

September 14, 2020

Testimony of Patricia Barron Worden Re:

Public hearing for Special Permit Docket #3633 to review application filed on July 27, 2020 by 1500 Mass Ave, LLC, at 1500 Massachusetts Avenue in accordance with the provisions of MGL Chapter 40A § 11, and the Town of Arlington Zoning Bylaw Section 3.4, Environmental 1 of 79 Design Review. The applicant proposes to develop a new mixed-use building with four (4) residential units and one (1) commercial unit in a B1 Neighborhood Office District. The opening of the Special Permit is to allow the Board to review and approve the development under Section 3.4, Environmental Design Review.

To:

Chairperson and Members of the Arlington Redevelopment Board

Please include the following testimony with the other materials pertaining to Special Permit Docket #3633

This project so greatly violates the Arlington Zoning Bylaw that it should not be considered at all for approval by the Arlington Redevelopment Board. The Public Hearing Memorandum submitted by Jennifer Raitt, Secretary Ex Officio of the ARB is faulty and its acceptance would be precedent-setting for Arlington. It could lead to wholesale destruction of open space, trees, the landscape of Arlington properties, and harmonious relationship of buildings to the environment. The Memorandum should be analyzed with legal parameter criteria and Town of Arlington policies if it is to be considered. The project as proposed could lead to speculative developers purchasing and bulldozing houses and land, hoarding of land and destruction and pillaging of properties in expectation of obtaining project permits such as that sought for 1500 Massachusetts Avenue.

Reasons that this project as it is currently described should be denied a permit include the following:

1. First and Foremost – A four-unit apartment building is not allowed in the B1 District

1500 Massachusetts Avenue is in the B1 district. Arlington Zoning Bylaw specifies as the primary requirement for the B1 Neighborhood Office District that the “predominant uses include one- and two-family dwelling, 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.”

2. **Section 3.3.3.B** - The project has **ZERO** affordable units. The above-referenced Memorandum by the Ex officio Secretary apparently misunderstands the Master Plan recommendations. That plan recommends new residential units only for affordable or senior residences. Certainly not for more market rate or luxury units.
3. Since there is no commitment as regards any commercial entity willing to rent office space at the project it raises the likelihood that the building will end up as all-residential because of a loophole in the Zoning Bylaw – just another unaffordable apartment building to add increased density increasing residential tax rates.
4. Crowding of the land, wanton destruction of trees and landscape together with condoning of project installation of some un-necessary impermeable surface are not acceptable and antithetical to environmental preservation and climate control.
5. The project is antithetical to the premise upon which Mixed Use zoning was presented to Arlington Town Meeting members to secure their approval. It was claimed that any problems with proper adherence to the goals of increasing business and commercial interests would be prevented by the ARB in the Special Permit process. But what is taking place at the September 14, 2020 hearing is using the Mixed Use provision in a barefaced attempt to enable an apartment building which is simply not allowed in a B1 district. Does the ARB recognize its role in implementing honestly its assurances made of its ability to conduct satisfactory controls through the Special Permit process? If so then this Permit should reflect that or else, ideally, the permit should be denied. In this regard some early warnings indicating necessity for a more appropriate and enforceable Mixed Use provision are prescient – please see:

https://youtu.be/AO6EYDKnL_o

Perhaps the members of the ARB should be reminded of the importance of the Purposes of the Arlington Zoning Bylaw (**Section 1.2**) which include “to prevent the overcrowding of land...to protect and preserve open space as a natural resource...to achieve optimum environmental quality ...to encourage an orderly expansion of the tax base.

Patricia Barron Worden, Ph.D.