Mr. Annese asked for the Board's guidance with going ahead with applying for a demolition permit. Mr. Annese said that he submitted a memo as requested regarding the jurisdiction of the Historical Commission. The Chair said that he is appreciative of the efforts that Mr. Annese has put forward and at this time the board should close this hearing and Mr. Annese should apply for a demolition permit and submit an EDR package to the Department of Planning and Community Development. Mr. Annese said that the applicant is prepared to do that.

Mr. Lau said that he agrees with The Chair and we can talk more about the building itself. Mr. Watson said that he agrees and appreciates what Mr. Annese has tried to do with the building moving into a new appropriate process with other Committee's in Town to review and comment is the best way to go at this moment. Mr. Benson said he agrees with some additions; he does not have a final opinion whether the building should be demolished or rehabbed. Mr. Benson would like to have some conditions if the Board closes this hearing so the project can move forward quickly. Mr. Benson said that he would like to have the demolition permit or EDR application to rehab the existing house within 30 days. Ms. Zsembery said that she agrees with Mr. Benson, her concern is the timeline after this hearing is closed. Mr. Annese said that he believes that they need more 30 days given COVID-19. Mr. Annese said that he would like to consult with Mr. French and thinks that a 90 day period may be more reasonable. Mr. French said 90 days seems more appropriate at this time. Mr. Benson asked for an explanation of the steps to file a demolition permit and why it would take more than 30 days. Mr. Annese said that he cannot get into to meet with the Building Department in person at this time business must be done via email. Mr. Annese said he cannot predict the obstacles he will encounter during this health crisis. Ms. Zsembery said that 90 days is the absolute maximum she would consider. Mr. Benson said perhaps the Board should consider 60 days since the Town is open for business, they are just not conducting meetings in person. Ms. Raitt said that if the Board is only requesting to file the demo permit application, then 30 days is a feasible timeline. Mr. Benson suggested that the demo permit application must be filed within 30 days or 60 days to file an EDR permit if the proponent decides to rehab the building. The Chair said that in the interest of moving this project to the next point the plans filed for this meeting will not be reviewed.

The Chair opened the floor to members of the public to comment.

Patrice Smith commented that in order to raise your hand in a Zoom meeting one must select participants.

John Worden said that it is outrageous that after years of moldering away, in the middle of this unprecedented pandemic that this building must be taken care of in such a hurry. If it is possible to have someone move this house. It should be rehabbed before making the house available to move. Mr. Atwood was a doctor that helped so many residents during the last epidemic. Mr. Worden said that he would like to hold off on decisions until meetings can resume in person.

Mr. Benson said that the Board is not approving the project. The proponent has a right to request a demolition permit or submit plans to the Board for approval. Ms. Raitt said that the Town is still working during this unusual time and the proponent would be submitting applications at this time, which could take up to a year due to the demolition delay.

Mr. Watson said that it is not fair to say that this is not a real meeting. The Board is conducting business during this time as outlined by the Commonwealth and Town.

Mr. Seltzer asked to be on video. The Board said that Town Counsel advised not to allow share screens during Board meetings. Mr. Seltzer said that he wanted to present something but if he is unable to see his face Mr. Seltzer declined to comment.

Mr. Benson motioned to close the hearing with the following conditions: Either within 30 days to file a demolition permit or within 60 days to file and EDR application if they intend to renovate the house. If the house is demolished, then an EDR application with plans for the site must be filed within a month. Mr. Lau seconds, all approved 5-0.

The Chair introduced the next item, Docket #3616, 434 Massachusetts Avenue. Charlie from Vital Signs representing the proponent from Taipei-Tokyo. Charlie reviewed the updated sign proposal. Ms. Zsembery said that removing the lettering on the left hand sign brings the sign closer to adherence with the sign by-law. Mr. Benson said that he thinks the changes are not enough. Mr. Benson said that he thinks that the center logo meets the definition of a sign as described in the by-law. Mr. Lau said he agrees with Ms. Zsembery. Mr. Lau said he feels the center panel is not a distracting from the rest of the building. The signage does not follow the by-law by the letter but Mr. Lau does not want to put an undue burden on this business. Mr. Watson said that he watched the last hearing where this signage was discussed. Mr. Watson said that this may be a grey area whether the center panel is artwork or a sign. Mr. Watson said that he will give the proponent leeway since they have worked so closely with the Board. The Chair said that he is comfortable with the Department's view that the center sign is artwork. Mr. Benson said that he appreciates the Board's position but he is afraid this may set a bad precedent going forward. Ms. Zsembery said that while she understands Mr. Benson's view, there is room with artwork to complement a sign. Ms. Zsembery said her concern about removing the artwork is that the artwork is actually over the entry to the restaurant. Mr. Benson moved to approve the revised sign proposal as submitted. Ms. Zsembery seconded, approved 4-1 (Mr. Benson opposed).

The Chair introduced the third hearing, Docket #2818, 880 Massachusetts Avenue. Jason Parillo with Back Bay Signs is representing the proponent. Mr. Parillo gave an overview of the proposed TD Bank directional sign. Mr. Parillo proposed sign that is not designed to be illuminated to comply with Town sign by-laws. Ms. Zsembery said she is recusing herself due to potential conflict of interest. Ms. Zsembery said that she has a business relationship with TD Bank. Mr. Lau asked if the proposed sign is larger than the current sign. Mr. Parillo said that this sign is slightly larger. Mr. Lau said he is concerned about the size of the sign closest to the residential area. Mr. Lau said he would either like the sign moved to the public corner or to make the sign smaller if it remains so close to the residential area. Mr. Watson said if the sign is larger than what the by-law allows, the sign should then be made smaller. Mr. Benson said he is not concerned about the placement

but the sign dimensions should be in compliance sign by-law requirements. The Chair opened the floor to public comment.

Michael Smith 10 Lockland Ave. said he is concerned about the up lighting on the existing sign and wanted to double check that the new sign will not be illuminated in any way. Mr. Parillo confirmed the sign would not be illuminated.

Mr. Parillo said that he thinks he can work with the staff and have updated drawings within a week. Ms. Raitt said that the next hearing date would be May 18th and Ms. Raitt said that the Board would need the revised plans a week before that hearing. Mr. Lau motioned to continue this hearing until May 18th, seconded by Mr. Benson, approved 4-0 (Ms. Zsembery abstained).

The Chair introduced the second agenda item, Discussion and Vote. Ms. Raitt said that currently Town Meeting has to be a formal, in person meeting. A bill to allow a virtual meeting has not yet been approved. Town Meeting would only focus on financial issues as a budget has to be approved by Town Meeting by the new fiscal year. Warrant Articles, Town by-law amendments, resolutions, and actions would be taken up at a future Town Meeting. Ms. Raitt shared a supplemental memo which outlines language to use for the Board's vote, which is recommended by Town Counsel and the moderator. The Chair said this would ensure that any citizen proponent articles are not stalled by the two year limitation under 40A and gives the Board a chance to review their own articles that have to be discussed. This vote would put those articles on hold and allows for further public discussion. Mr. Benson moved that vote that articles 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, and 47 be referred to the Redevelopment Board for further study and all such articles be placed on the warrant for the next Annual or Special Town Meeting by the Redevelopment Board, whichever occurs first. For such meeting also not intended to be a limited meeting purpose due to the emergency recommendation with whatever recommendations that the ARB deems appropriate. This action is being taken due the extraordinary circumstances due to the current COVID-19 pandemic and emergency. Mr. Watson seconds, approved 5-0.

The Chair introduced the next agenda item, Director's updates. Ms. Raitt said that the Department continues to work on current projects such as the Sustainable Transportation Plan, Net Zero Plan, and the economic analysis of Arlington's industrial districts. Ms. Raitt will be able to announce dates that the engagement events will be held, whether public or virtual meetings. Ms. Raitt said at this time the Board should be focusing on the Master Plan, Economic Development, and thoughtfully continue the conversations with the community. Ms. Raitt asked the Board to provide any guidance about any other topics that the Department should consider. Ms. Raitt said everyone should be thinking about how the business community can recover from the pandemic. Ms. Raitt notified the Board that the Town has received additional CDBG funds for rental assistance, micro-enterprise assistance, and social service agencies dealing with the effects of the pandemic.

The Chair introduced the next agenda item, Meeting Minutes for 2/24/2020 Mr. Benson moved to accept the 2/24/20 meeting minutes, Ms. Zsembery seconded, approved 4-0 (Mr. Watson abstained as he was absent on 2/24/20.)

Ms. Zsembery moved to accept the 3/2/2020 meeting minutes, Mr. Lau seconded, approved 5-0.

The Chair introduced the last agenda item, Open Forum. The Chair opened the floor to the public no comments

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

Meeting adjourned.

DRAFT