



Town of Arlington, MA Redevelopment Board

Agenda & Meeting Notice November 2, 2020

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. Public comments will be accepted during the public comment periods designated in the agenda. The public may email or provide any written comments to jraitt@town.arlington.ma.us by November 2, 2020 at 12:00 p.m. If visual information is provided as part of your correspondence, the Board requests this by October 30, 2020 at 12:00 p.m.

The Arlington Redevelopment Board will meet Monday, November 2, 2020 at 7:00 PM in the
Join Zoom Meeting with audio and video by connecting using this link and Meeting ID:
<https://town-arlington-ma-us.zoom.us/j/92272831117> | Enter Meeting ID: 922 7283 1117 or join by
phone: 1-646-876-9923, enter the Meeting ID 92272831117 followed by #

1. Continued Public Hearings

7:00 p.m.

Docket #2717, as amended #2905, 23 Broadway

Continued Public Hearing

The applicant has not provided new materials for the Board's review and will be requesting a continued hearing to a date certain.

Docket #3633, 1500 Mass Ave

Continued Public Hearing

Board will continue 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 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.

- Applicant will be provided 5 minutes for a presentation.
- DPCD staff will be provided 3 minutes to discuss public hearing memo.
- Members of the public will be provided time to comment.
- Board members will discuss each docket and may vote.

2. Draft Report to Town Meeting

7:30 p.m.

Board will vote on their report to Town Meeting.

3. Meeting Minutes (8/17/20, 9/14/20)

8:00 p.m. Board will vote on approval of minutes.

4. Open Forum

8:05 p.m. Except in unusual circumstances, any matter presented for consideration of the Board shall neither be acted upon, nor a decision made the night of the presentation. There is a three minute time limit to present a concern or request. Meeting participants will not have access to video.

5. Adjourn

Adjourn (*estimated at 8:25 p.m.*)



Town of Arlington, Massachusetts

Continued Public Hearings

Summary:

7:00 p.m.

Docket #2717, as amended #2905, 23 Broadway

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- Applicant will be provided 5 minutes for a presentation.
- DPCD staff will be provided 3 minutes to discuss public hearing memo.
- Members of the public will be provided time to comment.
- Board members will discuss each docket and may vote.

ATTACHMENTS:

Type	File Name	Description
Reference Material	Agenda_Item_1_Updated_Memo_to_ARB_re_Docket_#3633_10-27-20.pdf	Updated Memo to ARB re Docket #3633 10-27-20
Reference Material	201102_1500_Mass_Ave_-_EDR_Narrative.pdf	201102 1500 Mass Ave - EDR Narrative
Reference Material	Updated_Statement_of_Intent_2020_10_27.pdf	Updated Statement of Intent 2020 10 27
Reference Material	Agenda_Item_1a_Docket_3633_1500_Mass_Ave_Combined_Application_Materials.pdf	Docket 3633 1500 Mass Ave Combined Application Materials
Reference Material	19018_201102_1500_Mass_Ave_-_Dimensional_Charts.pdf	19018 201102 1500 Mass Ave - Dimensional Charts
Reference Material	19018_201102_EDR_-_Presentation_Boards_.pdf	19018 201102 EDR Presentation Boards

Reference Material	19018_201102_EDR_Submission_Materials_.pdf	19018_201102 EDR Submission Materials
Reference Material	1500_Mass_Ave_Construction_Requirements.pdf	1500 Mass Ave Construction Requirements
Reference Material	Agenda_Item_1a_EDR_Public_Hearing_Memo_Docket.pdf	EDR Public Hearing Memo Docket #3633 1500 Mass Ave 200909
Reference Material	Combined_Application_Materials_for_10-19-20_Hearing.pdf	Combined Application Materials for 10- 19-20 Hearing
Reference Material	Docket_3633_1500_Mass_Ave._Tree_Plan.pdf	Docket 3633 Mass Ave. Tree Plan
Reference Material	Correspondence_from_C._Loreti_091420_re_Docket_3633_1500_Mass_Ave.PDF	Correspondence received from C. Loreti 091420 re Docket 3633 1500 Mass Ave
Reference Material	Correspondence_received_from_D_Seltzer_091420_re_Docket_3633_1500_Mass_Ave.pdf	Correspondence received from D. Seltzer 091420 re Docket 3633 1500 Mass Ave
Reference Material	Correspondence_received_from_P._Worden_091420_re_Docket_3633_1500_Mass_Ave.pdf	Correspondence received from P. Worden 091420 re Docket 3633 1500 Mass Ave



Town of Arlington, Massachusetts
Department of Planning & Community Development
730 Massachusetts Avenue, Arlington, Massachusetts 02476

Public Hearing Memorandum - Update

The purpose of this memorandum is to provide the Arlington Redevelopment Board and public with technical information and a planning analysis to assist with the regulatory decision-making process.

To: Arlington Redevelopment Board

From: Jennifer Raitt, Secretary Ex Officio

Subject: Environmental Design Review, 1500 Massachusetts Avenue, Arlington, MA
Docket #3633

Date: October 27, 2020

This memo is provided as an update to the last memo provided on October 14, 2020. The following items have been updated pursuant to this application:

- Environmental Design Review narrative
- Statement of Intent
- Dimensional Charts
- Plan Set and Presentation Boards, October 27, 2020, from MFDS A+P

These items address the following items discussed by the Board:

- Improve access to the usable open space;
- Provide double hung windows on the side and rear elevations to be consistent with elevations and rendering;
- Restructure first floor as all office space;
- Improve side and rear elevations;
- Provide fencing around retaining wall and slope;
- Use permeable pavers in driveway;
- Update Transportation Demand Management Plan to include employee shower, one EV charging station, and one parking space per unit; and
- Provide signage plan.

With regard to the Board's request for the applicant to consider adding space on the roof for solar panels and a deck, the applicant concluded that the stairway construction required for a

route to the roof deck would impact available apartment space for some units. The applicant prefers not to reduce rentable space. The applicant also determined that there is limited space available for rooftop solar panels. The space is limited due in part to the setback required relative to any roof equipment, including condensers.

The applicant should provide a more detailed update regarding any of the above items at the continued hearing.

TOWN OF ARLINGTON

REDEVELOPMENT BOARD

Petition for Special Permit under Environmental Design Review (see Section 3.4 of the Arlington Zoning Bylaw for Applicability)

For Projects subject to Environmental Design Review, (see Section 3.4), please submit a statement that completely describes your proposal, and addresses each of the following standards.

1. Preservation of Landscape. The landscape shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal, and any grade changes shall be in keeping with the general appearance of neighboring developed areas.

Preservation of Landscape: Landscaping on the existing site is unmaintained and overgrown. There is a large paved driveway stretching the front length of the existing building, allowing for a less than desirable streetscape. The proposed design provides a large landscaped green open space at the rear of the building as well as additional landscaped open space on the side of the building. The proposed landscaping is to be maintained and more visually appealing than the existing conditions.

2. Relation of Buildings to Environment. Proposed development shall be related harmoniously to the terrain and to the use, scale, and architecture of existing buildings in the vicinity that have functional or visual relationship to the proposed buildings. The Arlington Redevelopment Board may require a modification in massing to reduce the effect of shadows on abutting property in an R0, R1 or R2 district or on public open space.

Relation of Buildings to Environment: The scale of the proposed building and front setback is appropriate based on the existing buildings in the area. The use of materials and architectural accents such as bay windows will create visual ties to the existing buildings in the area.

3. Open Space. All open space (landscaped and usable) shall be so designed as to add to the visual amenities of the vicinity by maximizing its visibility for persons passing the site or overlooking it from nearby properties. The location and configuration of usable open space shall be so designed as to encourage social interaction, maximize its utility, and facilitate maintenance.

Open Space: The existing building on the existing site features a large paved driveway stretching the front length of the building, allowing for minimal landscaping. The proposed building provides landscaped areas along the streetscape, as well as a large amount of green open space at the rear of the building and additional green open space on the side of the building.

4. Circulation. With respect to vehicular, pedestrian and bicycle circulation, including entrances, ramps, walkways, drives, and parking, special attention shall be given to location and number of access points to the public streets (especially in relation to existing traffic controls and mass transit facilities), width of interior drives and access points, general interior circulation, separation of pedestrian and vehicular traffic, access to community facilities, and arrangement of vehicle parking and bicycle parking areas, including bicycle parking spaces required by section

8.13 that are safe and convenient and, insofar as practicable, do not detract from the use and enjoyment of proposed buildings and structures and the neighboring properties.

Circulation: The proposed design includes a two-way driveway that will create an easy flow of vehicular traffic. The addition of interior & exterior bicycle parking, designated as required by section 6.1.12 of the town Bylaw, will also make it more convenient / practical for employees & residents to commute via bicycle. See attached plans.

5. Surface Water Drainage. Special attention shall be given to proper site surface drainage so that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Available Best Management Practices for the site should be employed, and include site planning to minimize impervious surface and reduce clearing and re-grading. Best Management Practices may include erosion control and storm water treatment by means of swales, filters, plantings, roof gardens, native vegetation, and leaching catch basins. Storm water should be treated at least minimally on the development site; that which cannot be handled on site shall be removed from all roofs, canopies, paved and pooling areas and carried away in an underground drainage system. Surface water in all paved areas shall be collected at intervals so that it will not obstruct the flow of vehicular or pedestrian traffic, and will not create puddles in the paved areas.

In accordance with Section 3.3.4, the Board may require from any applicant, after consultation with the Director of Public Works, security satisfactory to the Board to insure the maintenance of all storm water facilities such as catch basins, leaching catch basins, detention basins, swales, etc. within the site. The Board may use funds provided by such security to conduct maintenance that the applicant fails to do. The board may adjust in its sole discretion the amount and type of financial security such that it is satisfied that the amount is sufficient to provide for the future maintenance needs.

Surface Water Drainage: Driveways are to be constructed using a permeable, fast draining concrete system. One (1) catch basin drain is to be installed in the parking lot, and one (1) trench drain is to be installed at the base of the driveway as noted in plan AS101.

6. Utility Service. Electric, telephone, cable TV and other such lines and equipment shall be underground. The proposed method of sanitary sewage disposal and solid waste disposal from all buildings shall be indicated.

Utility Service: Method of utility service is to remain as is.

7. Advertising Features. The size, location, design, color, texture, lighting and materials of all permanent signs and outdoor advertising structures or features shall not detract from the use and enjoyment of proposed buildings and structures and the surrounding properties. Advertising features are subject to the provisions of section 6.2 of the zoning Bylaw.

Advertising Features: The proposed advertising features have been designed to meet the requirements of section 6.2 of the town Bylaw. The proposed signs are to be wall signs mounted to the front façade of the building. The location and dimensions of the proposed signs are indicated in the architectural drawings.

8. Special Features. Exposed storage areas, exposed machinery installations, service areas, truck loading areas, utility buildings and structures, and similar accessory areas and structures shall be subject to such setbacks, screen plantings or other screening methods as shall reasonably be required to prevent their being incongruous with the existing or contemplated environment and the surrounding properties.

Special Features: The proposed design does not include the addition of any exposed storage areas, service areas, truck loading areas, utility buildings, or structures.

9. Safety. With respect to personal safety, all open and enclosed spaces shall be designed to facilitate building evacuation and maximize accessibility by fire, police, and other emergency personnel and equipment. Insofar as practicable, all exterior spaces and interior public and semi-public spaces shall be so designed as to minimize the fear and probability of personal harm or injury by increasing the potential surveillance by neighboring residents and passersby of any accident or attempted criminal act.

Safety: The proposed interior layout plans have been designed to facilitate building evacuation and accessibility by fire, police, and other emergency personnel and equipment.

10. Heritage. With respect to Arlington's heritage, removal or disruption of historic, traditional or significant uses, structures, or architectural elements shall be minimized insofar as practicable, whether these exist on the site or on adjacent properties.

Heritage: There are no historical buildings on the site or on adjacent properties.

11. Microclimate. With respect to the localized climatic characteristics of a given area, any development which proposes new structures, new hard-surface ground coverage, or the installation of machinery which emits heat, vapor, or fumes, shall endeavor to minimize, insofar as practicable, any adverse impact on light, air, and water resources, or on noise and temperature levels of the immediate environment.

Microclimate: The proposed plans do not include the installation of machinery which emits vapor or fumes. The building has been designed in accordance with the height and dimensional requirements contained in the Zoning Bylaws.

12. Sustainable Building and Site Design. Projects are encouraged to incorporate best practices related to sustainable sites, water efficiency, energy and atmosphere, materials and resources, and indoor environmental quality. Applicants must submit a current Green Building Council Leadership in Energy and Environmental Design (LEED) checklist, appropriate to the type of development, annotated with narrative description that indicates how the LEED performance objectives will be incorporated into the project.

Sustainable Building and Site Design: This project will be built in compliance with all codes, including building, mechanical, electrical, plumbing, and energy conservation codes. While the applicant will not seek LEED certification for this project, many LEED initiatives across all categories will be implemented. With regards to the interior renovations, the applicant will endeavor to achieve points for materials and resources where possible during documentation.

See attached LEED Project Checklist for more information.

In addition, projects subject to Environmental Design Review must address and meet the following Special Permit Criteria (see Section 3.3.3 of the Zoning Bylaw):

1. The use requested is listed as a special permit in the use regulations for the applicable district or is so designated elsewhere in this Bylaw.

The proposed use of the property is listed as a special permit in the use regulations for the B1 Neighborhood Office District.

2. The requested use is essential or desirable to the public convenience or welfare.

The majority of the proposed building is residential, as is the existing building. The ground floor will feature office space as requested by the ARB.

3. The requested use will not create undue traffic congestion or unduly impair pedestrian safety.

The existing curb cut at 1500 Mass Ave will be shortened. The proposed design includes a two-way driveway that will create an easy flow of vehicular traffic. The addition of interior & exterior bicycle parking, designed as required by section 6.1.12 of the town Bylaw, will also make it more convenient / practical for employees & residents to commute via bicycle. See attached plans.

4. The requested use will not overload any public water, drainage or sewer system or any other municipal system to such an extent that the requested use or any developed use in the immediate area or in any other area of the Town will be unduly subjected to hazards affecting health, safety or the general welfare.

The majority of the proposed building is residential, as is the existing building. The proposed use will not add any substantial loads on utilities.

5. Any special regulations for the use as may be provided in this Bylaw are fulfilled.

Any special regulations for the use as may be provided in this Bylaw are fulfilled.

6. The requested use will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the health, morals, or welfare.

The use of this property will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the health, morals, or welfare.

7. The requested use will not, by its addition to a neighborhood, cause an excess of the particular use that could be detrimental to the character of said neighborhood.

The use of the property will not be in excess or detrimental to the character of the neighborhood.

Exhibit A - Statement of Intent

It is the intent of the client to construct a new building on the 7,265 square foot lot located at 1500 Massachusetts Avenue with the property being located in a B1 Zone.

The preexisting three (3) story, three (3) family dwelling located at 1500 Massachusetts Ave was demolished in anticipation of the construction of a new three (3) story mixed-use building. The new building will feature ground level office space, as well as four (4) 2-bedroom dwelling units.

There are to be five (5) vehicular parking spaces on site, as well as four (4) short term bicycle parking spaces located near the front entry and eight (8) long term bicycle parking spaces located in a designated bike room in the interior of the building.

The preexisting building was run down and uninviting as it stood. There was a paved driveway stretching the entire front length of the building, and there was minimal landscaping. The proposed design intends to provide a more desirable and interactive streetscape. This will be accomplished by adding maintained landscaped areas at the front of the building, as well as using materials and architectural elements such as bay windows to create visual ties to the existing buildings in the area. New storefront windows and doors at the ground floor will create a visual connection to the new retail space inside. New exterior lighting will be added both for aesthetics and safety purposes. The proposed design is a sophisticated way to give the building a more inviting and interactive street presence.

The lot is located in an area which contains many commercial businesses such as Mal's Auto Body, an extensive car washing business operation, a liquor store as well as other commercial enterprises further down Massachusetts Avenue in an easterly direction including Trader Joe's, and a major pharmacy and the combination of residential and commercial units in the building are a nice fit in the mixed use district in which the property is located.

The Petitioner's proposal would require six (6) parking spaces and five (5) are provided.

There is no parking requirement for the office space as that space comprises less than 3,000 square feet of the building.

The Petitioner will be applying for relief with respect to Section 6.1.5 of the zoning bylaw which allows a parking reduction in a business zone if allowed by the Redevelopment Board to 25% of that required in the Table of Off Use Street Parking regulations.

The Petitioner in accordance with subsection c of Section 6.1.5 will provide the following three TDM parking reduction methods:

1. Petitioner will provide covered bicycle parking and storage.
2. An electric charging station will be provided on site as shown on Petitioner's plans.
3. Petitioner will provide bicycle sharing on site.
4. A shower will be installed in the office unit.
5. All leases relating to the residential units will contain a provision that each residential tenant has the use of only one (1) parking space in the parking area.

The fact that employees of the office space can use public transportation and the four (4) short term bicycle parking spaces and the eight (8) long term bicycle parking spaces represents an open invitation

to individuals to use bicycles to travel to and from the building for any purpose including traveling to places of employment in the case of residents of the building and for business customers of the office space.

There is an MBTA bus stop in close proximity to the property to accommodate any residents of the building or any visitors to the office space who wish to travel to and from the location particularly so with respect to individual residents who may be employed in the Boston/Cambridge area who can simply leave their cars at the 1500 Mass Ave property and travel by public transportation to their places of employment.

The proposed building provides a large green open space at the rear of the building as well as additional open space on the side of the building as shown on Petitioner's plans.

The plans propose a two-way driveway for vehicular traffic with the addition of interior and exterior bicycle parking which will allow and make it more convenient for any employee of the office unit as well as residents to commute either to their employment or elsewhere by bicycle.

Petitioner's plans will add four (4) additional dwelling units in the Town as well as office space which is in keeping with the mix use intent of Zoning Bylaw.

Each of the upper level residential units will contain two (2) bedrooms and Petitioner suggests to the members of the Board that there has been an expressed need for additional residential units in the Town both as expressed in communications from the State level and provisions of the Master Plan for the Town.

The parking areas for motor vehicles for the office unit and the four (4) residential units are depicted on Plan AS101 and four spaces are located to the rear of the property adjacent to the driveway.

Given the height of the abutting buildings to the locus, i.e. the apartment house located to the left of the property, the residence to the rear of the property and the commercial property abutting the locus there will be "no shadow" effect from the construction on neighboring properties with respect to the proposal.



TOWN OF ARLINGTON
REDEVELOPMENT BOARD

Application for Special Permit In Accordance with Environmental Design
Review Procedures (Section 3.4 of the Zoning Bylaw)

PLANNING & COMMUNITY
DEVELOPMENT

2020 AUG 20 A 9:21

Docket No. 3633

1. Property Address 1500 Massachusetts Avenue
Name of Record Owner(s) 1500 Mass Ave, LLC Phone 781-646-4911
Address of Owner 294 Harvard Street Medford, MA 02155
Street City, State, Zip
2. Name of Applicant(s) (if different than above) SAME AS ABOVE
Address _____ Phone _____
Status Relative to Property (occupant, purchaser, etc.) _____
3. Location of Property MAP 174.0 Block 0002 Lot 0009.0
Assessor's Block Plan, Block, Lot No.
4. Deed recorded in the Registry of deeds, Book 72728, Page 21; and Bk 74734, Page: 571
-or- registered in Land Registration Office, Cert. No. _____, in Book _____, Page _____.
5. Present Use of Property (include # of dwelling units, if any) Three (3) residential units
6. Proposed Use of Property (include # of dwelling units, if any) Four (4) residential units and
one (1) commercial unit
7. Permit applied for in accordance with the following Zoning Bylaw section(s) 3.4 Environmental Design Review
6.1.5 Parking reduction
5.3.7 Screening and buffering
5.3.21A.1 Supplemental requirements in the
section(s) title(s) business district
8. Please attach a statement that describes your project and provide any additional information that may aid the ARB in understanding the permits you request. Include any reasons that you feel you should be granted the requested permission.

(In the statement below, strike out the words that do not apply)

The applicant states that 1500 Mass Ave, LLC is the owner -or- occupant -or- purchaser under agreement of the property in Arlington located at 1500 Massachusetts Avenue which is the subject of this application; and that unfavorable action -or- no unfavorable action has been taken by the Zoning Board of Appeals on a similar application regarding this property within the last two years. The applicant expressly agrees to comply with any and all conditions and qualifications imposed upon this permission, either by the Zoning Bylaw or by the Redevelopment Board, should the permit be granted.

Signature of Applicant(s)

Address

Phone

1171 on Amherst

781 6464911

Arlington ma
02474



Town of Arlington Redevelopment Board
Application for Special Permit in accordance with
Environmental Design Review (Section 3.4)

Required Submittals Checklist

Two full sets of materials and one electronic copy are required. A model may be requested.
Review the ARB's Rules and Regulations, which can be found at arlingtonma.gov/arb, for the full
list of required submittals.

- ☒ Dimensional and Parking Information Form (see attached)
- ☒ Site plan of proposal
- ☐ Model, if required
- ☒ Drawing of existing conditions
- ☒ Drawing of proposed structure
- ☒ Proposed landscaping. May be incorporated into site plan
- ☒ Photographs
- ☒ Impact statement
- ☒ Application and plans for sign permits
- ☐ Stormwater management plan (for stormwater management during construction for projects
with new construction currently being discussed with Engineering
Department for the Town)

FOR OFFICE USE ONLY

- ☐ Special Permit Granted Date: _____
- ☐ Received evidence of filing with Registry of Deeds Date: _____
- ☐ Notified Building Inspector of Special Permit filing Date: _____

Exhibit A - Statement of Intent

It is the intent of the client to construct a new building on the 7,265 square foot lot located at 1500 Massachusetts Avenue with the property being located in a B1 Zone.

The preexisting three (3) story, three (3) family dwelling located at 1500 Massachusetts Ave was demolished in anticipation of the construction of a new three (3) story mixed-use building. The new building will feature ground level commercial space, as well as four (4) 2-bedroom dwelling units.

There are to be five (5) vehicular parking spaces on site, as well as two (2) short term bicycle parking spaces located near the front entry and eight (8) long term bicycle parking spaces located in a designated bike room in the interior of the building.

The preexisting building was run down and uninviting as it stood. There was a paved driveway stretching the entire front length of the building, and there was minimal landscaping. The proposed design intends to provide a more desirable and interactive streetscape. This will be accomplished by adding a large maintained landscaped area at the front of the building, as well as using materials and architectural elements such as bay windows to create visual ties to the existing buildings in the area. New storefront windows and doors at the ground floor will create a visual connection to the new retail space inside. New exterior lighting will be added both for aesthetics and safety purposes. The proposed design is a sophisticated way to give the building a more inviting and interactive street presence.

The lot is located in an area which contains many commercial businesses such as Mal's Auto Body, an extensive car washing business operation, a liquor store as well as other commercial enterprises further down Massachusetts Avenue in an easterly direction including Trader Joe's, and a major pharmacy and the combination of residential and commercial units in the building are a nice fit in the mixed use district in which the property is located.

The Petitioner's proposal would require six (6) parking spaces and five (5) are provided.

There is no parking requirement for the commercial space as that space comprises less than 3,000 square feet of the building.

The Petitioner will be applying for relief with respect to Section 6.1.5 of the zoning bylaw which allows a parking reduction in a business zone if allowed by the Redevelopment Board to 25% of that required in the Table of Off Use Street Parking regulations.

The Petitioner in accordance with subsection c of Section 6.1.5 will provide the following three TDM parking reduction methods:

1. Petitioner will provide covered bicycle parking and storage
2. Petitioner will provide preferential parking for carpooling vehicles.
3. Petitioner will provide bicycle sharing on site

Petitioner also seeks relief with respect to the buffering at the rear of the lot adjacent to the existing retaining wall.

Petitioner's architectural team has indicated that some screening and buffering with respect to the lot would not be possible due to the retaining walls being right on the property line and the significant changes in elevation from the abutting properties to the locus.

The architectural team has suggested that the proposed retaining walls as shown on the plans are so tall that there is a question as to whether buffering would need to be provided. For example, the house to the rear of the locus is much higher than where the finish grade of the proposed building will be.

A photograph has been submitted with respect to Petitioner's submission showing the significant elevation issues with respect to the locus as compared with abutting properties and particularly the house located to the rear of the locus.

Petitioner is proposing that the retaining wall to the rear when completed would be nearly 18 feet tall and would step back in increments. That being said the members of the architectural team are suggesting that there is no visual sight line that would need to be screened or buffered, particularly so as the rear abutter's house is well above the top of the proposed structure.

The fact that customers of the commercial units can use public transportation and the two (2) short term bicycle parking spaces and the eight (8) long term bicycle parking spaces represents an open invitation to individuals to use bicycles to travel to and from the building for any purpose including traveling to places of employment in the case of residents of the building and for business customers of the commercial units.

There is an MBTA bus stop in close proximity to the property to accommodate any residents of the building or any visitors to the commercial units who wish to travel to and from the location particularly so with respect to individual residents who may be employed in the Boston/Cambridge area who can simply leave their cars at the 1500 Mass Ave property and travel by public transportation to their places of employment.

The proposed building would be set back 25 feet from the sidewalk to allow for a green open space at the front of the building as well as additional open space on the side of the building as shown on Petitioner's plans.

The plans propose a one-way driveway for vehicular traffic with the addition of interior and exterior bicycle parking which will allow and make it more convenient for any employee of the commercial unit as well as residents to commute either to their employment or elsewhere by bicycle.

The plans also contemplate that the existing curb cut will be shortened.

Petitioner's plans will add four (4) additional dwelling units in the Town as well as commercial space which is in keeping with the mix use intent of Zoning Bylaw.

Each of the residential units will contain two (2) bedrooms and Petitioner suggests to the members of the Board that there has been an expressed need for additional residential units in the Town both as expressed in communications from the State level and provisions of the Master Plan for the Town.

The parking areas for motor vehicles for the commercial unit and the four (4) residential units are depicted on Plan AS101 and two spaces are located on the right side of the driveway as it leads to the property and three spaces are located to the rear of the property adjacent to the driveway.

Given the height of the abutting buildings to the locus, i.e. the apartment house located to the left of the property, the residence to the rear of the property and the commercial property abutting the locus

there will be “no shadow” effect from the construction on neighboring properties with respect to the proposal.

TOWN OF ARLINGTON

REDEVELOPMENT BOARD

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For Projects subject to Environmental Design Review, (see Section 3.4), please submit a statement that completely describes your proposal, and addresses each of the following standards.

1. Preservation of Landscape. The landscape shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal, and any grade changes shall be in keeping with the general appearance of neighboring developed areas.

Preservation of Landscape: Landscaping on the existing site is unmaintained and overgrown. There is a large paved driveway stretching the front length of the existing building, allowing for a less than desirable streetscape. The proposed design is pushed back 25 ft from the sidewalk to allow for a landscaped green open space at the front of the building as well as additional landscaped open space on the side of the building. The proposed landscaping is to be maintained and more visually appealing than the existing conditions.

2. Relation of Buildings to Environment. Proposed development shall be related harmoniously to the terrain and to the use, scale, and architecture of existing buildings in the vicinity that have functional or visual relationship to the proposed buildings. The Arlington Redevelopment Board may require a modification in massing to reduce the effect of shadows on abutting property in an R0, R1 or R2 district or on public open space.

Relation of Buildings to Environment: The scale of the proposed building and front setback is appropriate based on the existing buildings in the area. The use of materials and architectural accents such as bay windows will create visual ties to the existing buildings in the area.

3. Open Space. All open space (landscaped and usable) shall be so designed as to add to the visual amenities of the vicinity by maximizing its visibility for persons passing the site or overlooking it from nearby properties. The location and configuration of usable open space shall be so designed as to encourage social interaction, maximize its utility, and facilitate maintenance.

Open Space: The existing building on the existing site features a large paved driveway stretching the front length of the building, allowing for minimal landscaping. The proposed building is pushed back 25 ft from the sidewalk to allow for a green open space at the front of the building as well as additional open space on the side of the building.

4. Circulation. With respect to vehicular, pedestrian and bicycle circulation, including entrances, ramps, walkways, drives, and parking, special attention shall be given to location and number of access points to the public streets (especially in relation to existing traffic controls and mass transit facilities), width of interior drives and access points, general interior circulation, separation of pedestrian and vehicular traffic, access to community facilities, and arrangement of vehicle parking and bicycle parking areas, including bicycle parking spaces required by section 8.13 that are safe and convenient and, insofar as practicable, do not detract from the use and enjoyment of proposed buildings and structures and the neighboring properties.

Circulation: The proposed design includes a one-way driveway that will create an easier flow of vehicular traffic. The addition of interior & exterior bicycle parking, designated as required by section 6.1.12 of the town Bylaw, will also make it more convenient / practical for employees & residents to commute via bicycle. See attached plans.

5. Surface Water Drainage. Special attention shall be given to proper site surface drainage so that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Available Best Management Practices for the site should be employed, and include site planning to minimize impervious surface and reduce clearing and re-grading. Best Management Practices may include erosion control and storm water treatment by means of swales, filters, plantings, roof gardens, native vegetation, and leaching catch basins. Storm water should be treated at least minimally on the development site; that which cannot be handled on site shall be removed from all roofs, canopies, paved and pooling areas and carried away in an underground drainage system. Surface water in all paved areas shall be collected at intervals so that it will not obstruct the flow of vehicular or pedestrian traffic, and will not create puddles in the paved areas.

In accordance with Section 3.3.4, the Board may require from any applicant, after consultation with the Director of Public Works, security satisfactory to the Board to insure the maintenance of all storm water facilities such as catch basins, leaching catch basins, detention basins, swales, etc. within the site. The Board may use funds provided by such security to conduct maintenance that the applicant fails to do. The board may adjust in its sole discretion the amount and type of financial security such that it is satisfied that the amount is sufficient to provide for the future maintenance needs.

Surface Water Drainage: Driveways are to be constructed using a permeable, fast draining concrete system.

6. Utility Service. Electric, telephone, cable TV and other such lines and equipment shall be underground. The proposed method of sanitary sewage disposal and solid waste disposal from all buildings shall be indicated.

Utility Service: Method of utility service is to remain as is.

7. Advertising Features. The size, location, design, color, texture, lighting and materials of all permanent signs and outdoor advertising structures or features shall not detract from the use and enjoyment of proposed buildings and structures and the surrounding properties. Advertising features are subject to the provisions of section 6.2 of the zoning Bylaw.

Advertising Features: The proposed advertising features have been designed to meet the requirements of section 6.2 of the town Bylaw. The proposed sign is to be a wood sign mounted in the front yard as previously discussed with the ARB. The location of the proposed sign is to be as indicated in the architectural site plan.

8. Special Features. Exposed storage areas, exposed machinery installations, service areas, truck loading areas, utility buildings and structures, and similar accessory areas and structures shall be subject to such setbacks, screen plantings or other screening methods as shall reasonably be

required to prevent their being incongruous with the existing or contemplated environment and the surrounding properties.

Special Features: The proposed design does not include the addition of any exposed storage areas, service areas, truck loading areas, utility buildings, or structures.

9. Safety. With respect to personal safety, all open and enclosed spaces shall be designed to facilitate building evacuation and maximize accessibility by fire, police, and other emergency personnel and equipment. Insofar as practicable, all exterior spaces and interior public and semi-public spaces shall be so designed as to minimize the fear and probability of personal harm or injury by increasing the potential surveillance by neighboring residents and passersby of any accident or attempted criminal act.

Safety: The proposed interior layout plans have been designed to facilitate building evacuation and accessibility by fire, police, and other emergency personnel and equipment.

10. Heritage. With respect to Arlington's heritage, removal or disruption of historic, traditional or significant uses, structures, or architectural elements shall be minimized insofar as practicable, whether these exist on the site or on adjacent properties.

Heritage: There are no historical buildings on the site or on adjacent properties.

11. Microclimate. With respect to the localized climatic characteristics of a given area, any development which proposes new structures, new hard-surface ground coverage, or the installation of machinery which emits heat, vapor, or fumes, shall endeavor to minimize, insofar as practicable, any adverse impact on light, air, and water resources, or on noise and temperature levels of the immediate environment.

Microclimate: The proposed plans do not include the installation of machinery which emits vapor or fumes. The building has been designed in accordance with the height and dimensional requirements contained in the Zoning Bylaws.

12. Sustainable Building and Site Design. Projects are encouraged to incorporate best practices related to sustainable sites, water efficiency, energy and atmosphere, materials and resources, and indoor environmental quality. Applicants must submit a current Green Building Council Leadership in Energy and Environmental Design (LEED) checklist, appropriate to the type of development, annotated with narrative description that indicates how the LEED performance objectives will be incorporated into the project.

Sustainable Building and Site Design: This project will be built in compliance with all codes, including building, mechanical, electrical, plumbing, and energy conservation codes. While the applicant will not seek LEED certification for this project, many LEED initiatives across all categories will be implemented. With regards to the interior renovations, the applicant will endeavor to achieve points for materials and resources where possible during documentation.

See attached LEED Project Checklist for more information.

In addition, projects subject to Environmental Design Review must address and meet the following Special Permit Criteria (see Section 3.3.3 of the Zoning Bylaw):

1. The use requested is listed as a special permit in the use regulations for the applicable district or is so designated elsewhere in this Bylaw.

The proposed use of the property is listed as a special permit in the use regulations for the B1 Neighborhood Office District.

2. The requested use is essential or desirable to the public convenience or welfare.

The majority of the proposed building is residential, as is the existing building. The ground floor will feature retail space as requested by the ARB.

3. The requested use will not create undue traffic congestion or unduly impair pedestrian safety.

The existing curb cut at 1500 Mass Ave will be shortened, and (1) new curb cut will be added. The proposed design includes a one-way driveway that will create an easier flow of vehicular traffic. The addition of interior & exterior bicycle parking, designed as required by section 6.1.12 of the town Bylaw, will also make it more convenient / practical for employees & residents to commute via bicycle. See attached plans.

4. The requested use will not overload any public water, drainage or sewer system or any other municipal system to such an extent that the requested use or any developed use in the immediate area or in any other area of the Town will be unduly subjected to hazards affecting health, safety or the general welfare.

The majority of the proposed building is residential, as is the existing building. The proposed use will not add any substantial loads on utilities.

5. Any special regulations for the use as may be provided in this Bylaw are fulfilled.

Any special regulations for the use as may be provided in this Bylaw are fulfilled.

6. The requested use will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the health, morals, or welfare.

The use of this property will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the health, morals, or welfare.

7. The requested use will not, by its addition to a neighborhood, cause an excess of the particular use that could be detrimental to the character of said neighborhood.

The use of the property will not be in excess or detrimental to the character of the neighborhood.

TOWN OF ARLINGTON

Dimensional and Parking Information
for Application to
The Arlington Redevelopment Board

Docket No. _____

Property Location 1500 Mass Ave, Arlington MA

Zoning District B1

Owner: _____

Address: _____

Present Use/Occupancy: No. of Dwelling Units:

Three Family, 3 Dwelling Units

Uses and their gross square feet:

Proposed Use/Occupancy: No. of Dwelling Units:

Mixed Use, 4 Dwelling Units

Uses and their gross square feet:

Residential: 4,224.9 sf Retail: 1,145.3 sf

	<u>Present Conditions**</u>	<u>Proposed Conditions</u>	<u>Min. or Max. Required by Zoning for Proposed Use</u>
Lot Size	7,265	7,265	min. 5,000
Frontage	80	80	min. 50
Floor Area Ratio		0.74	max. 0.75
Lot Coverage (%), where applicable	-----	-----	max. -----
Lot Area per Dwelling Unit (square feet)	-----	-----	min. -----
Front Yard Depth (feet)	17.3	25	min. 20
Side Yard Width (feet) right side	44.9	21.4	min. 10
left side	5.1	10.2	min. 10
Rear Yard Depth (feet)	10.3	29.2	min. 20
Height			min.
Stories	3	3	stories 3
Feet		32' 8"	feet 35
Open Space (% of G.F.A.)			min.
Landscaped (square feet)		1,645.5	(s.f.) 1,074
Usable (square feet)		1,201.5	(s.f.) 845
Parking Spaces (No.)		5	min. 6
Parking Area Setbacks (feet), where applicable		0.6	min. 10
Loading Spaces (No.)	0	0	min. 0
Type of Construction			
Distance to Nearest Building	48.2	21.1	min.

*Sec. 5.3.21

**Existing building has been taken down in anticipation of construction of the new building

OPEN SPACE/GROSS FLOOR AREA

Refer to Zoning Bylaw Section 2, Definitions and Section 5, District Regulations

Address 1500 Mass Ave, Arlington MA

Zoning District B1

OPEN SPACE

Total lot area

EXISTING

7,080 sf

PROPOSED

7,265 sf

Open Space (Usable)*

1,201.5 sf

Open Space (Landscaped)

1,645.5 sf

*Usable Open Space must be at least 75% open to the sky, free of automotive, traffic and parking, and readily accessible. Open space shall be deemed usable only if : 1) at least 75% of the area has a grade of less than 8% and no horizontal dimension less than 25 feet.

GROSS FLOOR AREA (GFA)

Accessory building

Basement or cellar (>5' excluding mechanical area)

1st Floor

1,289.8 sf

2nd Floor

2,040.2 sf

3rd Floor

2,040.2 sf

4th Floor

5th Floor

Attic (>7'0" in height, excluding elevator, mechanical area)

Parking garages (except as used for accessory
Parking garages or off street loading purposes)

All weather habitable porches and balconies

Total Gross Floor Area (GFA)

5,370.2 sf

REQUIRED MINIMUM OPEN SPACE AREA

Proposed Usable Open Space Percent of GFA

28.4% (% of Residential GSF only per section 5.3.21)

Proposed Landscaped Open Space Percent of GFA

30.6%

This worksheet applies to plans dated _____ designed by _____

Reviewed by Inspectional Services _____ Date: _____



PLANTING LEGEND

- GRASS
- HYDRANGEA
- RHODODENDRON
- EVERGREEN AZALEA



MONTE FRENCH DESIGN STUDIO (MFDS)
650 COLUMBUS AVE, STE. A
BOSTON MA, 02118
T: 617-606-4496
WWW.MFDS-BOS.COM

CONSULTANTS:

ZONING SET
(NOT FOR CONSTRUCTION)

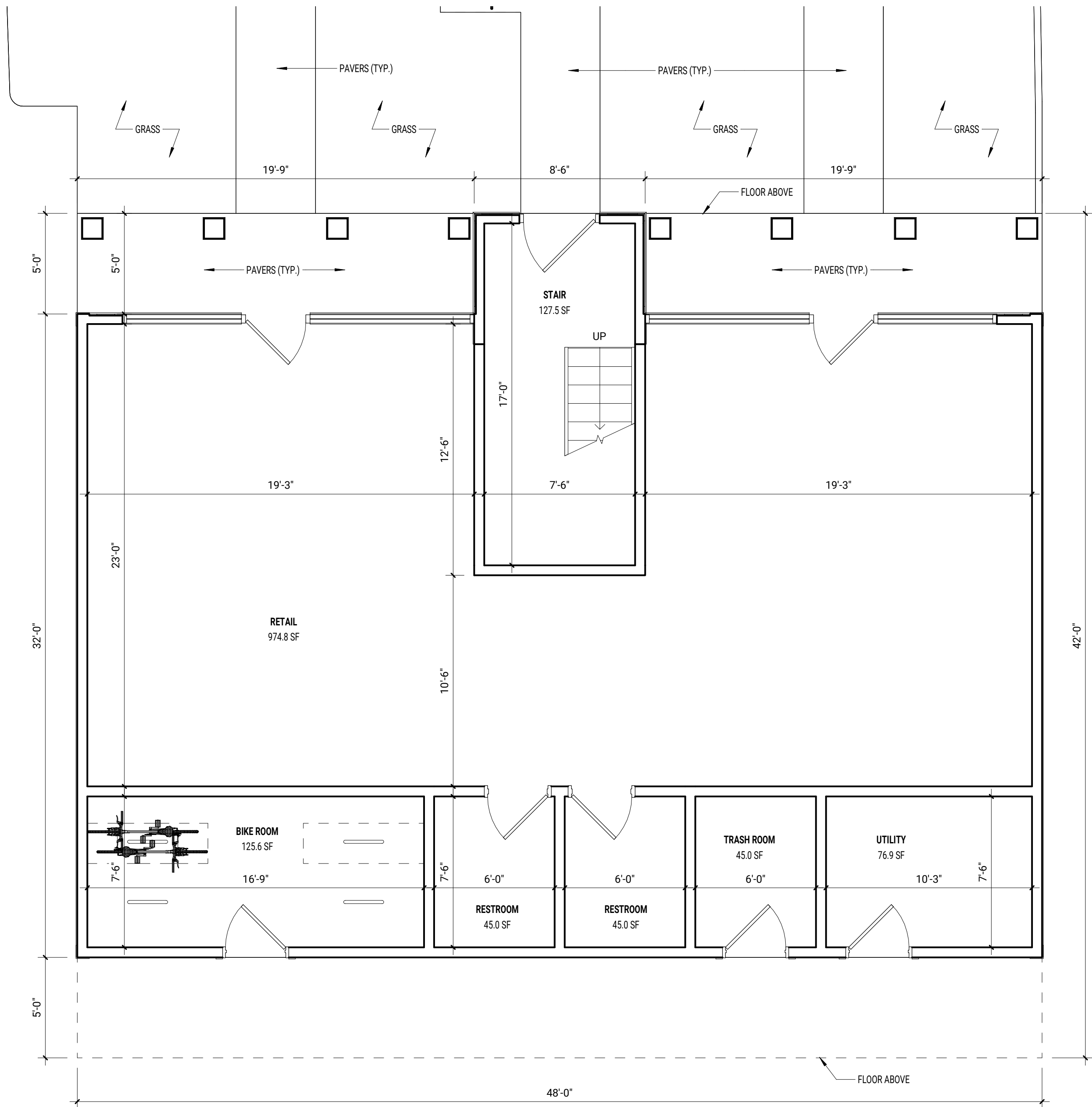


MARK: DATE: DESCRIPTION:
ISSUE LOG:

PROJECT NAME:
**1500
Massachusetts
Ave**
ADDRESS:
1500 Massachusetts Ave, Arlington MA
DATE ISSUED: 6/03/2020
PROJECT #: 19018
SCALE: As indicated
DRAWN BY: EAD

ARCHITECTURAL SITE PLAN

AS101



CONSULTANTS:

ZONING SET
(NOT FOR CONSTRUCTION)



MARK:	DATE:	DESCRIPTION:
ISSUE LOG:		

PROJECT NAME:
**1500
Massachusetts
Ave**

ADDRESS:
1500 Massachusetts Ave, Arlington MA

DATE ISSUED: 6/03/2020

PROJECT #: 19018

SCALE: 1/4" = 1'-0"

DRAWN BY: EAD

1ST FLOOR CONSTRUCTION
PLAN

CONSULTANTS:

ZONING SET
(NOT FOR CONSTRUCTION)



MARK: DATE: DESCRIPTION:
ISSUE LOG:

PROJECT NAME:
**1500
Massachusetts
Ave**

ADDRESS:
1500 Massachusetts Ave, Arlington MA

DATE ISSUED: 6/03/2020

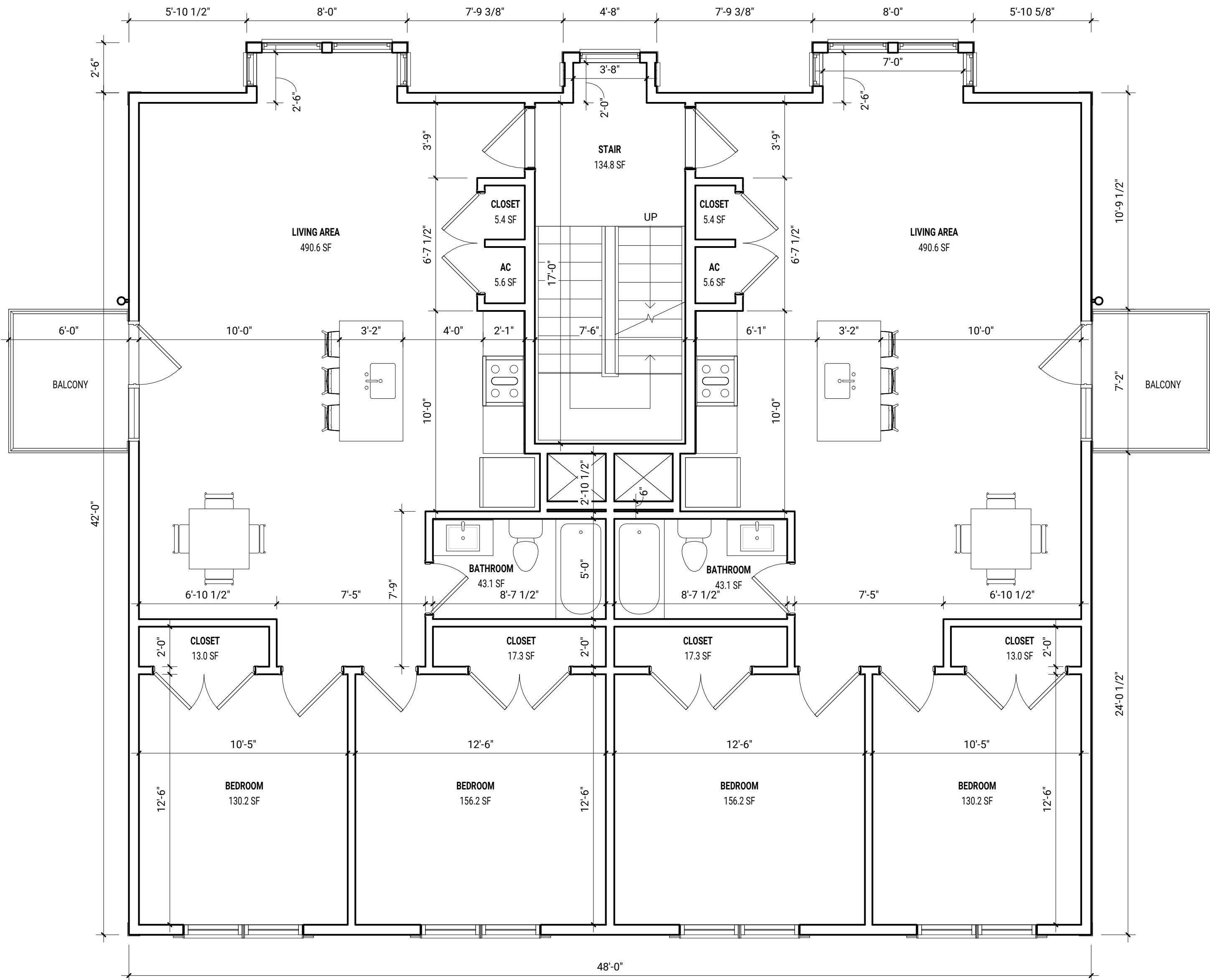
PROJECT #: 19018

SCALE: 1/4" = 1'-0"

DRAWN BY: EAD

2ND FLOOR CONSTRUCTION
PLAN

A-103



CONSULTANTS:

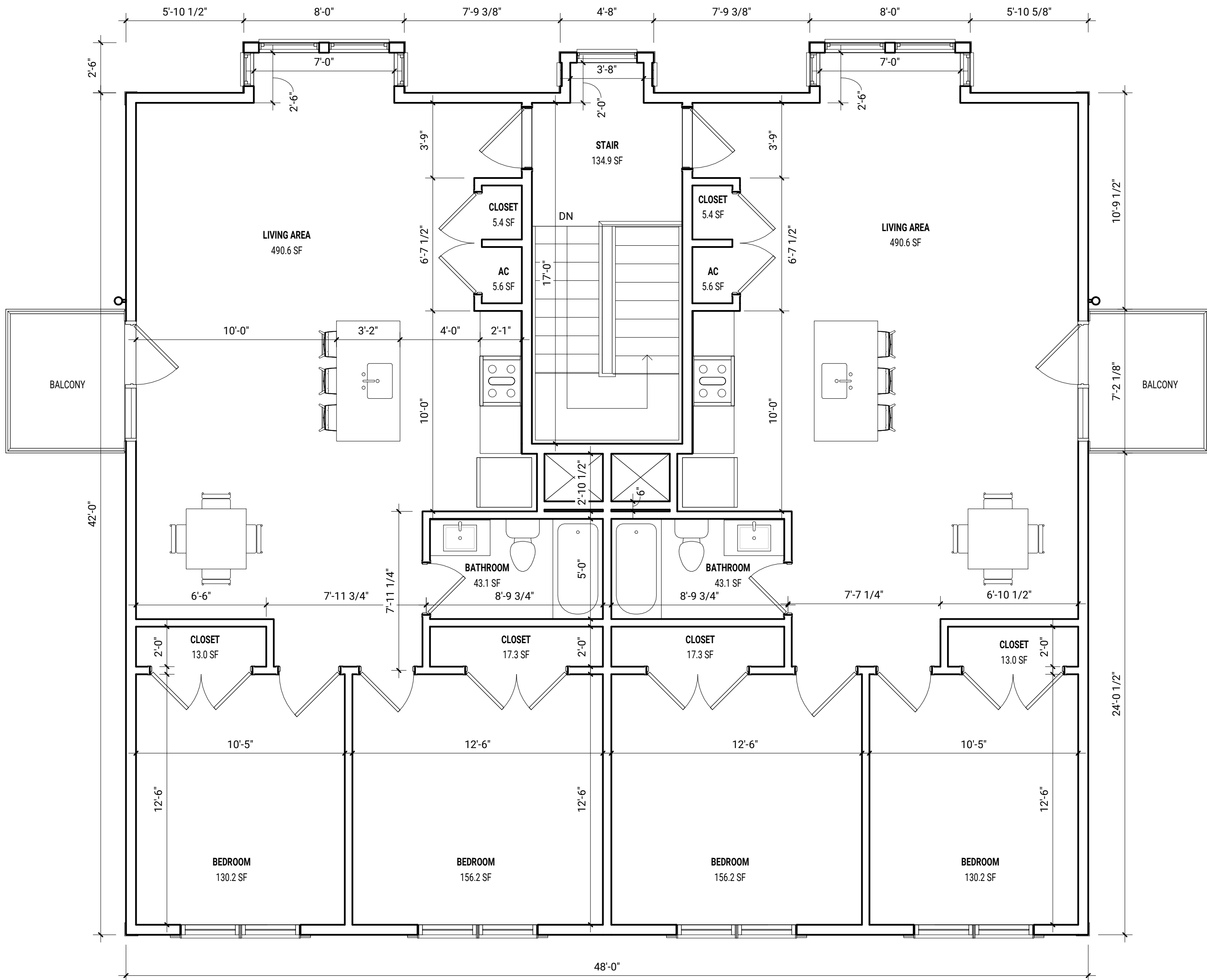
ZONING SET
(NOT FOR CONSTRUCTION)



MARK: DATE: DESCRIPTION:
ISSUE LOG:

PROJECT NAME:
**1500
Massachusetts
Ave**
ADDRESS:
1500 Massachusetts Ave, Arlington MA
DATE ISSUED: 6/03/2020
PROJECT #: 19018
SCALE: 1/4" = 1'-0"
DRAWN BY: EAD

3RD FLOOR CONSTRUCTION
PLAN



CONSULTANTS:

ZONING SET
(NOT FOR CONSTRUCTION)



MARK: DATE: DESCRIPTION:
ISSUE LOG:

PROJECT NAME:
**1500
Massachusetts
Ave**
ADDRESS:
1500 Massachusetts Ave, Arlington MA
DATE ISSUED: 6/03/2020
PROJECT #: 19018
SCALE: 1/4" = 1'-0"
DRAWN BY: EAD

NORTH BUILDING ELEVATION

A-201



CONSULTANTS:

ZONING SET
(NOT FOR CONSTRUCTION)



MARK: DATE: DESCRIPTION:
ISSUE LOG:

PROJECT NAME:
**1500
Massachusetts
Ave**
ADDRESS:
1500 Massachusetts Ave, Arlington MA
DATE ISSUED: 6/03/2020
PROJECT #: 19018
SCALE: 1/4" = 1'-0"
DRAWN BY: EAD

WEST BUILDING ELEVATION

A-202



CONSULTANTS:

ZONING SET
(NOT FOR CONSTRUCTION)

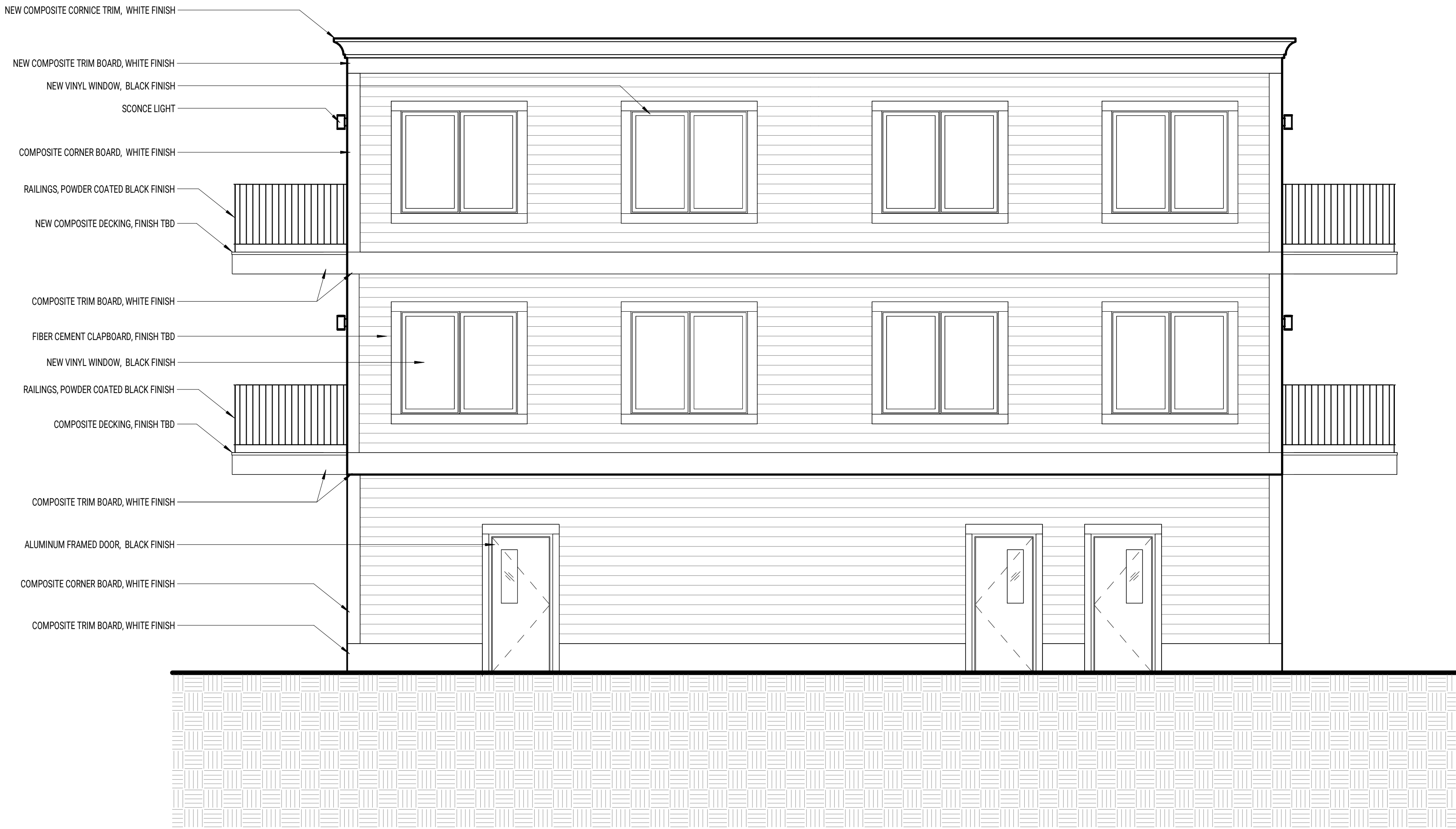


MARK: DATE: DESCRIPTION:
ISSUE LOG:

PROJECT NAME:
**1500
Massachusetts
Ave**
ADDRESS:
1500 Massachusetts Ave, Arlington MA
DATE ISSUED: 6/03/2020
PROJECT #: 19018
SCALE: 1/4" = 1'-0"
DRAWN BY: EAD

SOUTH BUILDING ELEVATION

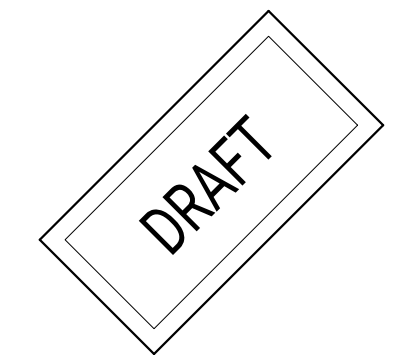
A-203





CONSULTANTS:

ZONING SET
(NOT FOR CONSTRUCTION)

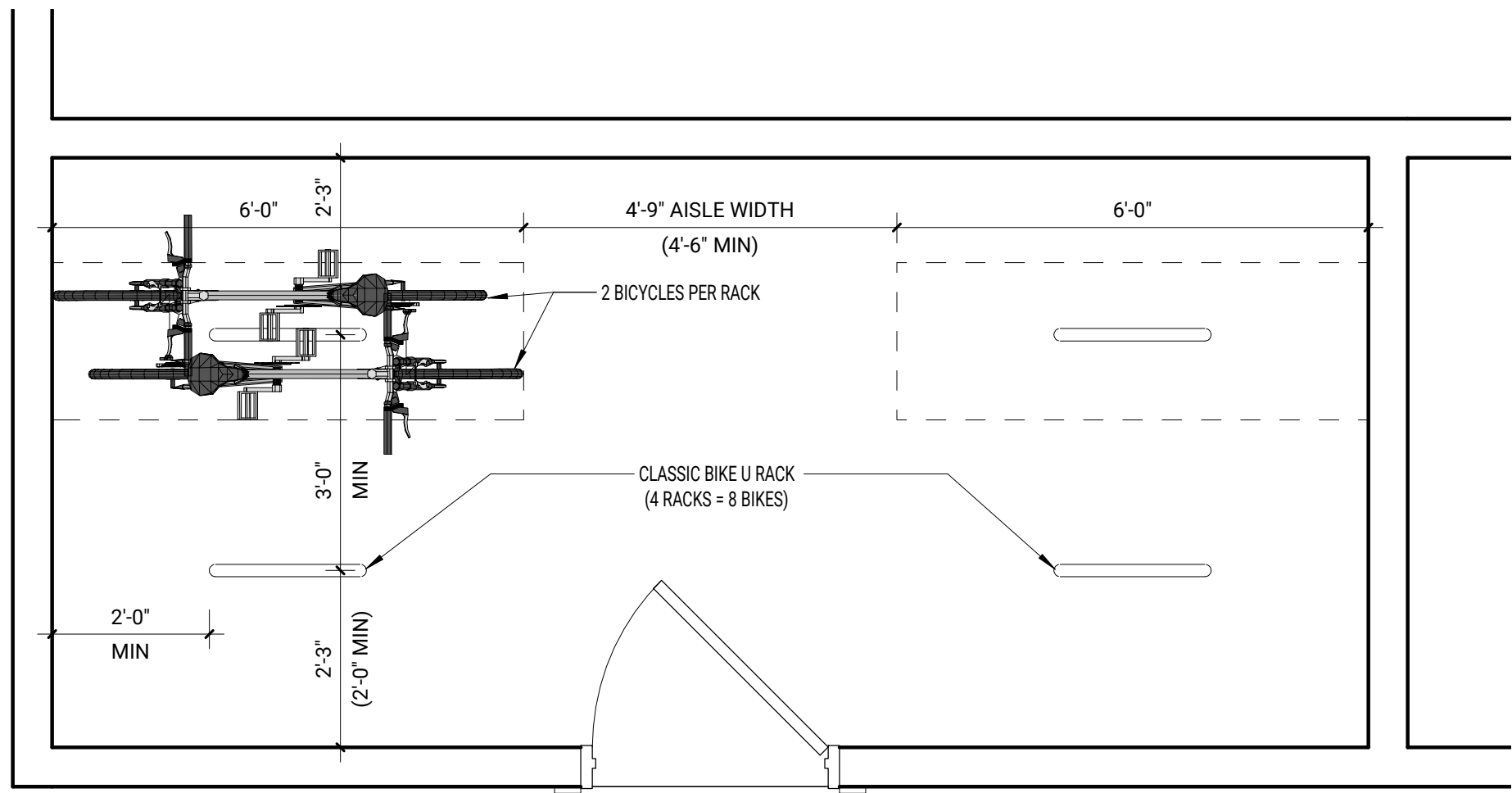


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ISSUE LOG:

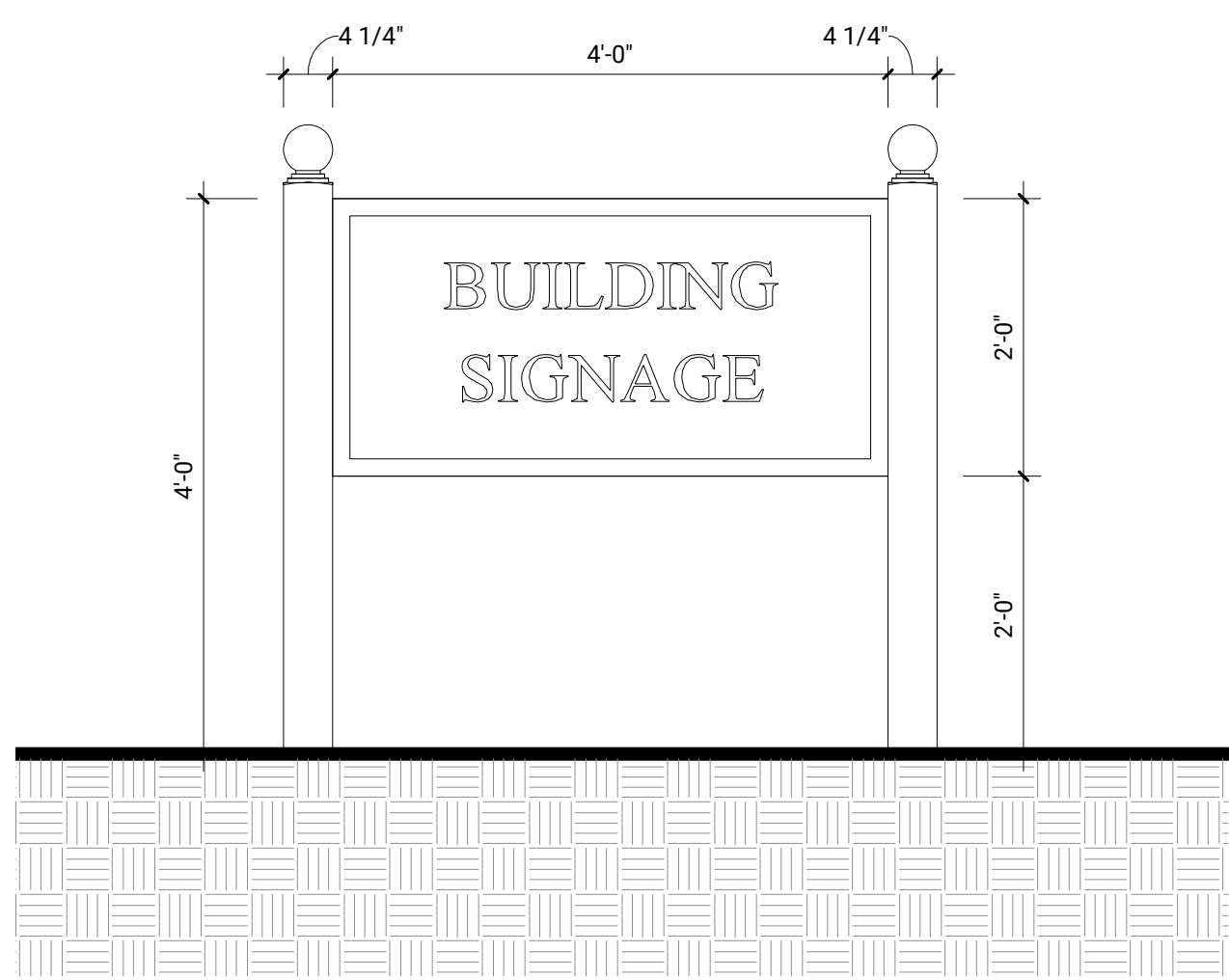
PROJECT NAME:
1500
Massachusetts
Ave
ADDRESS:
1500 Massachusetts Ave, Arlington MA
DATE ISSUED: 6/03/2020
PROJECT #: 19018
SCALE: 1/4" = 1'-0"
DRAWN BY: EAD

EAST BUILDING ELEVATION

A-204

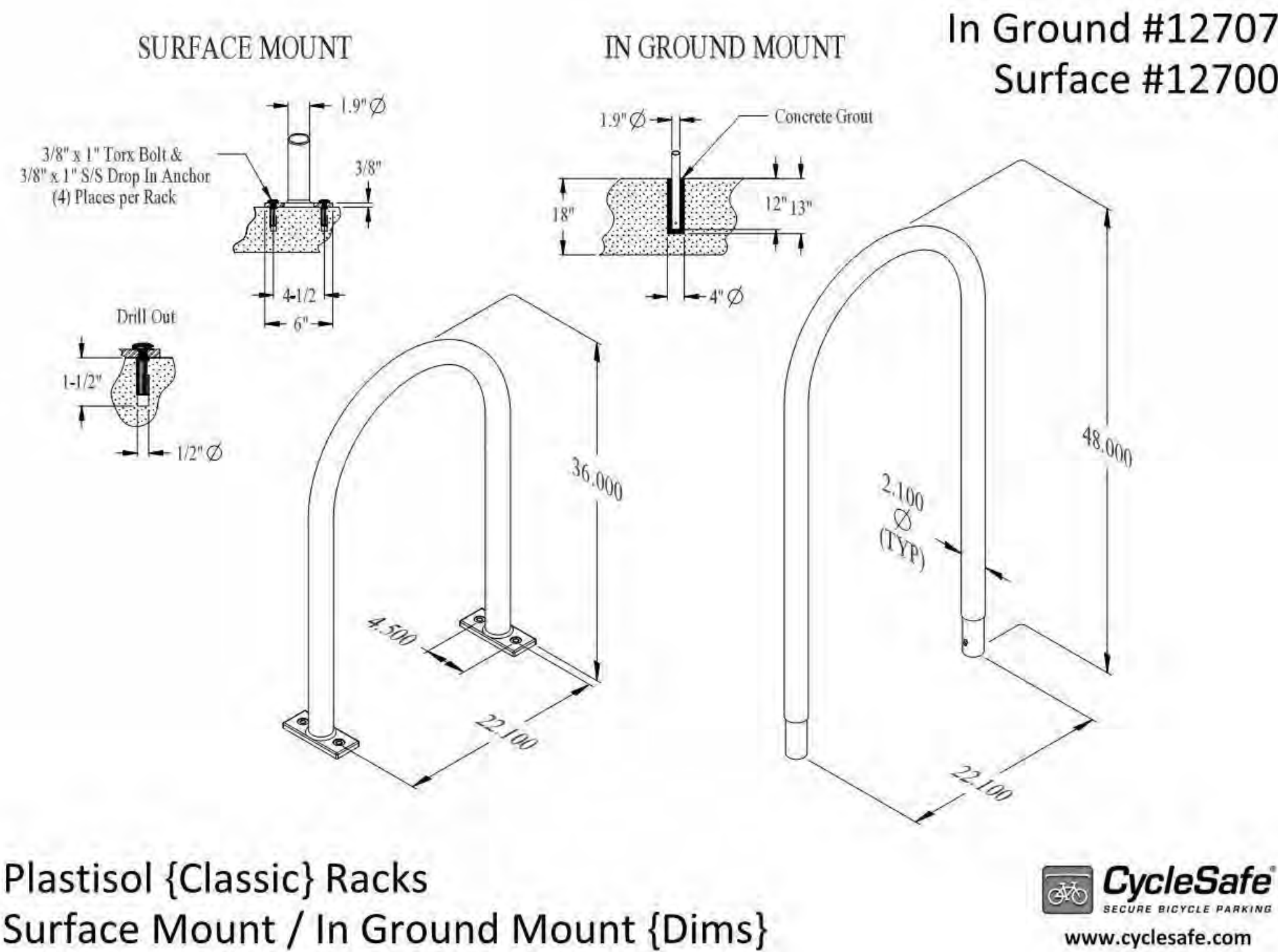


1 ENLARGED PLAN - BICYCLE ROOM
SCALE: 1/2" = 1'-0"



2 ENLARGED ELEVATION - BUILDING SIGNAGE
SCALE: 3/4" = 1'-0"

BIKE RACK SPECIFICATIONS



MFDS A+P

MONTE FRENCH DESIGN STUDIO (MFDS)
650 COLUMBUS AVE, STE. A
BOSTON MA, 02118
T: 617-606-4496
WWW.MFDS-BOS.COM

CONSULTANTS:

ZONING SET
(NOT FOR CONSTRUCTION)



MARK: DATE: DESCRIPTION:
ISSUE LOG:

PROJECT NAME:
**1500
Massachusetts
Ave**

ADDRESS:
1500 Massachusetts Ave, Arlington MA

DATE ISSUED: 6/03/2020

PROJECT #: 19018

SCALE: As indicated

DRAWN BY: EAD

ENLARGED PLANS &
SPECIFICATIONS

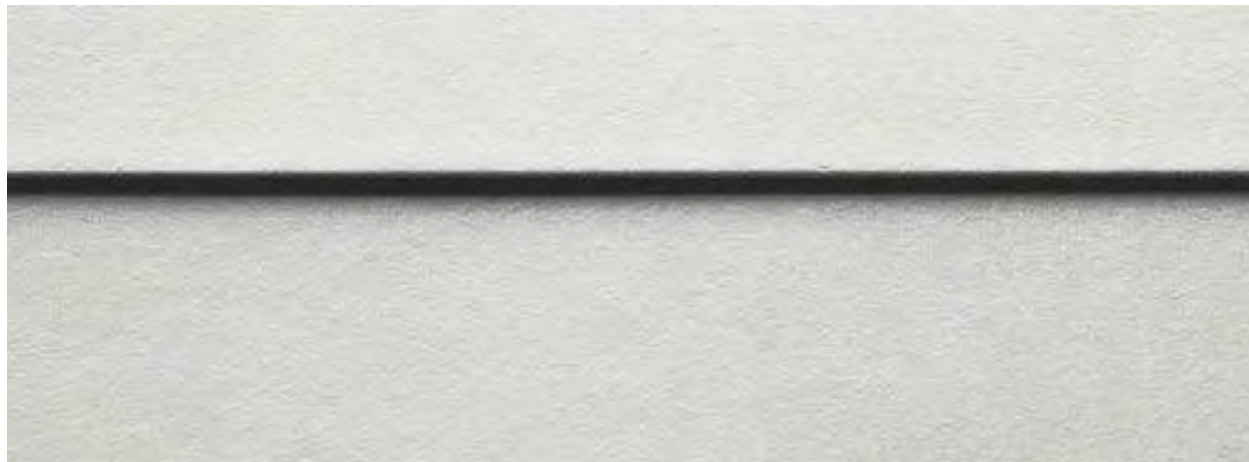
A-401



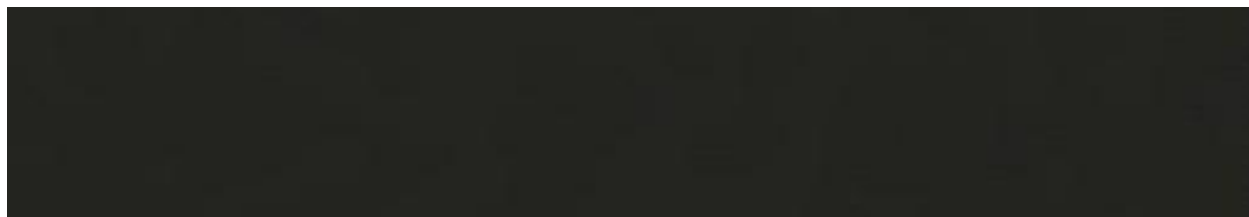
PROPOSED EXTERIOR DESIGN



JAMES HARDIE - AGED PEWTER



AZEK TRIM - WHITE



POWDER COATED BLACK ACCENTS



SHADES OF LIGHT -
OUTDOOR SCNCE



PROPOSED NORTH ELEVATION



PROPOSED SOUTH ELEVATION

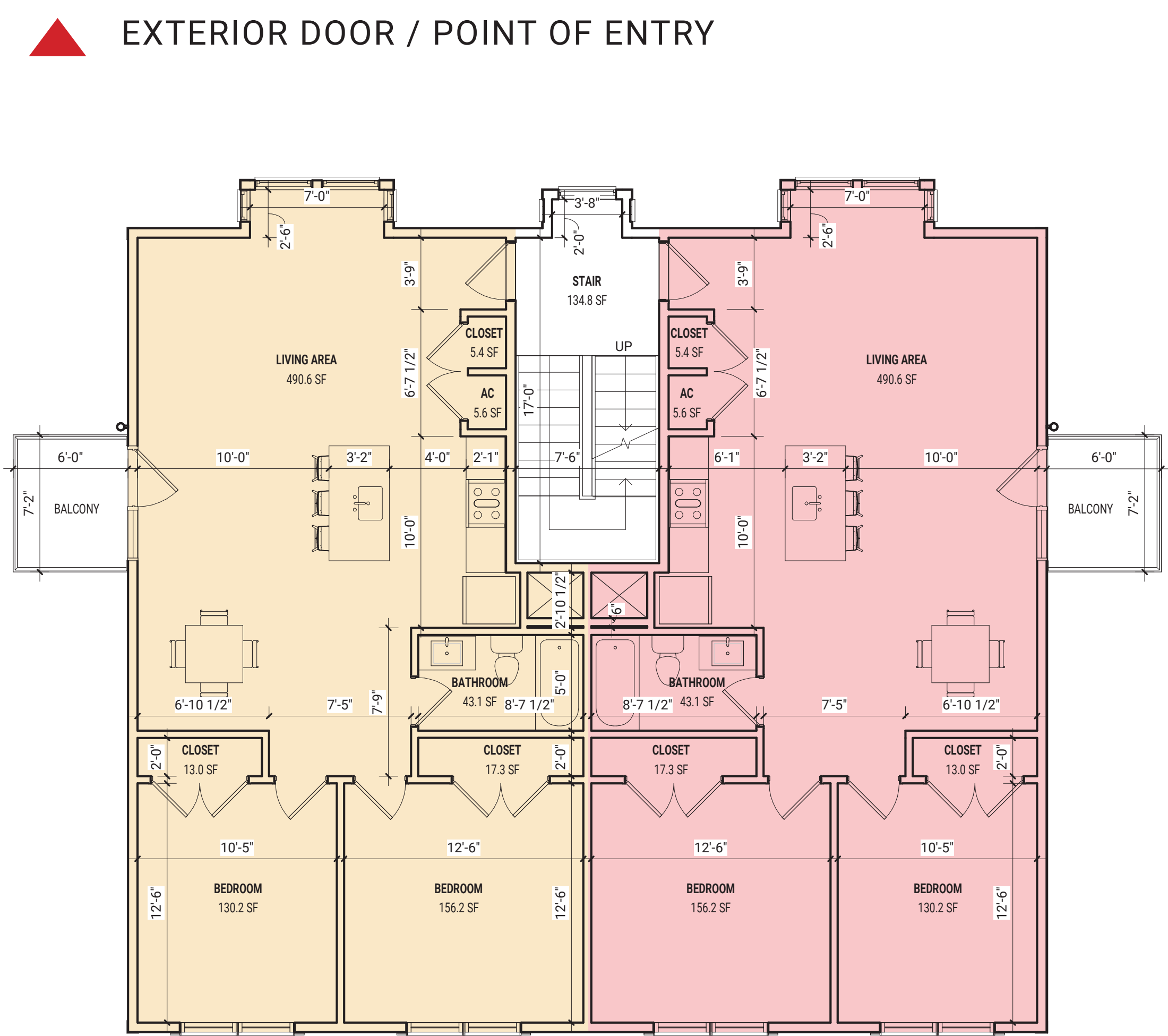


EXISTING CONDITIONS





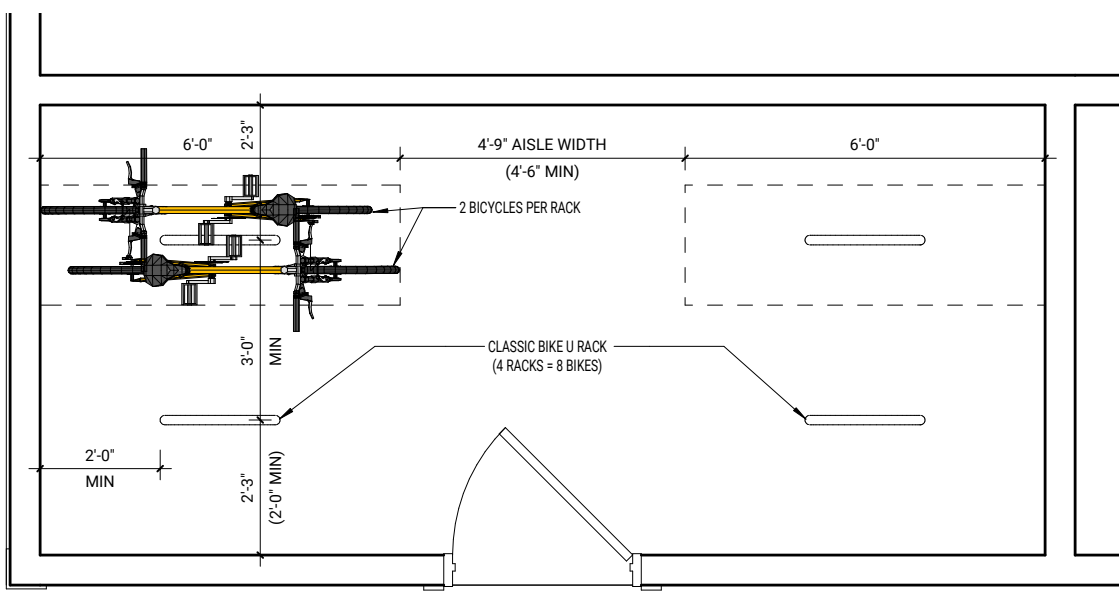
PROPOSED GROUND FLOOR PLAN



PROPOSED 2ND & 3RD FLOOR PLAN (TYP.)



CLASSIC BIKE U RACK



BICYCLE ROOM LAYOUT



PROPOSED SITE PLAN

SITE PLAN LEGEND

- GRASS
- HYDRANGEA
- RHODEDENDRON
- EVERGREEN AZALEA



PERMEABLE PAVERS



HYDRANGEA



RHODEDENDRON



EVERGREEN AZALEA

Type: 13 - Multi Garden	Full Bath: 3	Rating: Average
Sy Ht: 2A - 2 Sty + Attic	A Bath: 1	Rating:
V) Units: 3	3/4 Bath: 1	Rating:
Indication: 3 - Brick/Stone	A 3/4 Bath: 1	Rating:
Frame: 1 - Wood	1/2 Bath: 1	Rating:
me Wall: 1 - Wood Shingle	AH Bath: 1	Rating:
ec Wall: 1 - Wood Shingle	Chf/Fix: 1	Rating:
if Struct: 2 - Hip	OTHER FEATURES	
if Cover: 1 - Asphalt Shgl	Kits: 3	Rating: Good
Color: MUSTARD	A Kits: 1	Rating:
W/ Desir: 1 - Average	Fpl: 2	Rating: Average
GENERAL INFORMATION	WSFlue: 1	Rating:
Grade: C - Average	CONDO INFORMATION	
ar Bld: 1927	Location:	
LUC:	Total Units:	
Isdct:	Floor:	
Const Mod:	% Own:	
ump Sum Adj:	Name:	
REMODELING	RES BREAKDOWN	
Exterior:	No Unit	RMS
Interior:	2	5
Additions:	1	3
Kitchen:		1
Baths:		
Plumbing:		
Electric:		
Heating:		
General:		
Totals		
3	13	5

REMODELING		RES BREAKDOWN	
Exterior:	No Unit	RMS	BRS
Interior:	2	5	2
Additions:	1	3	1
Kitchen:			
Baths:			
Plumbing:			
Electric:			
Heating:			
General:			
Totals			
3	13	5	

REMODELING		RES BREAKDOWN	
Exterior:	No Unit	RMS	BRS
Interior:	2	5	2
Additions:	1	3	1
Kitchen:			
Baths:			
Plumbing:			
Electric:			
Heating:			
General:			
Totals			
3	13	5	



AssessPro Patriot Properties, Inc

Code	Description	Area - SQ	Rate - AV	Underpr Value	Sub	%	Descr	%
BMT	Basement	1,418	53,210	75,453	UAT	100	FLA	100
SFL	First Floor	1,334	177,370	236,610				
UAT	Upper Attic	351	124,160	43,579				
OFF	Open Porch	264	22,750	6,006				
EFF	Enclos Porch	256	37,860	9,692				
WDK	Deck	96	16,000	1,536				
Net Sketched Area: 5,053		Total: 609,486						
Size Adj	2668	Gross Area	6,106	FinArea	3019			



Bk: 74734 Pg: 571 Doc: DEED
Page: 1 of 2 05/22/2020 03:14 PM

MASSACHUSETTS EXCISE TAX
Southern Middlesex District ROD # 001
Date: 05/22/2020 03:14 PM
Ctrl# 318280 05100 Doc# 00078541
Fee: \$29.64 Cons: \$6,500.00

2 pages

FIDUCIARY DEED

I, VIRGINIA M. YEAMANS, Personal Representative of the Estate of AVARD V. SMITH, Middlesex Probate No. MI17P3894EA of 23 Eleanor Road, Framingham, MA by power conferred by will and every other power

For consideration paid and in full consideration of Six Thousand Five Hundred and 00/100 (\$6,500.00) dollars

Grant to 1500 Mass Ave, LLC, a Massachusetts limited liability company with a principle address of 294 Harvard Street, Medford, Massachusetts 02155

Lot D on a plan of land entitled "Plan of Land in Arlington, MA" dated December 17, 2003, prepared by Rober Survey and recorded in Middlesex South Registry of Deeds as Plan #1115 of 2004.

Containing, according to said plan, three hundred ninety-one (391) square feet, or however otherwise the said premises may be bounded or described.

I, Virginia M. Yeamans, under the pains and penalties of perjury, do hereby state that the Avard V. Smith was unmarried at the time of his death and do hereby voluntarily release all rights of Homestead, if any, as set forth in M.G.L. Chapter 188 and state that there is no other person or persons entitled to any homestead rights.

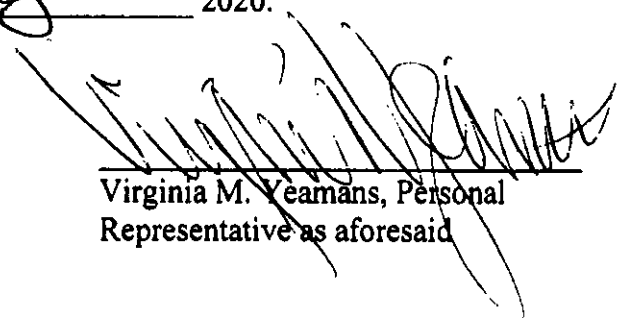
For title see deed recorded with Middlesex South District Registry of Deeds in Book 8382, Page 137 and Middlesex Probate Docket No. MI17P3894EA.

Property Address: Lot D, Rear of 1500 Massachusetts Ave., Arlington, MA

return 38 of 140

Robert J. Annesse, Esquire

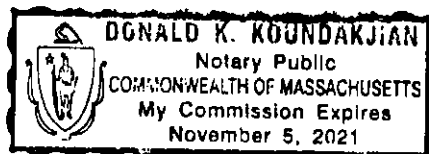
Witness my hand and seal this 18th day of May 2020.

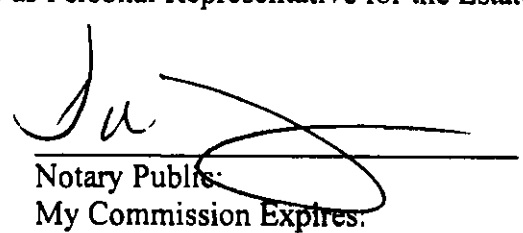

Virginia M. Yeamans, Personal
Representative as aforesaid

THE COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

On this 18 day of May 2020, before me, the undersigned Notary Public, personally appeared Virginia M. Yeamans, Personal Representative as aforesaid, proved to me through satisfactory evidence of identification, which consisted of Massachusetts Driver's License, to be the person whose name is signed on the above document, and acknowledged to me that she signed it voluntarily for its stated purpose as Personal Representative for the Estate of Avar V. Smith.




Notary Public:
My Commission Expires:

2
B



Bk: 72728 Pg: 21 Doc: DEED
Page: 1 of 2 08/07/2019 12:40 PM

QUITCLAIM DEED

I, **Darin Dinucci**, a single man, of Medford, Massachusetts

for consideration paid and in full consideration of **One (\$1.00) Dollar**

grants to **1500 Mass Ave., LLC**, a Massachusetts limited liability company with a principal address of 294 Harvard Street, Medford, Massachusetts 02155

With QUITCLAIM COVENANTS

A certain parcel of land with the buildings thereon, situated in Arlington and being shown as Lots numbers 13 (thirteen), 14 (fourteen), 15 (fifteen) and 16 (sixteen) on a plan entitled, "Plan of Land "A" belonging to Peck and Wilbur situated in Arlington and Lexington, Massachusetts dated November 1, 1888, by Alexis H. French, C.E., recorded with Middlesex County Registry of Deeds, Southern District, in Plan Book 57, Plan 2, and together being bounded and described as follows:

Northerly by Massachusetts Avenue, 80 feet;

Easterly by Lot 12 as shown on said plan, 80 feet;

Southerly by Lots 53, 54 and 56 as shown on said plan, 80 feet; and


Westerly by lot 17 as shown on said plan, 80 feet.

Containing 6,400 square feet of land, more or less.

The grantor hereby waives any and all rights of Homestead in the property herein conveyed, if any, and warrant that there are no other persons entitled to any Homestead rights in the property pursuant to M.G.L. c. 188

For title, see Massachusetts Foreclosure Deed by Corporation U.S. Bank National Association, as Trustee for Bear Stearns Asset Backed Securities I Trust 2005-AC5, Asset Backed Certificates, Series 2005-AC5 recorded at Book 72668, Page 259.

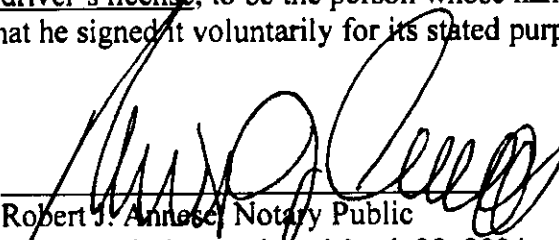
Witness our hand and seal this 3rd day of June, 2019.


Darin Dinucci

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss

On this 3rd day of June 2019, before me, the undersigned notary public, personally appeared Darin Dinucci, and proved to me through satisfactory evidence of identification, bearing a valid Massachusetts driver's license, to be the person whose name is signed to this document and acknowledged that he signed it voluntarily for its stated purpose.


Robert J. Annese, Notary Public
My commission expires: March 29, 2024



LEED v4 for Building Design and Construction: Homes and Multifamily Lowrise

Project Checklist

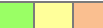
Project Name:

1500 Mass Ave, Arlington MA

Date:

12/10/2019

Y ? N



Credit Integrative Process

2

0 8.5 0 Location and Transportation 15

Y Prereq Floodplain Avoidance Required

PERFORMANCE PATH

- Credit LEED for Neighborhood Development Location 15

PRESCRIPTIVE PATH

5 Credit Site Selection 8

- Credit Compact Development 3

2 Credit Community Resources 2

1.5 Credit Access to Transit 2

0 3 0 Sustainable Sites 7

Y Prereq Construction Activity Pollution Prevention Required

Y Prereq No Invasive Plants Required

- Credit Heat Island Reduction 2

2 Credit Rainwater Management 3

1 Credit Non-Toxic Pest Control 2

0 7 0 Water Efficiency 12

Y Prereq Water Metering Required

PERFORMANCE PATH

- Credit Total Water Use 12

PRESCRIPTIVE PATH

6 Credit Indoor Water Use 6

1 Credit Outdoor Water Use 4

0 13 0 Energy and Atmosphere 38

Y Prereq Minimum Energy Performance Required

Y Prereq Energy Metering Required

Y Prereq Education of the Homeowner, Tenant or Building Manager Required

PERFORMANCE PATH

- Credit Annual Energy Use 29

BOTH PATHS

4 Credit Efficient Hot Water Distribution System 5

- Credit Advanced Utility Tracking 2

- Credit Active Solar Ready Design 1

1 Credit HVAC Start-Up Credentialing 1

PRESCRIPTIVE PATH

Y Prereq Home Size Required

- Credit Building Orientation for Passive Solar 3

- Credit Air Infiltration 2

1 Credit Envelope Insulation 2

1.5 Credit Windows 3

- Credit Space Heating & Cooling Equipment 4

EA PRESCRIPTIVE PATH (continued)

2 Credit Heating & Cooling Distribution Systems 3

1 Credit Efficient Domestic Hot Water Equipment 3

0.5 Credit Lighting 2

2 Credit High Efficiency Appliances 2

- Credit Renewable Energy 4

0 0 0 Materials and Resources 10

Y Prereq Certified Tropical Wood Required

Y Prereq Durability Management Required

- Credit Durability Management Verification 1

- Credit Environmentally Preferable Products 4

- Credit Construction Waste Management 3

- Credit Material Efficient Framing 2

0 8 0 Indoor Environmental Quality 16

Y Prereq Ventilation Required

Y Prereq Combustion Venting Required

Y Prereq Garage Pollutant Protection Required

Y Prereq Radon-Resistant Construction Required

Y Prereq Air Filtering Required

Y Prereq Environmental Tobacco Smoke Required

Y Prereq Compartmentalization Required

1 Credit Enhanced Ventilation 3

0.5 Credit Contaminant Control 2

1 Credit Balancing of Heating and Cooling Distribution Systems 3

- Credit Enhanced Compartmentalization 1

2 Credit Enhanced Combustion Venting 2

2 Credit Enhanced Garage Pollutant Protection 2

1 Credit Low Emitting Products 3

0 0 0 Innovation 6

Y Prereq Preliminary Rating Required

- Credit Innovation 5

- Credit LEED AP Homes 1

0 0 0 Regional Priority 4

- Credit Regional Priority: Specific Credit 1

- Credit Regional Priority: Specific Credit 1

- Credit Regional Priority: Specific Credit 1

- Credit Regional Priority: Specific Credit 1

0 39 0 TOTALS Possible Points: 110

Certified: 40 to 49 points, Silver: 50 to 59 points, Gold: 60 to 79 points, Platinum: 80 to 110



TOWN OF ARLINGTON

Dimensional and Parking Information
for Application to
The Arlington Redevelopment Board

Docket No. _____

Property Location 1500 Mass Ave, Arlington MA

Zoning District B1

Owner: _____

Address: _____

Present Use/Occupancy: No. of Dwelling Units:
Three Family, 3 Dwelling Units

Uses and their gross square feet:

Proposed Use/Occupancy: No. of Dwelling Units:
Mixed Use, 4 Dwelling Units

Uses and their gross square feet:

Residential: 4,370.2 sf Office: 1,038 sf

	<u>Present Conditions</u>	<u>Proposed Conditions</u>	<u>Min. or Max. Required by Zoning for Proposed Use</u>
Lot Size	7,265	7,265	min. 5,000
Frontage	80	80	min. 50
Floor Area Ratio		0.74	max. 0.75
Lot Coverage (%), where applicable	-----	-----	max. -----
Lot Area per Dwelling Unit (square feet)	-----	-----	min. -----
Front Yard Depth (feet)	17.3	2.5	min. 20
Side Yard Width (feet) right side	44.9	21.6	min. 10
left side	5.1	10	min. 10
Rear Yard Depth (feet)	10.3	46.5	min. 20
Height			min.
Stories	3	3	stories 3
Feet		32' 8"	feet 35
Open Space (% of G.F.A.)			min.
Landscaped (square feet)		2,296.5	(s.f.) 1,081.6
Usable (square feet)		877.4	(s.f.) 874.04
Parking Spaces (No.)		5	min. 6
Parking Area Setbacks (feet), where applicable		5	min. 10, 5 w/ suitable wall
Loading Spaces (No.)	0	0	min. 0
Type of Construction			
Distance to Nearest Building		10	min.

*Sec. 5.3.21

OPEN SPACE/GROSS FLOOR AREA

Refer to Zoning Bylaw Section 2, Definitions and Section 5, District Regulations

Address 1500 Mass Ave, Arlington MA

Zoning District B1

OPEN SPACE

Total lot area

EXISTING

7,265 sf

PROPOSED

7,265 sf

Open Space (Usable)*

877.4

Open Space (Landscaped)

2,296.5 sf

*Usable Open Space must be at least 75% open to the sky, free of automotive, traffic and parking, and readily accessible. Open space shall be deemed usable only if : 1) at least 75% of the area has a grade of less than 8% and no horizontal dimension less than 25 feet.

GROSS FLOOR AREA (GFA)

Accessory building

Basement or cellar (>5' excluding mechanical area)

1st Floor

1,327.8 sf

2nd Floor

2,040.2 sf

3rd Floor

2,040.2 sf

4th Floor

5th Floor

Attic (>7'0" in height, excluding elevator, mechanical area)

Parking garages (except as used for accessory
Parking garages or off street loading purposes)

All weather habitable porches and balconies

Total Gross Floor Area (GFA)

5,408.2 sf

REQUIRED MINIMUM OPEN SPACE AREA

Proposed Usable Open Space Percent of GFA

20% (% of Residential GSF only per section 5.3.21)

Proposed Landscaped Open Space Percent of GFA

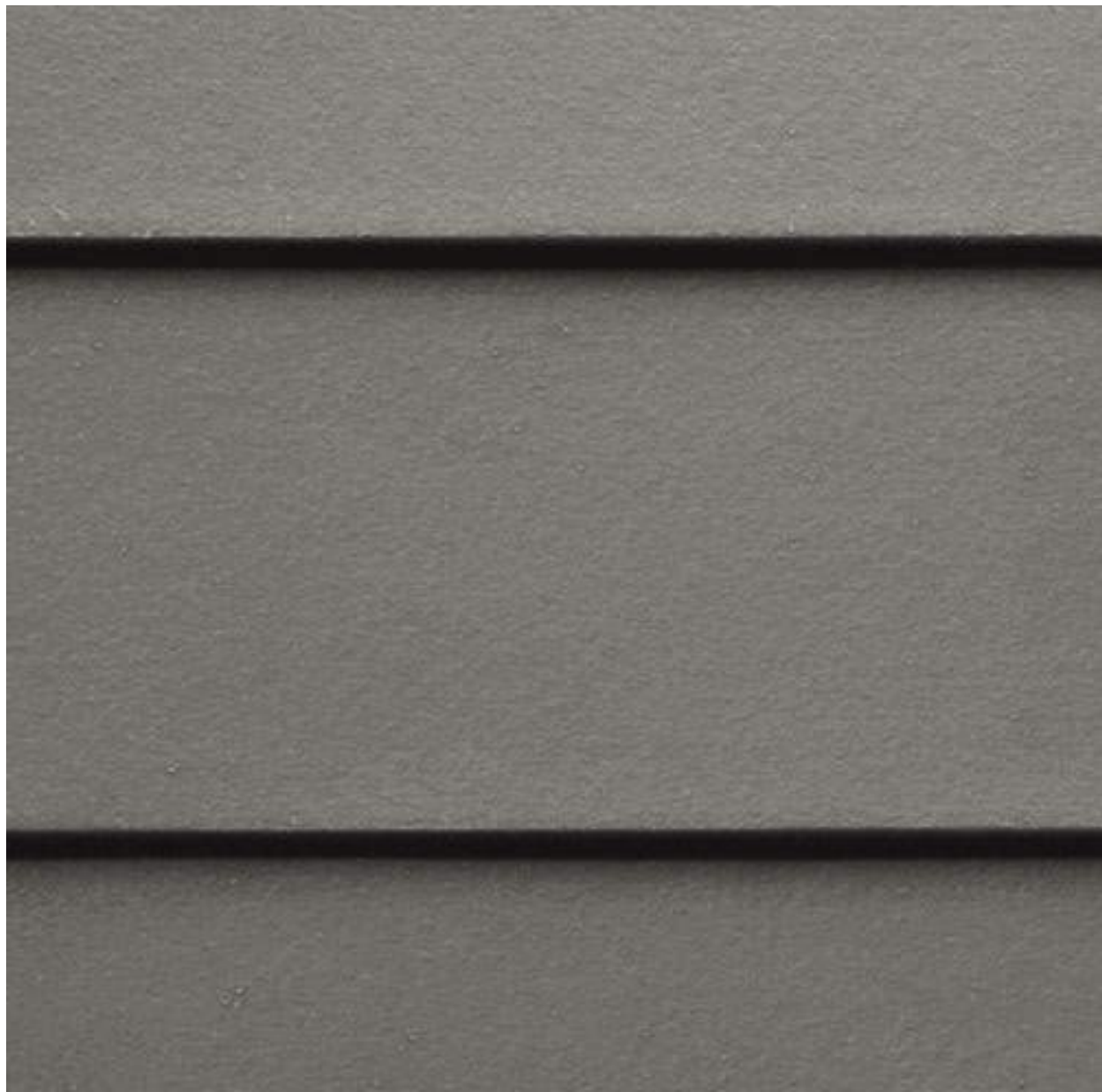
42%

This worksheet applies to plans dated _____ designed by _____

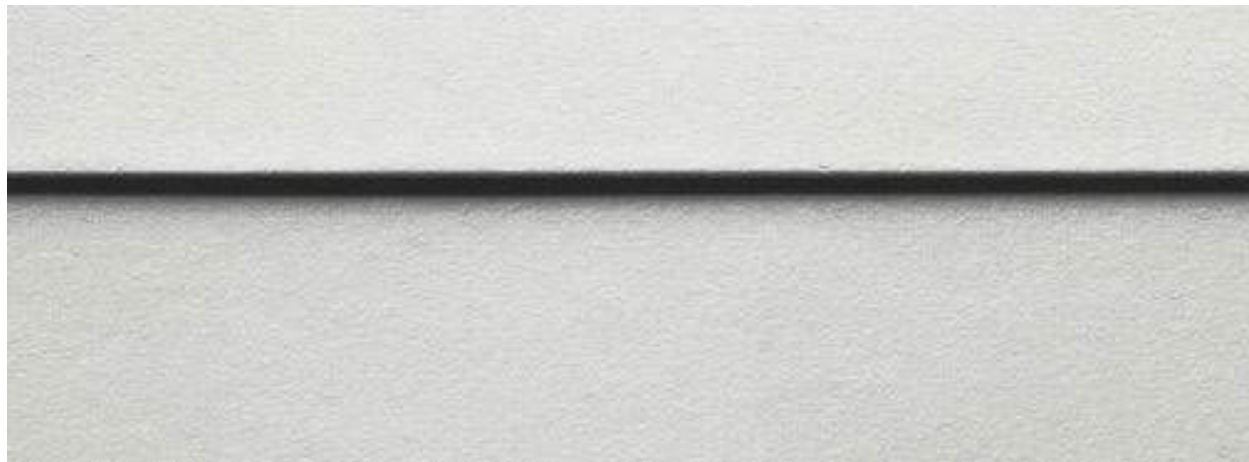
Reviewed by Inspectional Services _____ Date: _____



PROPOSED EXTERIOR DESIGN



JAMES HARDIE - AGED PEWTER



AZEK TRIM - WHITE



POWDER COATED BLACK ACCENTS



SHADES OF LIGHT -
OUTDOOR SCNCE



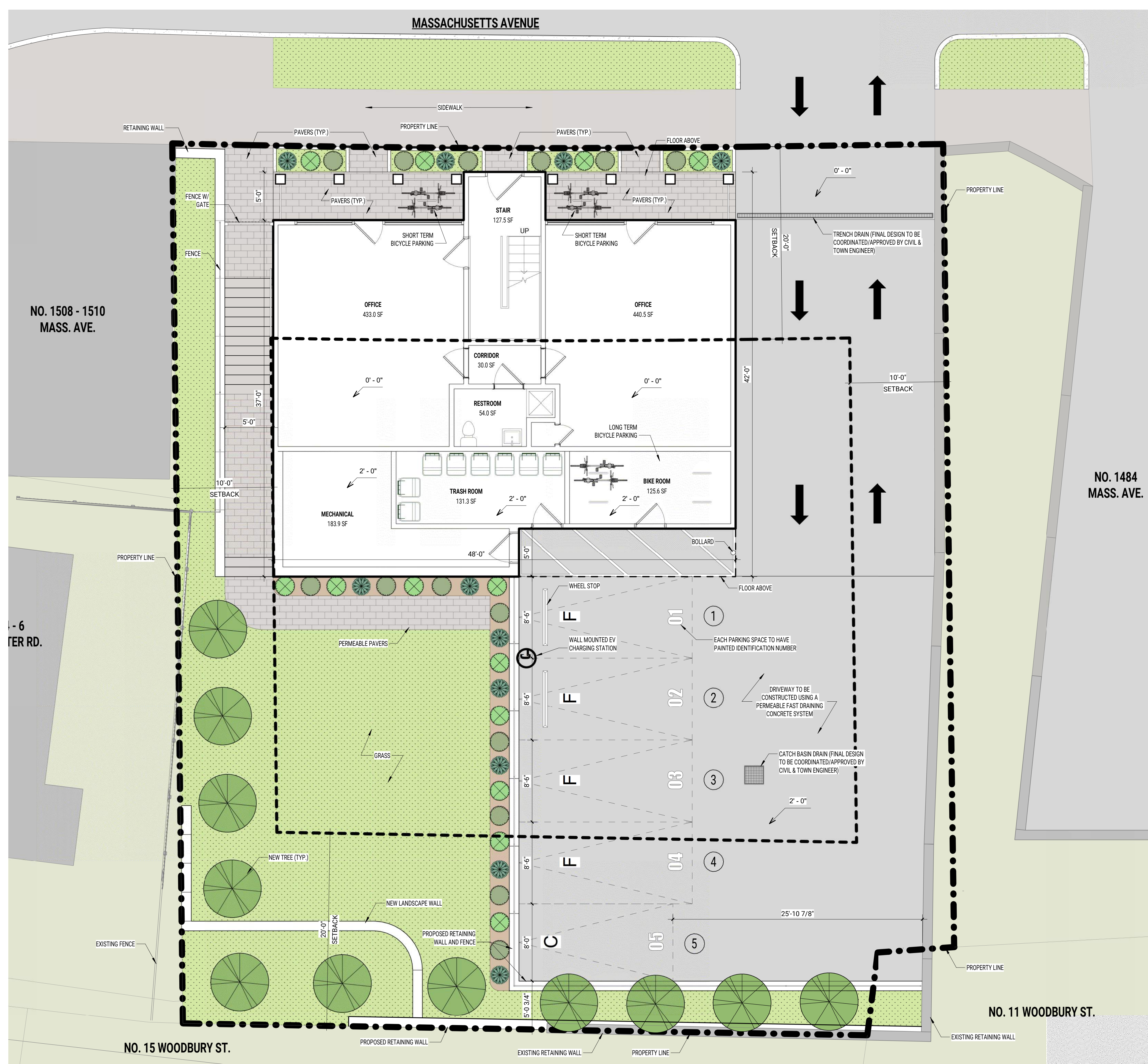
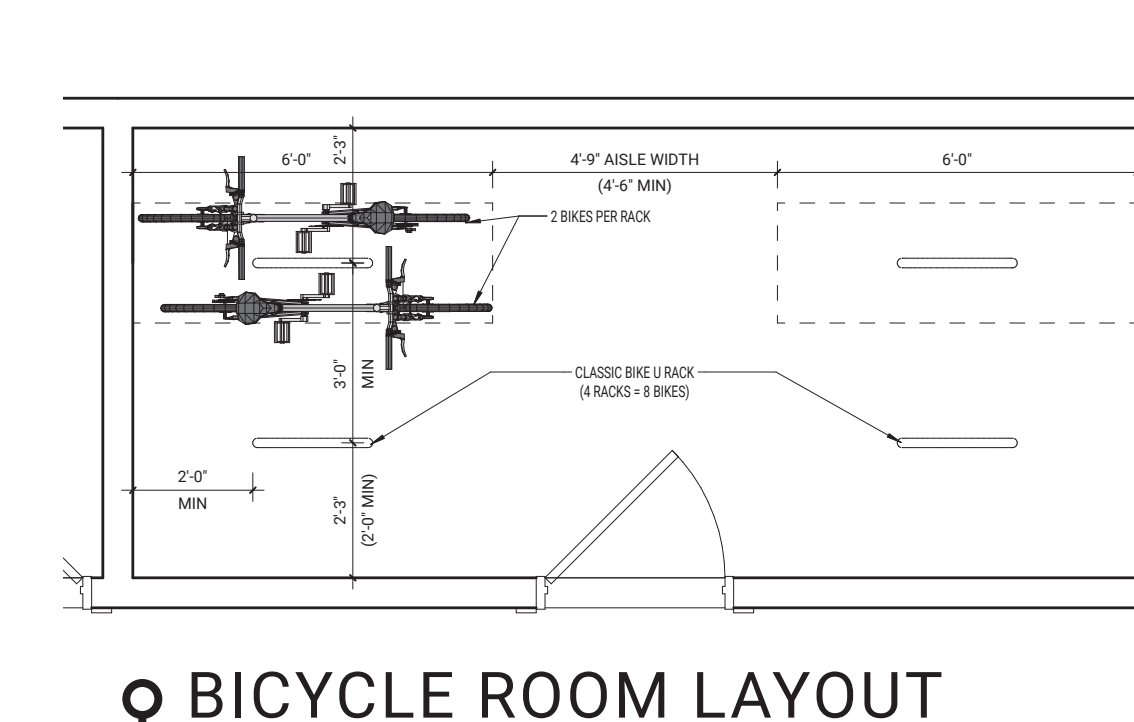
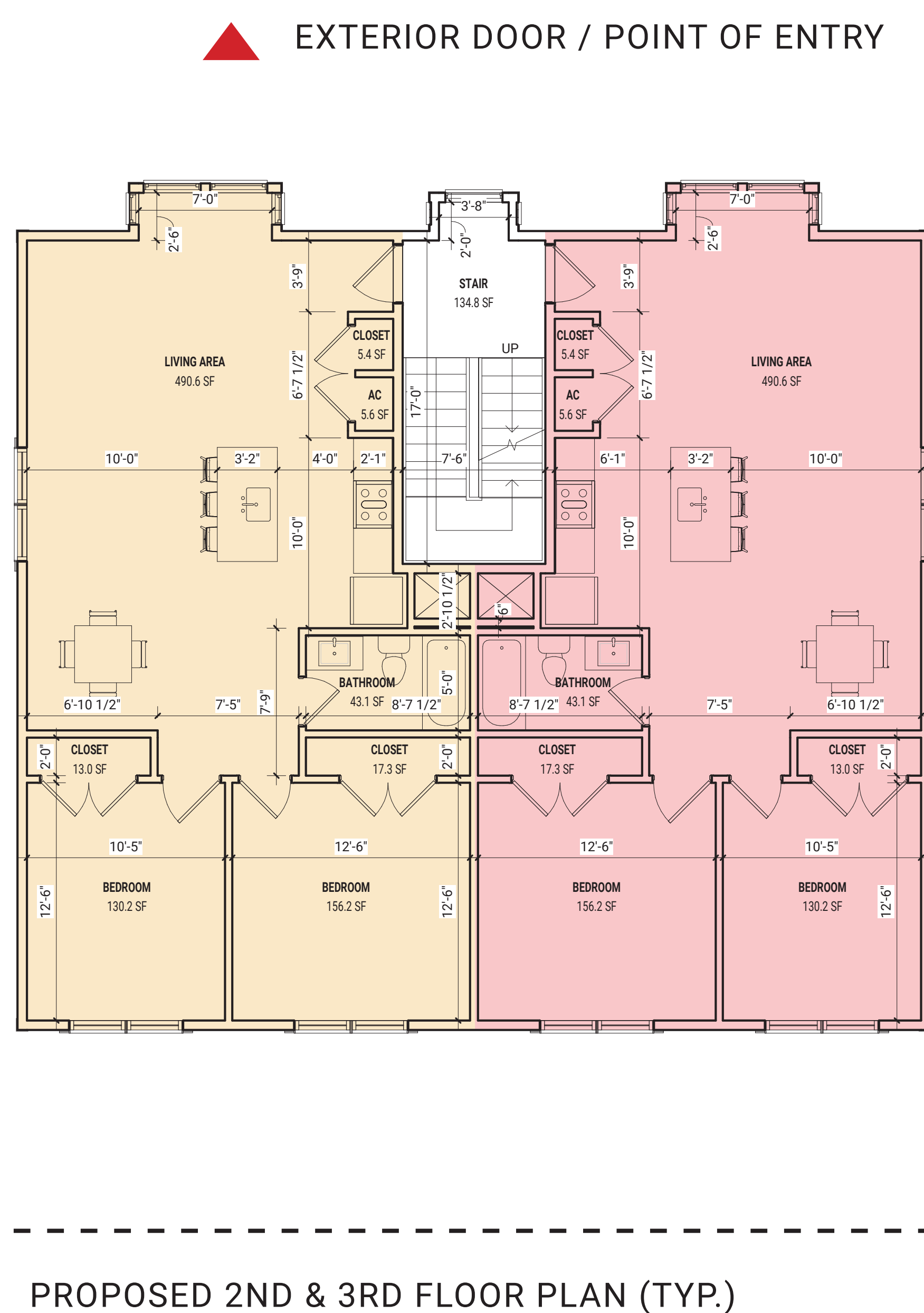
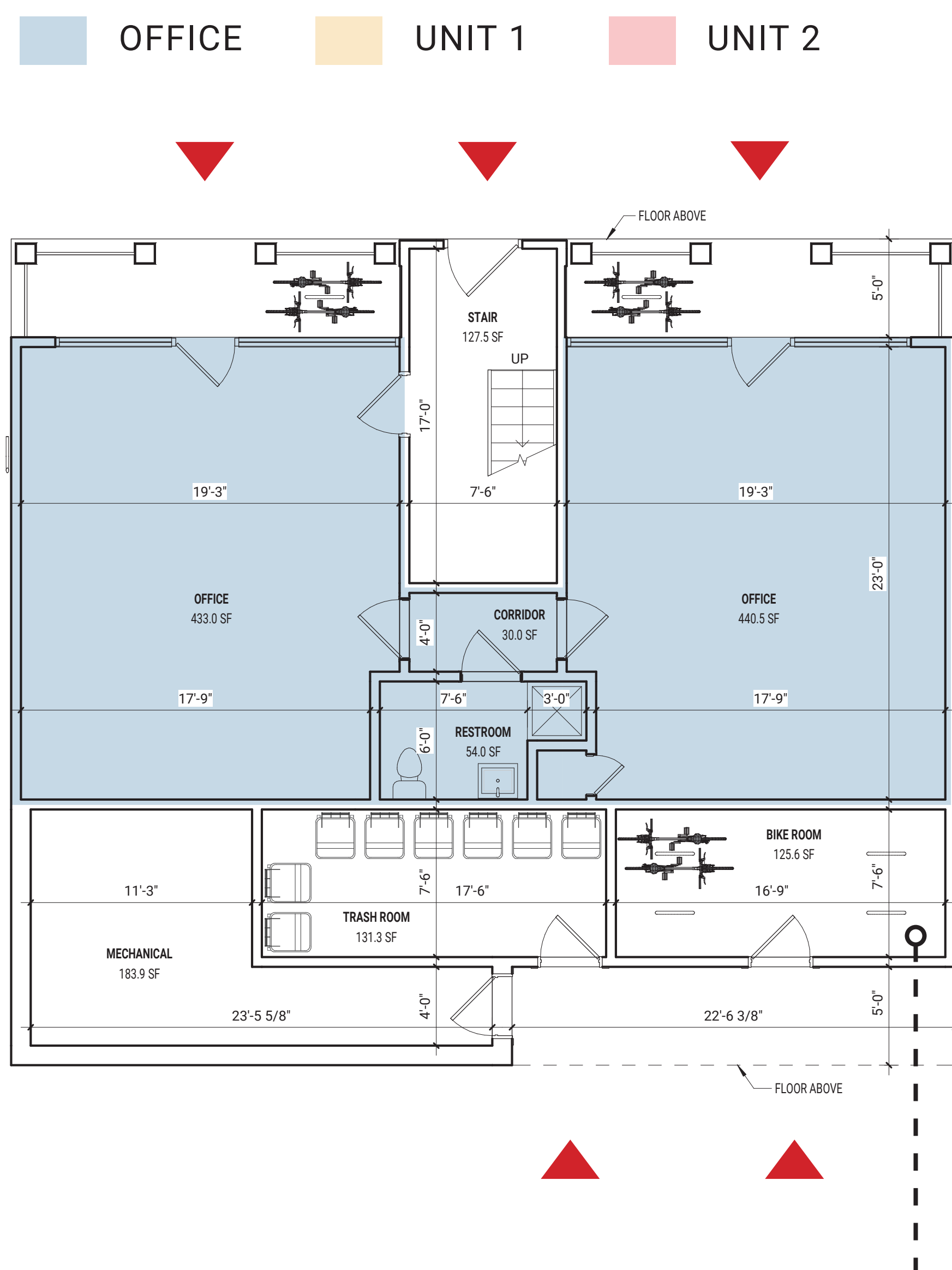
PROPOSED SITE SECTION



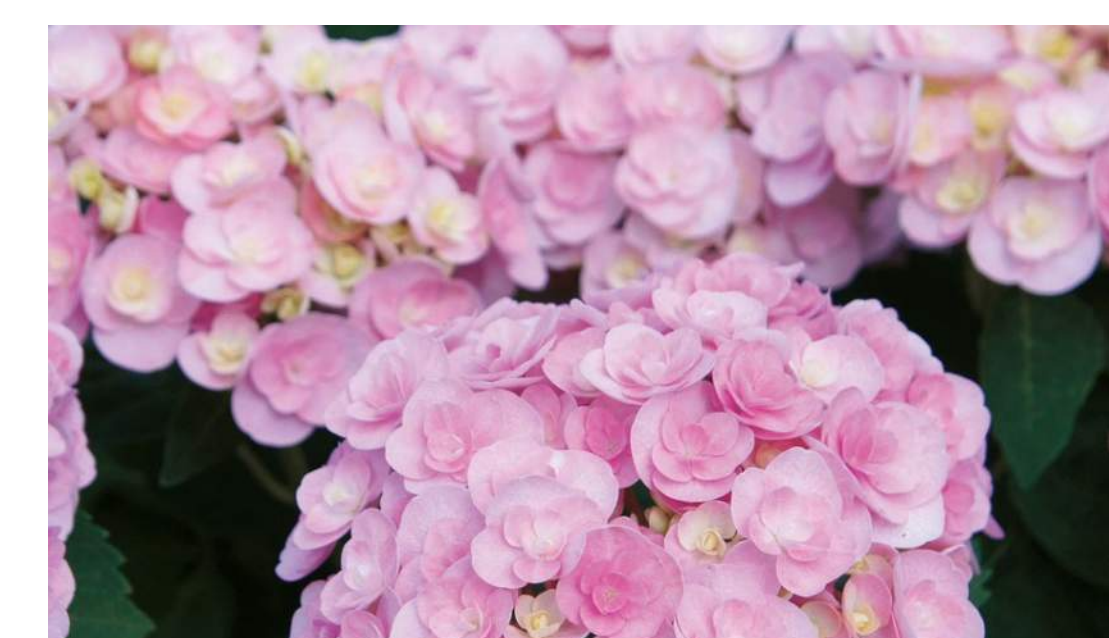
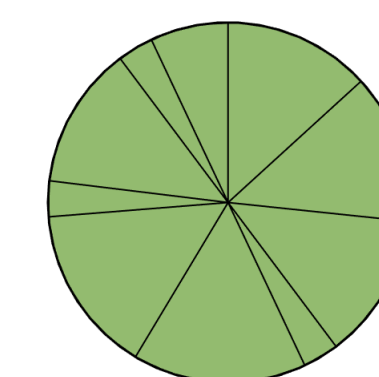
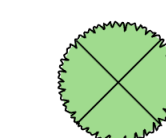
EXISTING CONDITIONS

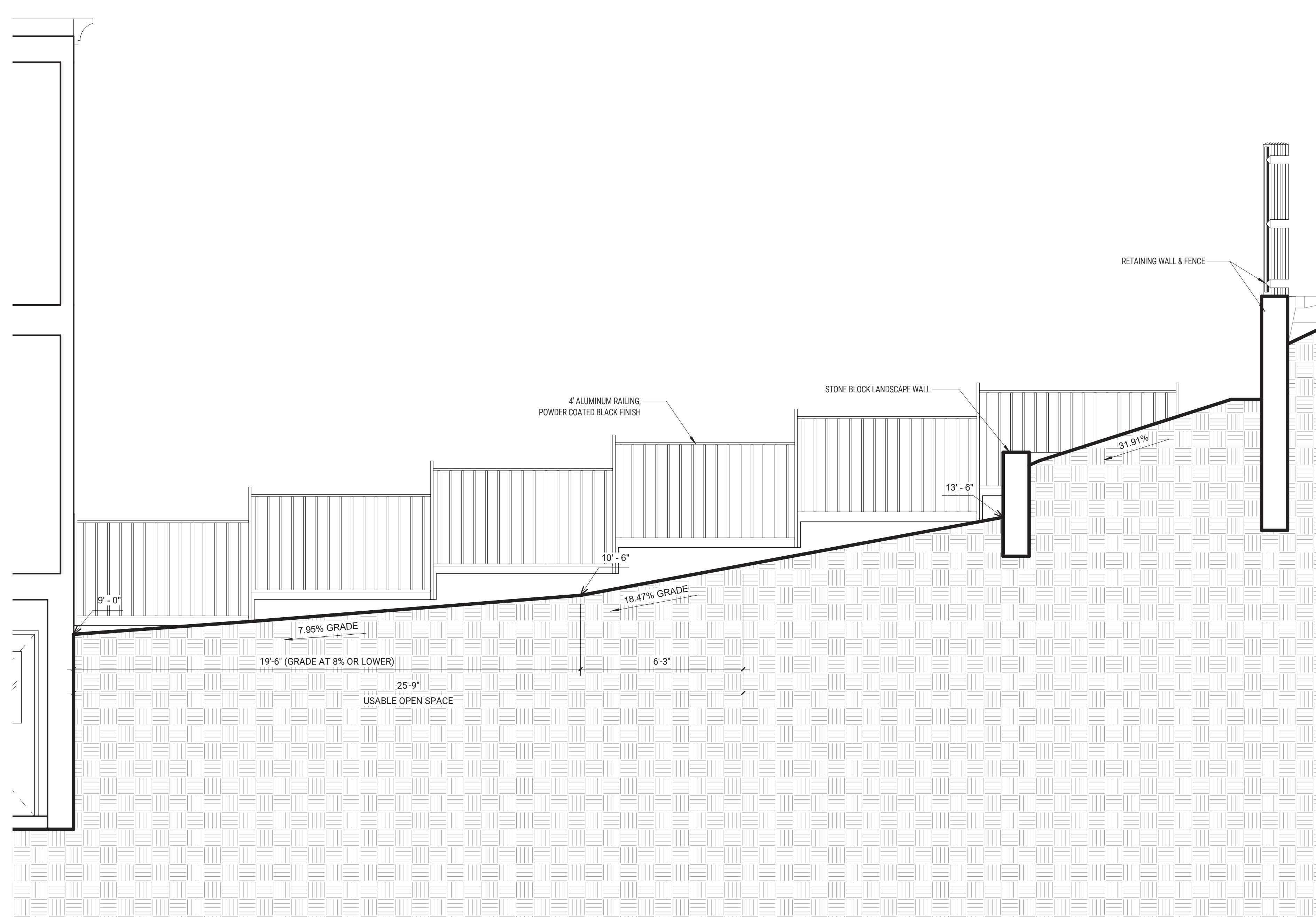


PROPOSED NORTH ELEVATION



SITE PLAN LEGEND





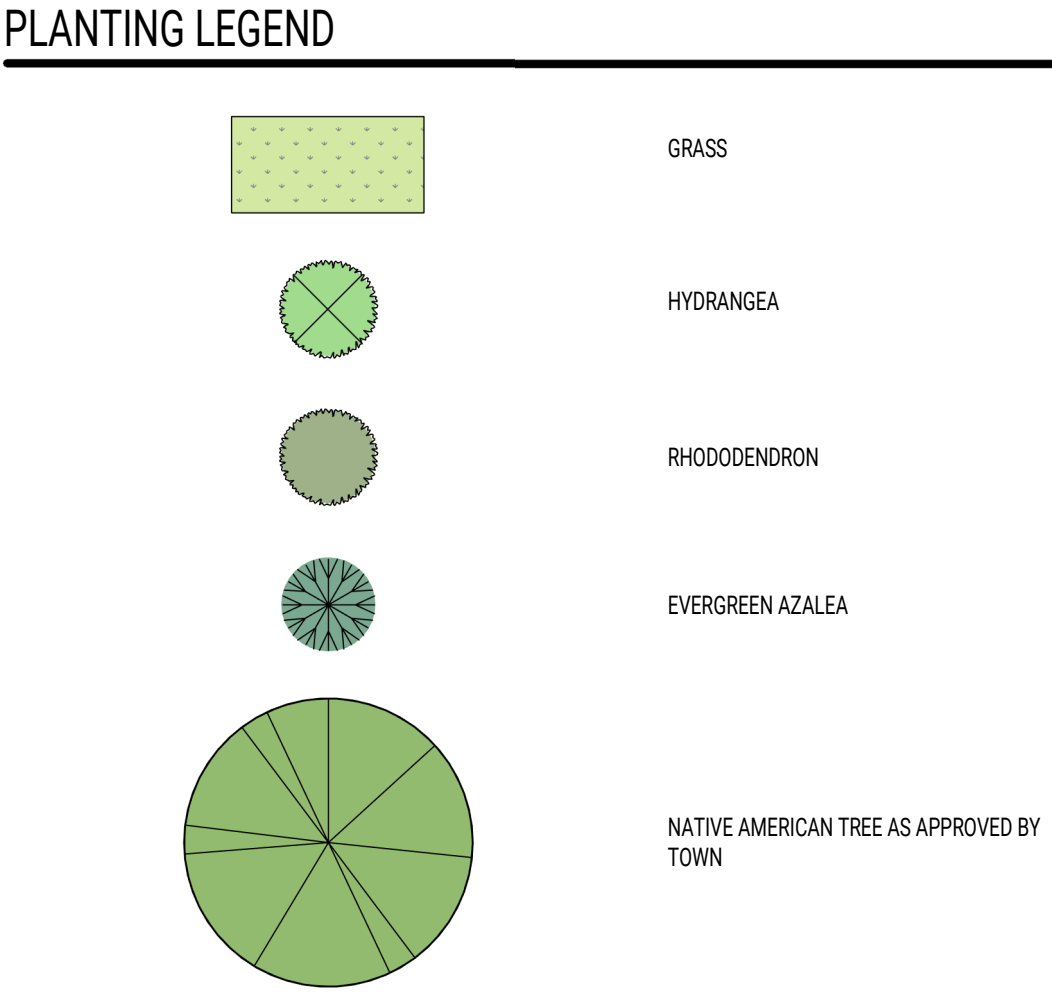
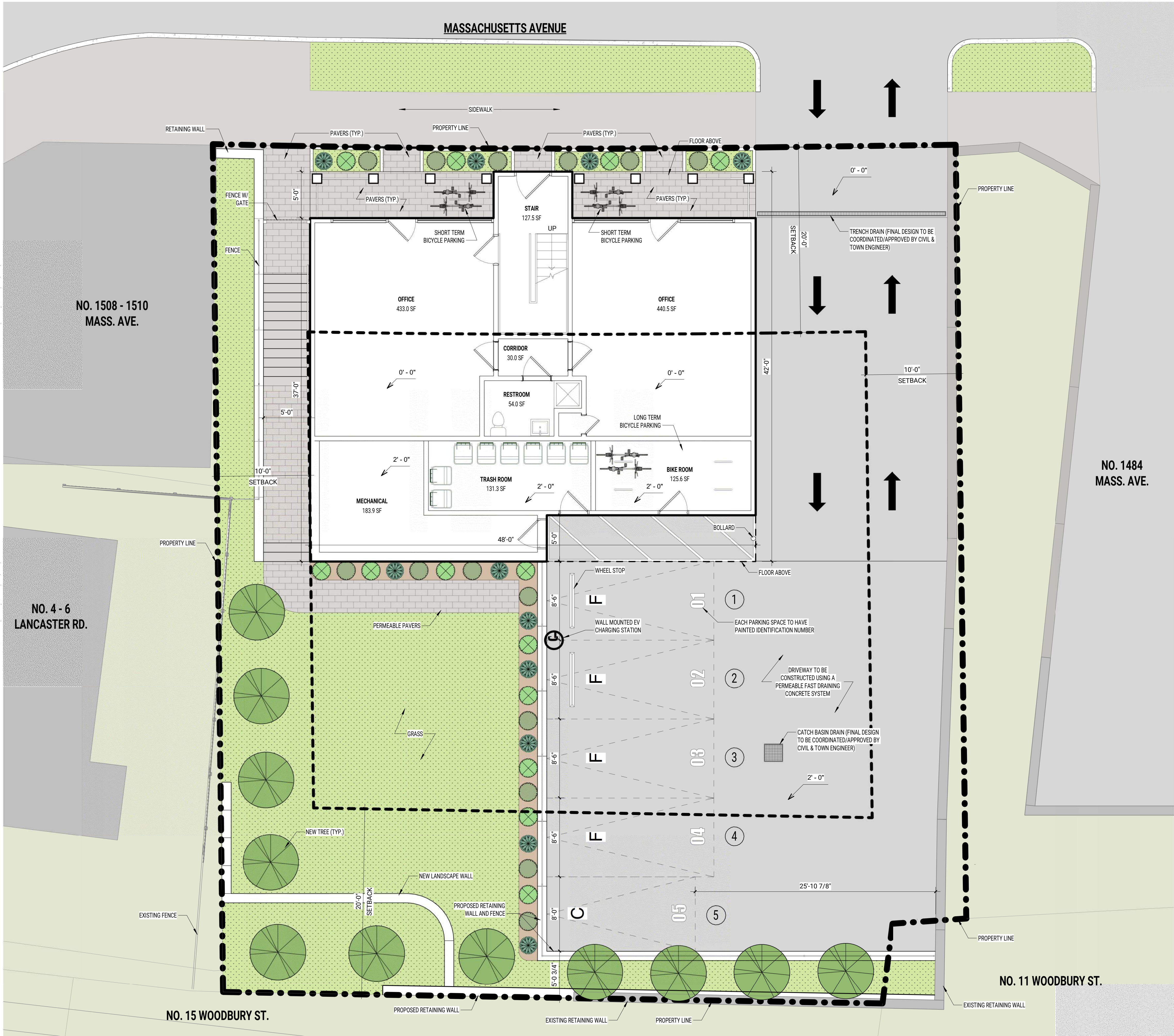
PROPOSED OPEN SPACE SECTION



PROPOSED SIDE YARD WALKWAY



PROPOSED OPEN SPACE

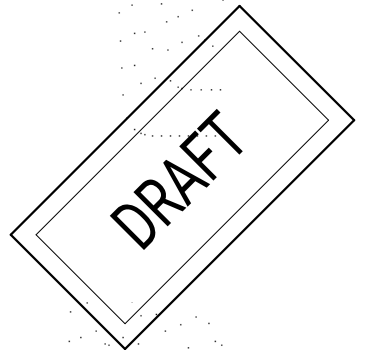


MFDS A+P

MONTE FRENCH DESIGN STUDIO (MFDS)
650 COLUMBUS AVE, STE. A
BOSTON MA, 02118
T: 617-606-4496
WWW.MFDS-BOS.COM

CONSULTANTS:

ZONING SET
(NOT FOR CONSTRUCTION)



MARK: DATE: DESCRIPTION:
ISSUE LOG:

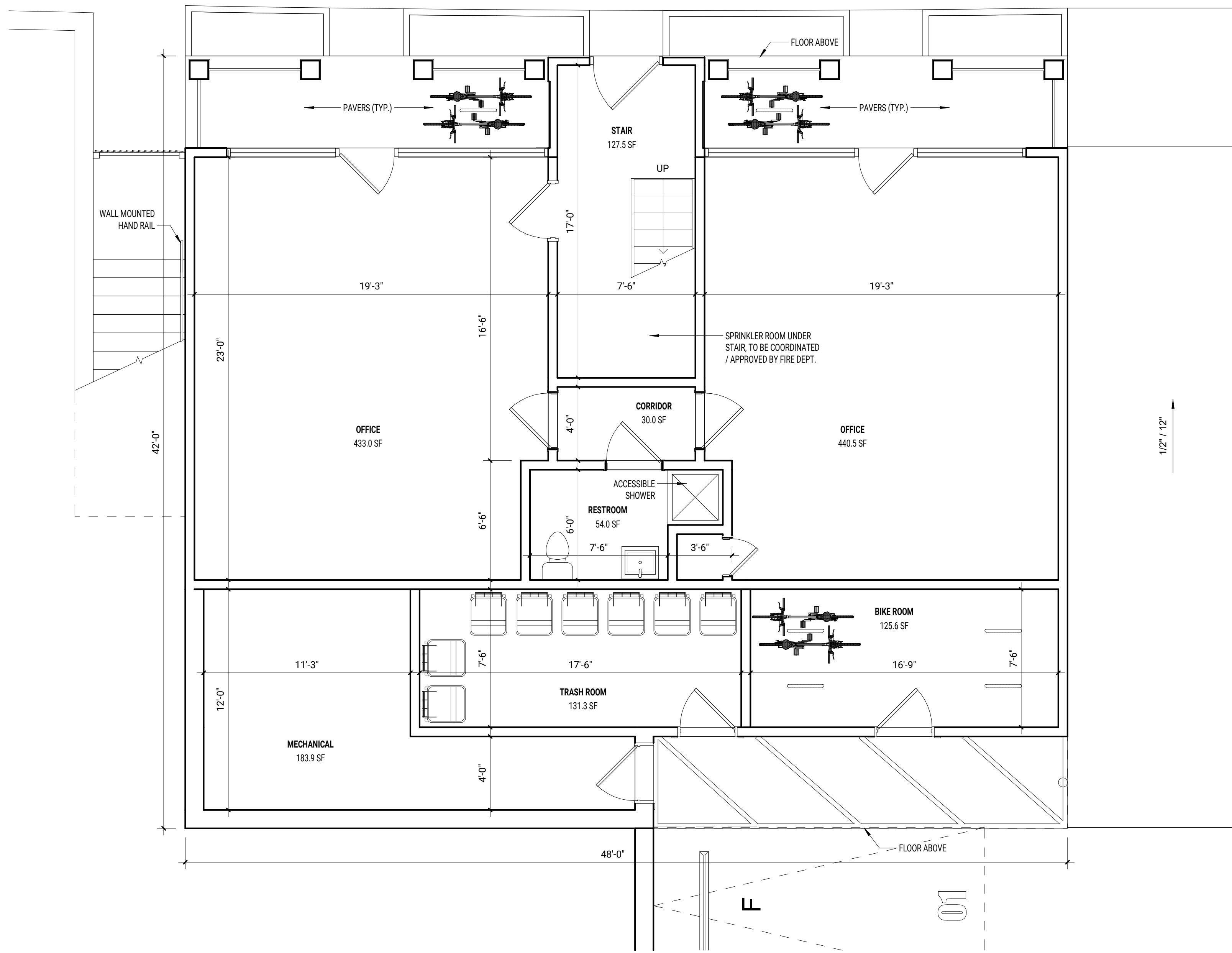
PROJECT NAME:
**1500
Massachusetts
Ave**

ADDRESS:
1500 Massachusetts Ave, Arlington MA

DATE ISSUED: 10/27/2020
PROJECT #: 19018
SCALE: As indicated
DRAWN BY: EAD

ARCHITECTURAL SITE PLAN

AS101



CONSULTANTS:

ZONING SET
(NOT FOR CONSTRUCTION)

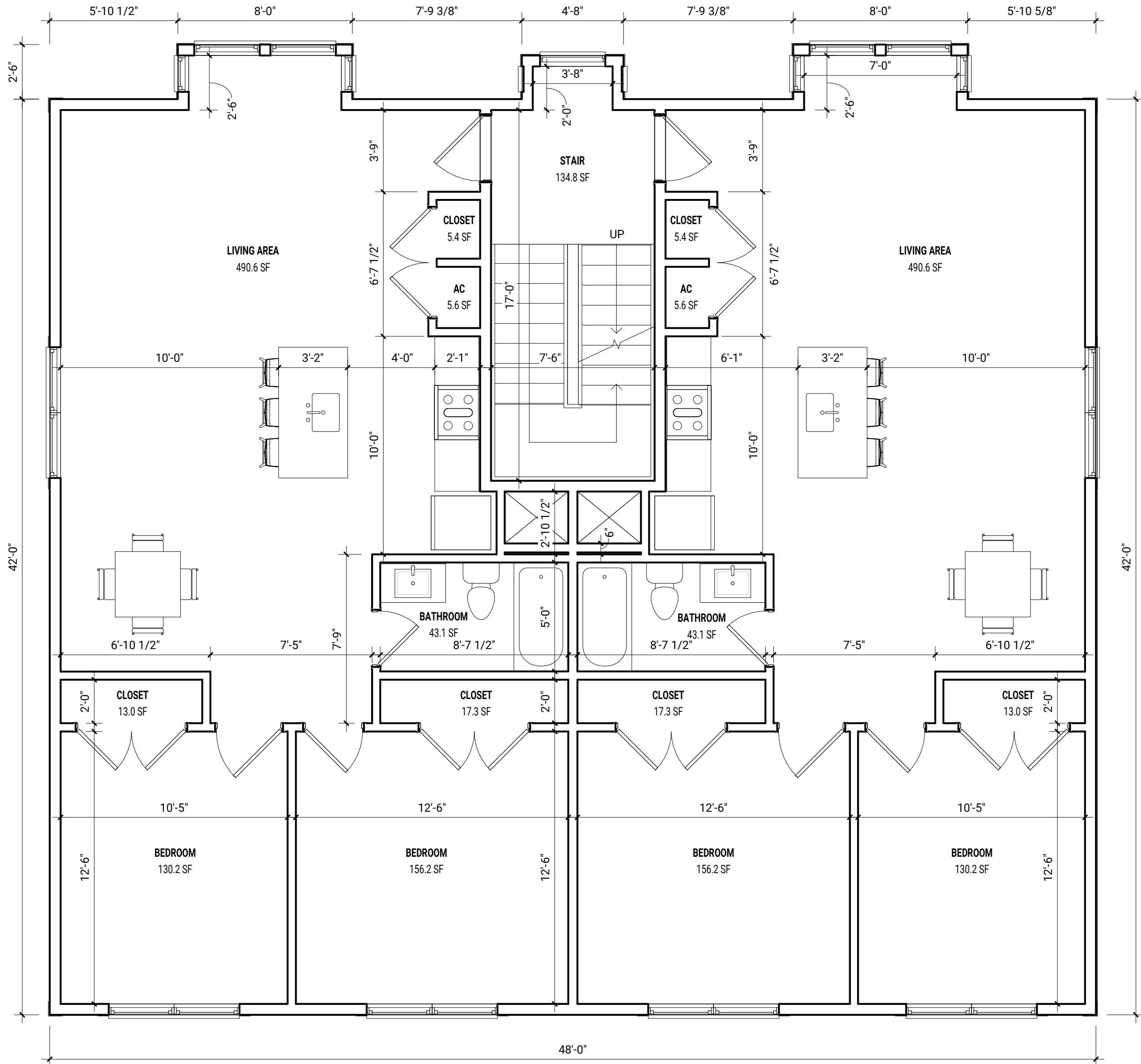


MARK: DATE: DESCRIPTION:
ISSUE LOG:

PROJECT NAME:
**1500
Massachusetts
Ave**
ADDRESS:
1500 Massachusetts Ave, Arlington MA
DATE ISSUED: 10/27/2020
PROJECT #: 19018
SCALE: 1/4" = 1'-0"
DRAWN BY: EAD

2ND FLOOR CONSTRUCTION
PLAN

A-103



CONSULTANTS:

ZONING SET
(NOT FOR CONSTRUCTION)

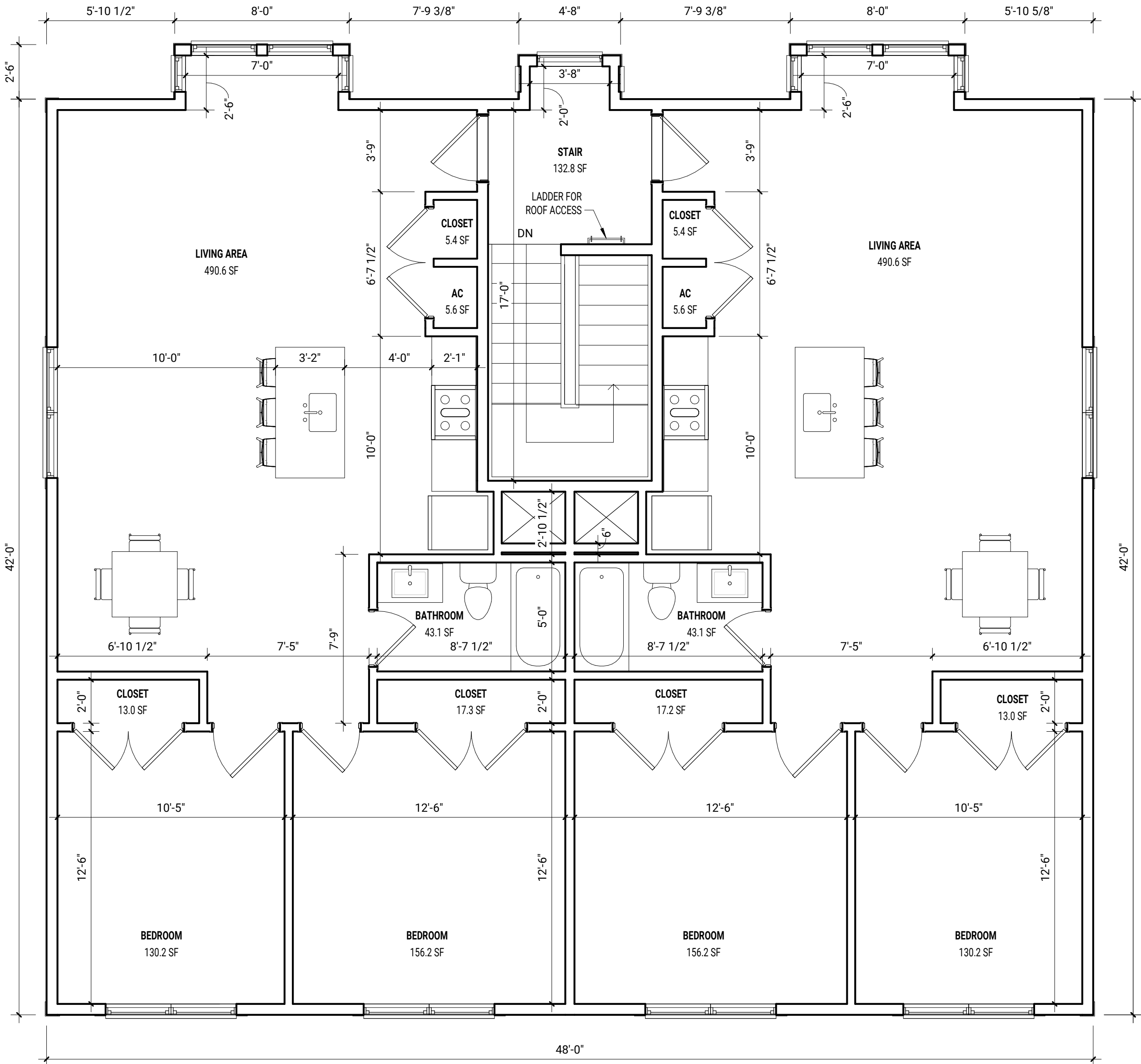


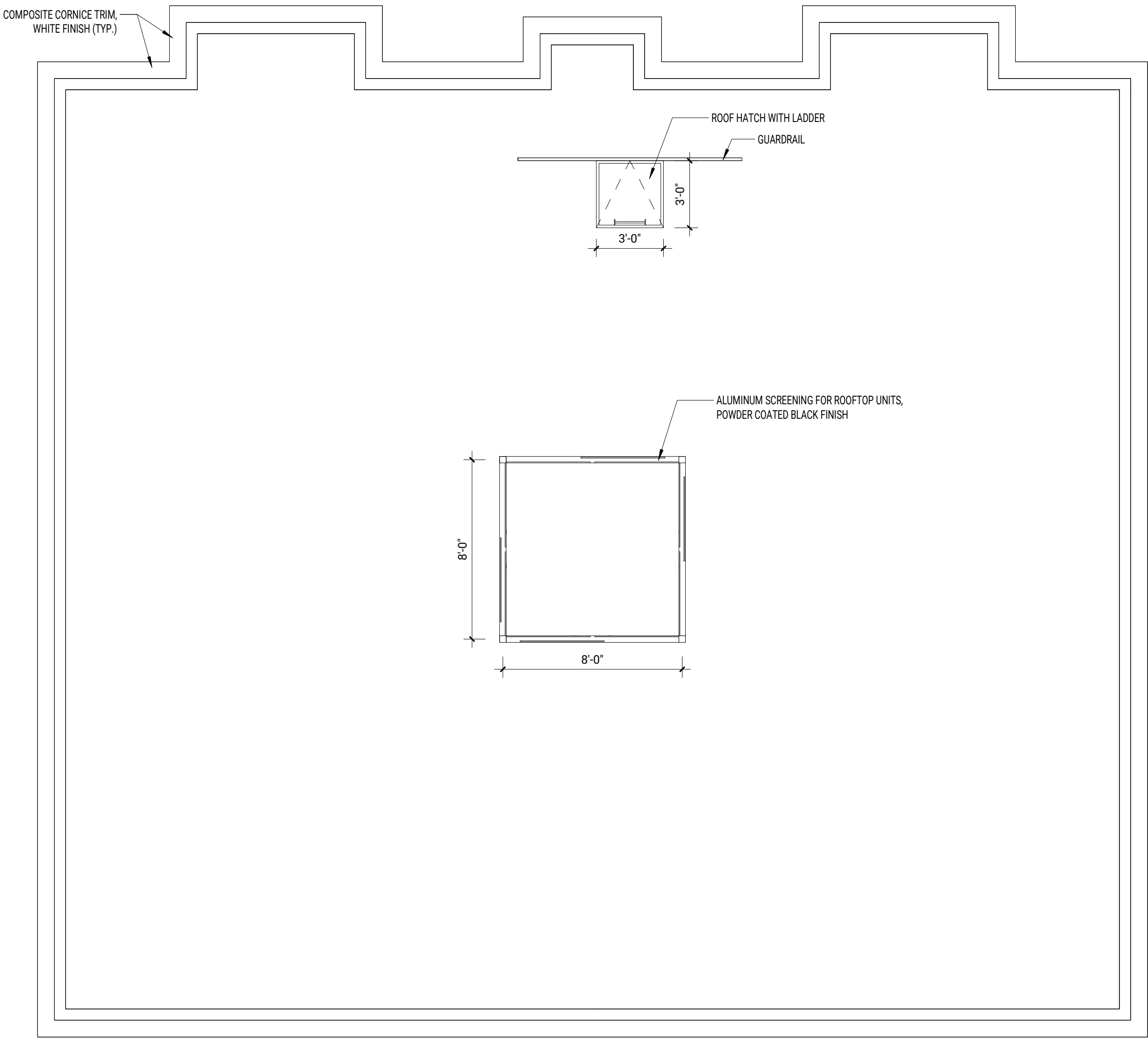
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ISSUE LOG:

PROJECT NAME:
**1500
Massachusetts
Ave**
ADDRESS:
1500 Massachusetts Ave, Arlington MA
DATE ISSUED: 10/27/2020
PROJECT #: 19018
SCALE: 1/4" = 1'-0"
DRAWN BY: EAD

3RD FLOOR CONSTRUCTION
PLAN

A-104





CONSULTANTS:

ZONING SET
(NOT FOR CONSTRUCTION)



MARK: DATE: DESCRIPTION:
ISSUE LOG:

PROJECT NAME:
**1500
Massachusetts
Ave**
ADDRESS:
1500 Massachusetts Ave, Arlington MA
DATE ISSUED: 10/27/2020
PROJECT #: 19018
SCALE: 1/4" = 1'-0"
DRAWN BY: EAD

ROOF CONSTRUCTION PLAN

CONSULTANTS:

ZONING SET
(NOT FOR CONSTRUCTION)



MARK: DATE: DESCRIPTION:
ISSUE LOG:

PROJECT NAME:
**1500
Massachusetts
Ave**
ADDRESS:
1500 Massachusetts Ave, Arlington MA
DATE ISSUED: 10/27/2020
PROJECT #: 19018
SCALE: 1/4" = 1'-0"
DRAWN BY: EAD

NORTH BUILDING ELEVATION

A-201



CONSULTANTS:

ZONING SET
(NOT FOR CONSTRUCTION)

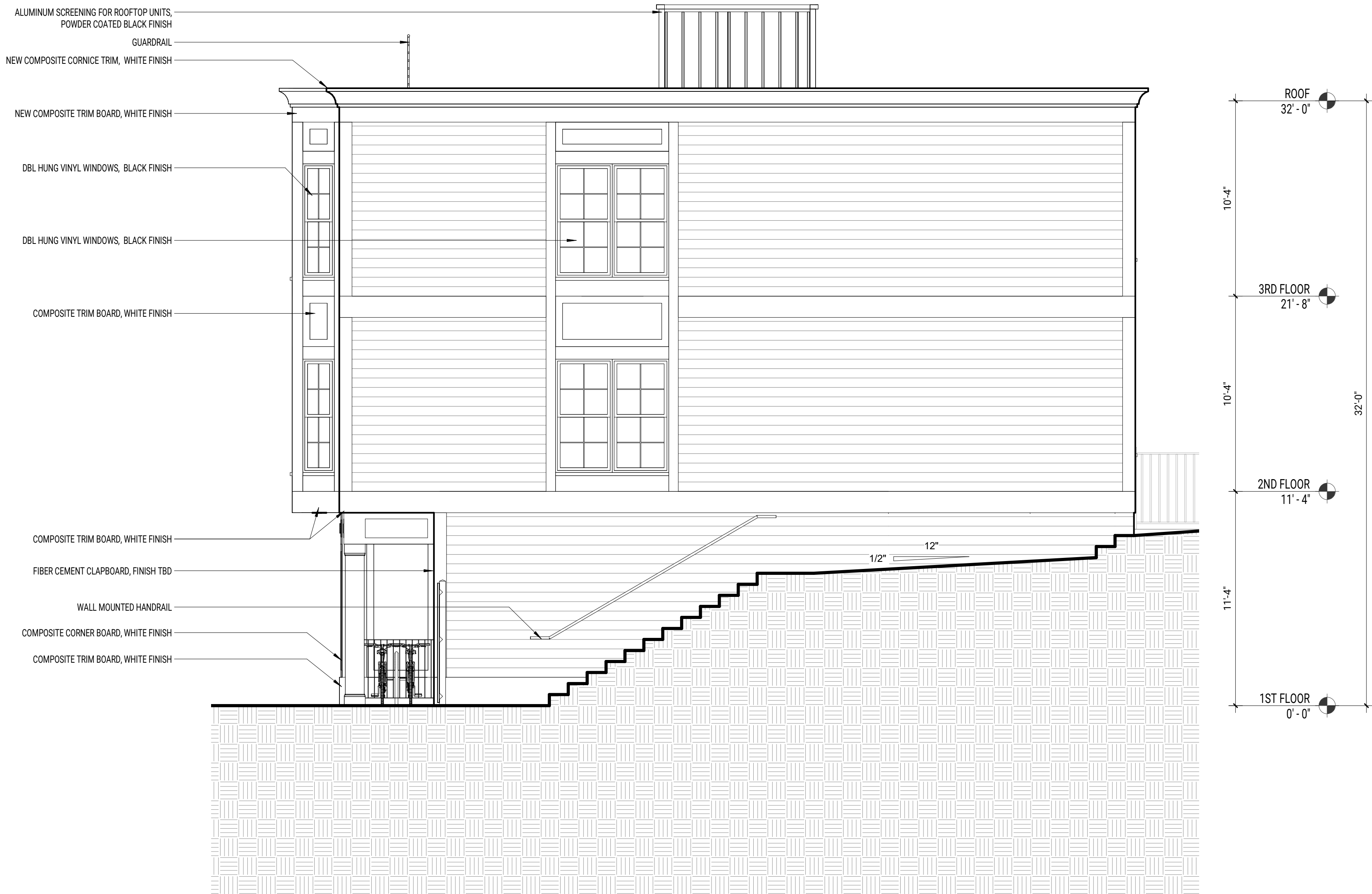


MARK: DATE: DESCRIPTION:
ISSUE LOG:

PROJECT NAME:
**1500
Massachusetts
Ave**
ADDRESS:
1500 Massachusetts Ave, Arlington MA
DATE ISSUED: 10/27/2020
PROJECT #: 19018
SCALE: 1/4" = 1'-0"
DRAWN BY: EAD

WEST BUILDING ELEVATION

A-202



CONSULTANTS:

ZONING SET
(NOT FOR CONSTRUCTION)



MARK: DATE: DESCRIPTION:
ISSUE LOG:

PROJECT NAME:
**1500
Massachusetts
Ave**
ADDRESS:
1500 Massachusetts Ave, Arlington MA
DATE ISSUED: 10/27/2020
PROJECT #: 19018
SCALE: 1/4" = 1'-0"
DRAWN BY: EAD

SOUTH BUILDING ELEVATION

A-203



CONSULTANTS:

ZONING SET
(NOT FOR CONSTRUCTION)



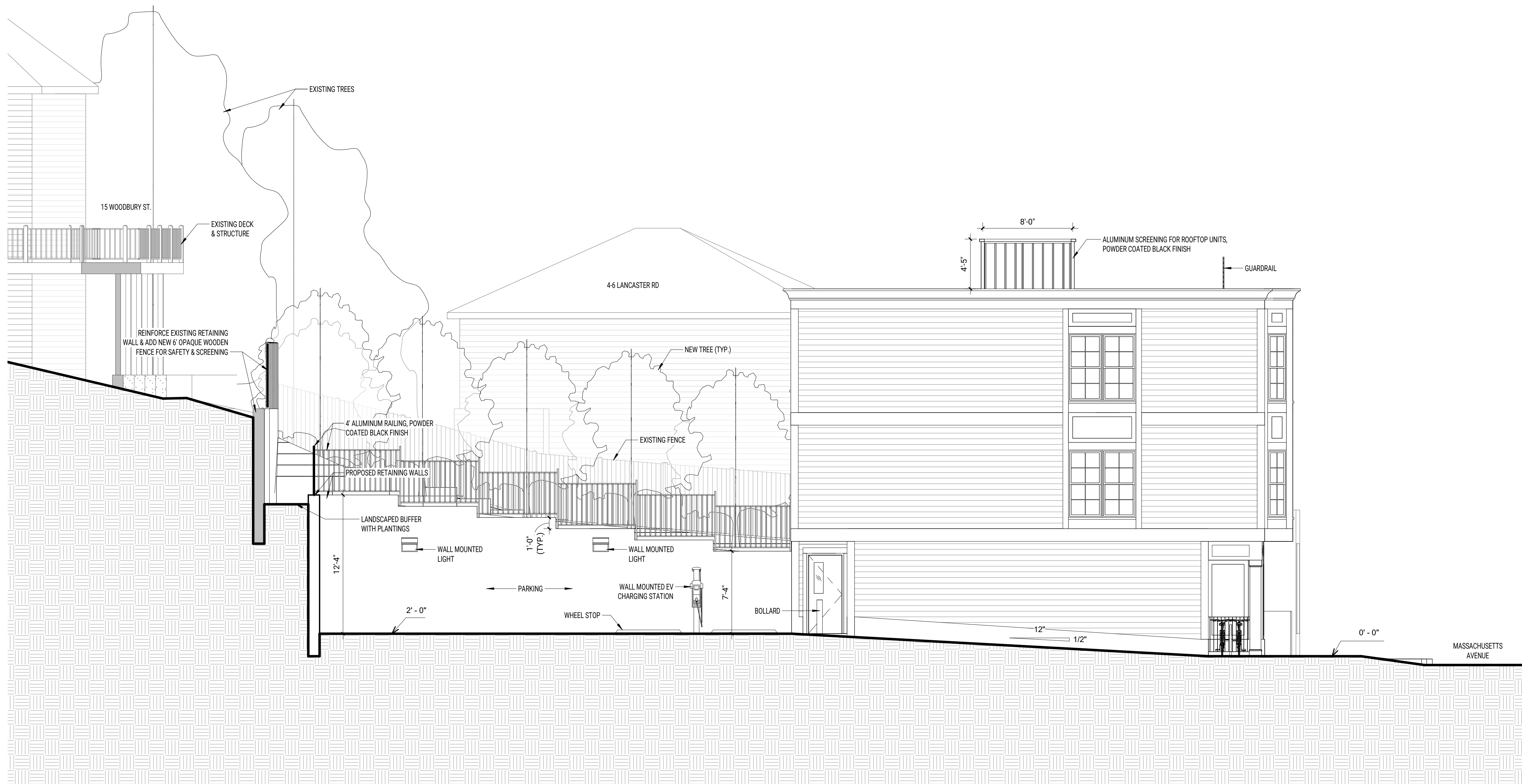
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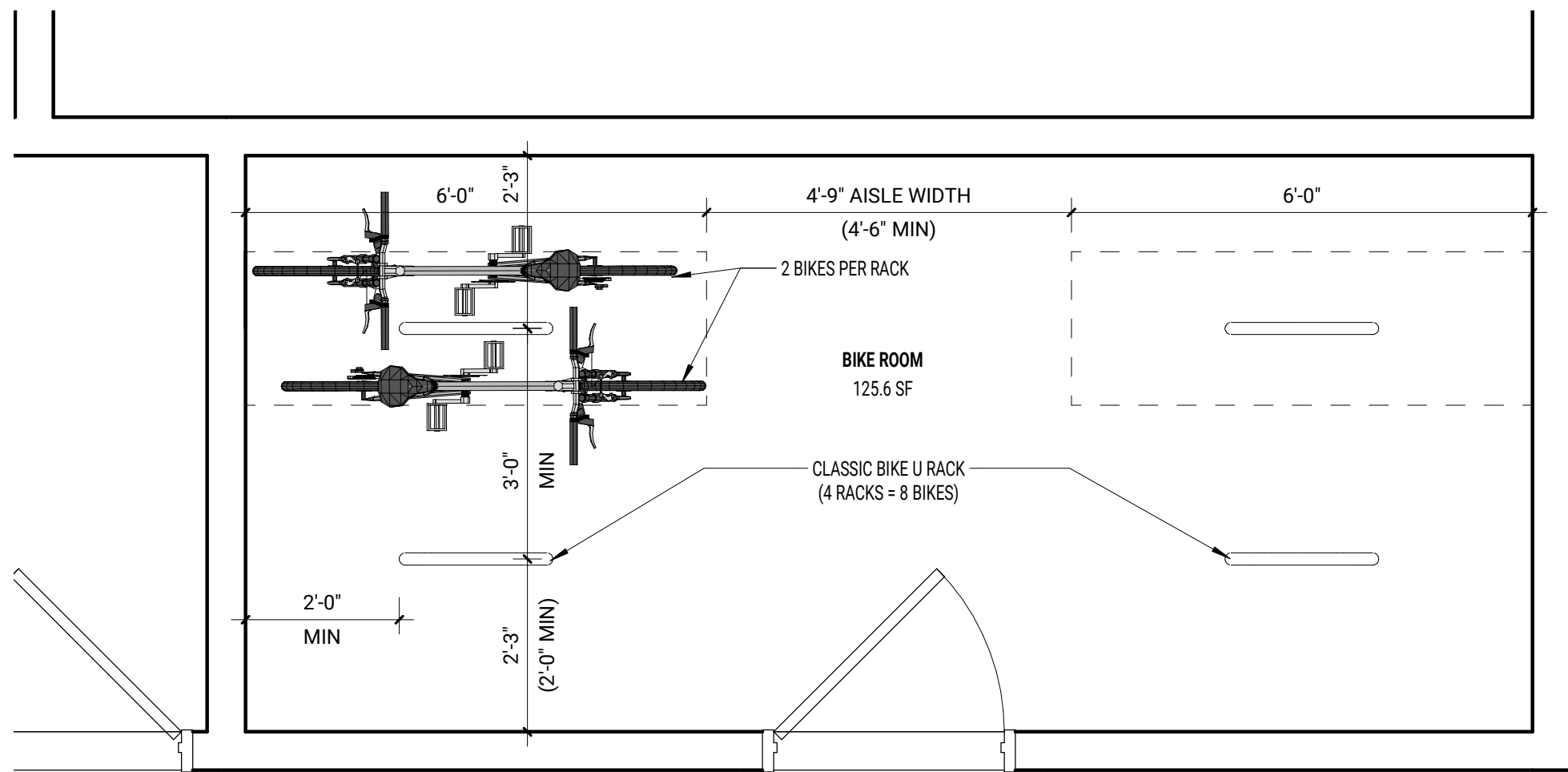
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**1500
Massachusetts
Ave**
ADDRESS:
1500 Massachusetts Ave, Arlington MA
DATE ISSUED: 10/27/2020
PROJECT #: 19018
SCALE: 1/4" = 1'-0"
DRAWN BY: EAD

EAST BUILDING ELEVATION

A-204





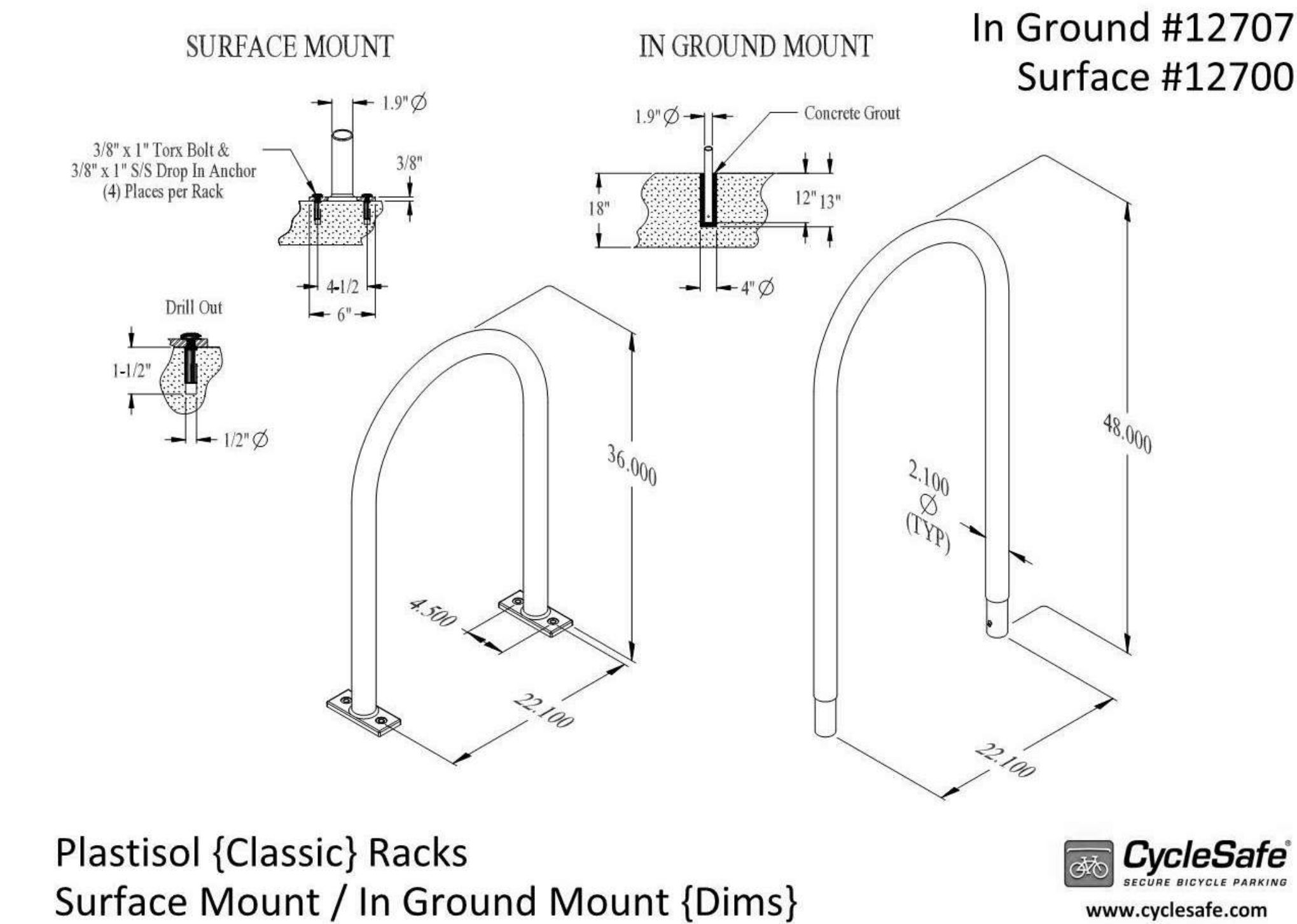


1 ENLARGED PLAN - BICYCLE ROOM
SCALE: 1/2" = 1'-0"



2 ENLARGED ELEVATION - BUILDING SIGNAGE
SCALE: 1/2" = 1'-0"

BIKE RACK SPECIFICATIONS



MFDS
A+P

MONTE FRENCH DESIGN STUDIO (MFDS)
650 COLUMBUS AVE, STE. A
BOSTON MA, 02118
T: 617-606-4496
WWW.MFDS-BOS.COM

CONSULTANTS:

ZONING SET
(NOT FOR CONSTRUCTION)



MARK: DATE: DESCRIPTION:
ISSUE LOG:

PROJECT NAME:
1500
Massachusetts
Ave

ADDRESS:
1500 Massachusetts Ave, Arlington MA

DATE ISSUED: 10/27/2020

PROJECT #: 19018

SCALE: As indicated

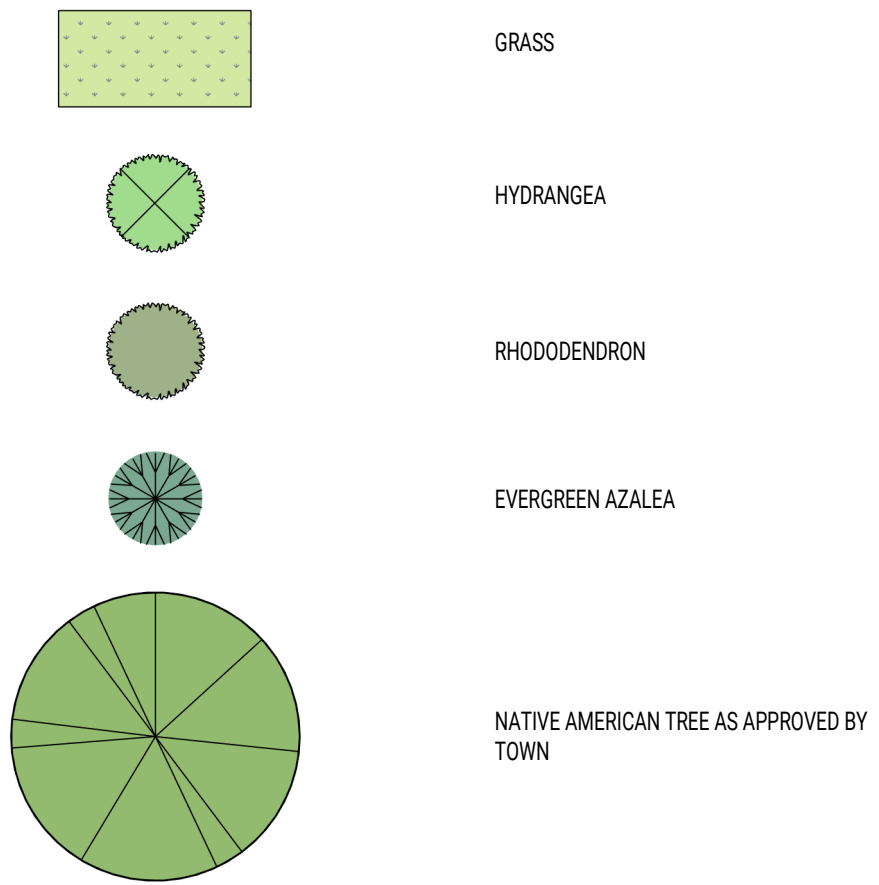
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ENLARGED PLANS &
SPECIFICATIONS

A-401

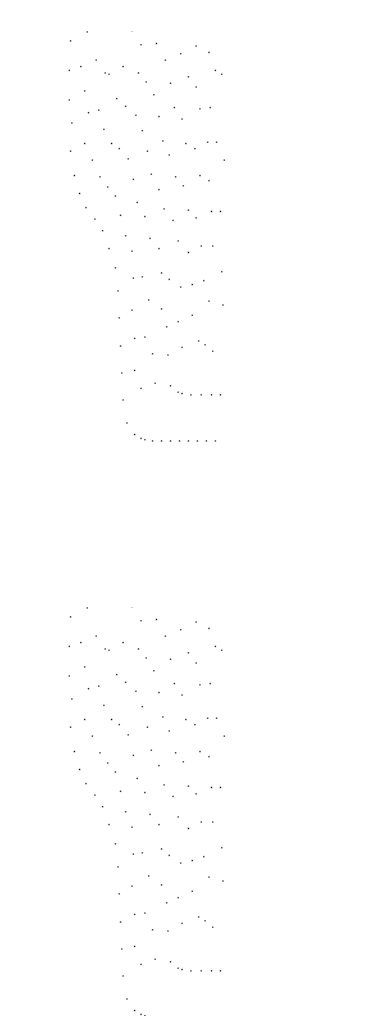


PLANTING LEGEND

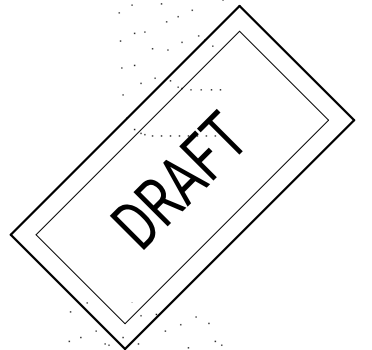


MONTE FRENCH DESIGN STUDIO (MFDS)
650 COLUMBUS AVE, STE. A
BOSTON MA, 02118
T: 617-606-4496
WWW.MFDS-BOS.COM

CONSULTANTS:



ZONING SET
(NOT FOR CONSTRUCTION)

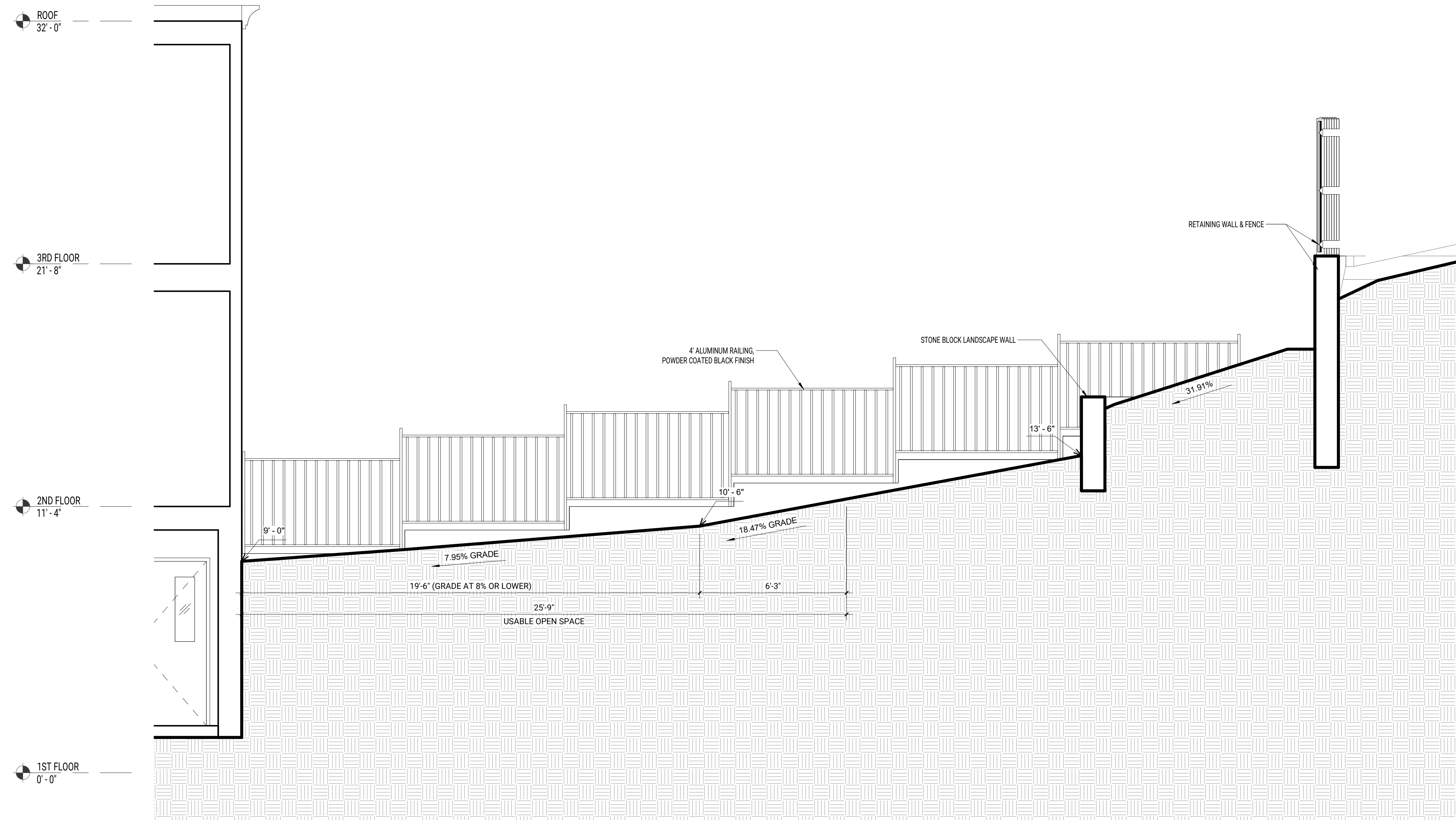


MARK: DATE: DESCRIPTION:
ISSUE LOG:

PROJECT NAME:
**1500
Massachusetts
Ave**
ADDRESS:
1500 Massachusetts Ave, Arlington MA
DATE ISSUED: 10/27/2020
PROJECT #: 19018
SCALE: As indicated
DRAWN BY: EAD

ENLARGED OPEN SPACE PLAN

A-402



CONSULTANTS:

ZONING SET
(NOT FOR CONSTRUCTION)

DRAFT

MARK:	DATE:	DESCRIPTION:
ISSUE LOG:		

PROJECT NAME:
**1500
Massachusetts
Ave**

ADDRESS:
1500 Massachusetts Ave, Arlington MA

DATE ISSUED: 10/27/2020

PROJECT #: 19018

SCALE: 3/8" = 1'-0"

DRAWN BY: EAD

USABLE OPEN SPACE SECTION

A-403

Attention Builders and Developers:

Expanded Residential Construction Requirements

If You Are:

- Demolishing a Structure
- Performing Open Foundation Excavation
- Constructing a New Residential Building
- Building a Large Addition (increase of ≥ 750 sq. ft., OR $\geq 50\%$ of existing GFA)

You Must:

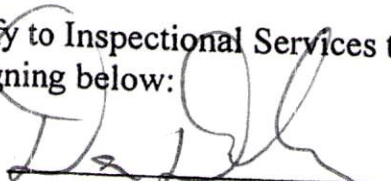
1. Deliver the Attached "Arlington Residential Construction Notification" to Neighbors Before Commencing Work:

Who: Abutters and Occupants within 200 Feet

When: At least 7 days before any work is performed, or within 7 calendar days of filing a building permit application, whichever date is earlier

How: Via USPS First Class Mail

2. Submit to Inspectional Services a Signed Copy of the Attached "Good Neighbor" Agreement
3. Submit to Inspectional Services a Completed Copy of the "Arlington Residential Construction Notification"
4. Submit to Inspectional Services a List of Persons Notified in "#1" Above
5. Certify to Inspectional Services the Notices Were Mailed on _____
by signing below:


(Signature)

8/23/19
(Date)
8/23/19
(Date)

Arlington Residential Construction Notification

June 7th, 2019

(Date)

Dear Neighbor,

Attached please find a copy of the *proposed* site plan for: 1500 Massachusetts Avenue, Arlington
(Address)

Beginning on August 1st, 2019, we plan to (check all that apply):
(Date)

- ☒ Demolish the Existing Structure
- ☐ Excavate for a Foundation
- ☐ Build a Large Addition
- ☒ Build a New Residential Structure

The proposed work schedule is (days and times): Mondays to Fridays from 8am-5pm & Saturdays from
9am-5pm

To protect abutters, we plan to take the following precautions:

- Open Excavation Safety: Barriers, fencing, and other suitable measures will be set in place.
- Noise Abatement: We plan to limit the use of noise generating equipment/vehicles and provide barriers.
- Dust Control: Dust will be suppressed by either way of water, ceasing work on windy days, surface binding agents, etc.
- Waste Management: A dumpster will be located on site and will be maintained.
- Pest Control: This will be thoroughly monitored.
- Other: _____

We anticipate the project will take 12 month(s) to complete. Please contact me with any questions.

Thank you,

North Atlantic Properties

294 Harvard Street, Medford, MA 02155

(Contractor Name)

Darin DiNucci at 781-395-4750

(Contractor Phone Number)

Arlington Residential Construction "Good Neighbor" Agreement

This agreement applies to residential construction projects including: demolitions, open foundation excavation, new construction, or large addition projects.

The undersigned hereby acknowledges that they are responsible for compliance with the conditions listed below.

Project Address: 1500 Massachusetts Ave			
Permit (s) #	Date Issued:	Est. Start Date: 8/20/19	Est. Completion Date: 8/20/20
Property Owner: 1500 MASS AVE LLC	Telephone: 781-395-4750	Owner Email: daniel@dinuccicompanies.com	
Owner Address: 294 Harvard Street, Medford, MA 02155			
Owner Signature: [Signature]	Date: 9/10/19		
Contractor Name: North Atlantic Prop.	Telephone: 781-395-4750	Contractor Email: daniel@dinuccicompanies.com	
Contractor Address: 294 Harvard St, Medford, MA 02155			
Contractor Signature: [Signature]	Date: 9/10/19		

- Hours of Operation:** Construction and demolition activities are allowed only between the hours of 8:00a.m. to 6:00p.m., Monday through Friday, and between the hours of 9:00a.m. to 5:00p.m. on Saturdays, Sundays and legal holidays.
- Noise:** The Contractor shall plan for and implement reasonable measures to mitigate nuisance noise by limiting use of noise generating equipment and vehicles, avoiding use of such equipment in immediate proximity to an adjacent residential use, and providing barriers along the path of the noise, to the extent reasonable. Contractors shall not permit, either willfully, negligently, or by failure to provide necessary equipment or facilities or to take necessary precautions, the production of sound greater than 85 dB(A) at any time unless specifically authorized to do so.
- Open Excavations:** Barriers shall be erected or other suitable measures taken to protect persons from damages incident thereto.
- Drive Entrance:** A drive entrance pad, or its equivalent, shall be placed, utilized, and maintained on site to provide an area where construction vehicles entering and exiting the site can remove mud and sediment from tires prior to driving on public or private ways, unless determined to be technically infeasible by the Building Inspector.
- Dumpster / Waste:** A dumpster permit shall be obtained from Inspectional Services prior to placement on the site. When possible, dumpsters shall be located completely on project site to limit traffic and public safety concerns. Explicit approval must be given for placement on a public way. Dumpsters and waste shall be maintained in a sanitary condition, free of an overflowing condition and secured/covered daily; and at a minimum shall be cleaned or removed every thirty (30) calendar days.
- Portable Restrooms:** Portable restrooms shall be secured, maintained to prevent nuisance conditions, free from the public way, and placed at least ten (10) feet from adjacent residential properties unless otherwise permitted by the Town through the Building Inspector.
- Equipment / Materials:** Construction equipment and materials shall be stored in safe, secure and non-obstructive locations on the site; equipment and materials no longer to be used on the site shall be removed within fourteen (14) days, unless otherwise permitted by the Building Inspector.
- Parking:** Contractor parking shall comply with all applicable parking regulations, including but not limited to observing no parking zones or other on-street parking restrictions as well as parking bans. No Contractor shall

Abutters List[print this list](#)

Date: September 11, 2019

Subject Property Address: 1500-1502 MASS AVE Arlington, MA

Subject Property ID: 174-2-9

Search Distance: 200 Feet

Prop ID: 174-1-5

Prop Location: 1520 MASS AVE Arlington, MA

Owner: CALIENDO ANTHONY R & MARY JANE

Co-Owner: TRS/ J.C. TRUST

Mailing Address:

1520 MASS AVE
ARLINGTON, MA 02476

Prop ID: 174-1-6

Prop Location: 1516 MASS AVE Arlington, MA

Owner: RATHBUN JENNIE H

Co-Owner:

Mailing Address:

1516 MASSACHUSETTS AVE
ARLINGTON, MA 02476

Prop ID: 174-1-7

Prop Location: 9 LANCASTER RD Arlington, MA

Owner: STANLEY MARGARET S

Co-Owner:

Mailing Address:

9 LANCASTER ROAD
ARLINGTON, MA 02476

Prop ID: 174-2-10

Prop Location: 0-LOT MASS AVE Arlington, MA

Owner: 1500 MASS AVE LLC

Co-Owner:

Mailing Address:

294 HARVARD ST
MEDFORD, MA 02155

Prop ID: 174-2-11.A
Prop Location: 1508-1510 MASS AVE Arlington, MA
Owner: STATHOPOULOS DIMITRIOS
Co-Owner:
Mailing Address:
1511 MASS AVE
ARLINGTON, MA 02476

Prop ID: 174-2-12.A
Prop Location: 4-6 LANCASTER RD Arlington, MA
Owner: KWAN JOSEPH F
Co-Owner:
Mailing Address:
4 LANCASTER ROAD
ARLINGTON, MA 02476

Prop ID: 174-2-13
Prop Location: 8 LANCASTER RD Arlington, MA
Owner: TRAN THANH NGA TRINH
Co-Owner:
Mailing Address:
8 LANCASTER RD
ARLINGTON, MA 02476

Prop ID: 174-2-16
Prop Location: 15 WOODBURY ST Arlington, MA
Owner: KELLAS ANDREAS & CRYSTAL
Co-Owner:
Mailing Address:
15 WOODBURY ST
ARLINGTON, MA 02476

Prop ID: 174-2-18
Prop Location: 11 WOODBURY ST Arlington, MA
Owner: LI XIAOLEI
Co-Owner:
Mailing Address:
11 WOODBURY STREET
ARLINGTON, MA 02476

Co-Owner: SAMPATHKUMAR SATHYA PRIYA

Mailing Address:

15 ARNOLD ST
ARLINGTON, MA 02476

Prop ID: 174-4-3

Prop Location: 24 WOODBURY ST Arlington, MA

Owner: OBRIEN DANIEL T & LESLIE R

Co-Owner:

Mailing Address:

24 WOODBURY ST
ARLINGTON, MA 02476

Prop ID: 174-4-5

Prop Location: 20 WOODBURY ST Arlington, MA

Owner: CALLAHAN LAURIE

Co-Owner: CALLAHAN BRIAN

Mailing Address:

20 WOODBURY ST
ARLINGTON, MA 02476

Prop ID: 174-4-8.A

Prop Location: 14 WOODBURY ST Arlington, MA

Owner: MERRILL MICHAEL W & KRISTEN C

Co-Owner:

Mailing Address:

14 WOODBURY ST
ARLINGTON, MA 02476

Prop ID: 174.A-4-1

Prop Location: 1 ARNOLD ST UNIT 1 Arlington, MA

Owner: SCOTT ABBEY C

Co-Owner:

Mailing Address:

1 ARNOLD STREET UNIT 1
ARLINGTON, MA 02476

Prop ID: 174.A-4-2

Prop Location: 3 ARNOLD ST UNIT 2 Arlington, MA

Owner: CHAPSKI CHRISTINE

Co-Owner:

Mailing Address:

3 ARNOLD STREET UNIT 2
ARLINGTON, MA 02476

Prop ID: 62-1-10

Prop Location: 1513-1515 MASS AVE Arlington, MA

Owner: GRASSI ARMANDO & ANGELA

Co-Owner: TRS/1513-1517 MASS AVE TR

Mailing Address:

12 LONGMEADOW RD
ARLINGTON, MA 02474

Prop ID: 62-1-11.A

Prop Location: 1517-1519 MASS AVE Arlington, MA

Owner: GRASSI ARMANDO & ANGELA

Co-Owner:

Mailing Address:

12 LONGMEADOW RD
ARLINGTON, MA 02474

Prop ID: 62-1-3.B

Prop Location: 1491-1493 MASS AVE Arlington, MA

Owner: VENTURA SALVATORE &

Co-Owner: VENTURA BRIGITTE

Mailing Address:

1491 MASS AVE
ARLINGTON, MA 02476

Prop ID: 62-1-6

Prop Location: 1497 MASS AVE Arlington, MA

Owner: PANNESI DAVID J/DARIA A

Co-Owner:

Mailing Address:

1497 MASS AVE
ARLINGTON, MA 02476

Prop ID: 62-1-7

Prop ID: 174-2-21
Prop Location: 35 DUNDEE RD Arlington, MA
Owner: HOSSEINPOUR MOZHGAN
Co-Owner: HEDAYATIAN QUIMARS
Mailing Address:
62 CAMBRIDGE ST
WINCHESTER, MA 01890

Prop ID: 174-2-22.A
Prop Location: 31 DUNDEE RD Arlington, MA
Owner: COLLIER RICHARD B/BROOKE A
Co-Owner:
Mailing Address:
31 DUNDEE RD
ARLINGTON, MA 02476

Prop ID: 174-2-3
Prop Location: 1474 MASS AVE Arlington, MA
Owner: KADETS PHILIP L/ELAINE/TRS
Co-Owner: REMBRANDT TRUST
Mailing Address:
38 VARICK RD
WABAN, MA 02468

Prop ID: 174-2-5
Prop Location: 1478 MASS AVE Arlington, MA
Owner: ATINIZIAN NIGOGHOS & CAROLYN
Co-Owner: TRS/ FRESH POND SHOPPING
Mailing Address:
545 CONCORD AVE
SUITE 400
CAMBRIDGE, MA 02138

Prop ID: 174-2-8
Prop Location: 1484 MASS AVE Arlington, MA
Owner: ATINIZIAN NIGOGHOS & CAROLYN
Co-Owner: TRS/ FRESH POND SHOPPING
Mailing Address:

545 CONCORD AVE
SUITE 400
CAMBRIDGE, MA 02138

Prop ID: 174-4-11.A
Prop Location: 43 DUNDEE RD Arlington, MA
Owner: LIMBURSKY RICHARD--ETAL
Co-Owner: HAGELSTON KATHLEEN
Mailing Address:
43 DUNDEE ROAD
ARLINGTON, MA 02476

Prop ID: 174-4-17
Prop Location: 5 ARNOLD ST Arlington, MA
Owner: HILL ROBERT JR
Co-Owner:
Mailing Address:
19 WARBLER SPRINGS RD
LINCOLN, MA 01773

Prop ID: 174-4-18.A
Prop Location: 0-LOT ARNOLD ST Arlington, MA
Owner: SIROIS ROBERT J/LIFE ESTATE
Co-Owner:
Mailing Address:
11 ARNOLD ST
ARLINGTON, MA 02476

Prop ID: 174-4-19
Prop Location: 11 ARNOLD ST Arlington, MA
Owner: SIROIS ROBERT J/LIFE ESTATE
Co-Owner:
Mailing Address:
11 ARNOLD ST
ARLINGTON, MA 02476

Prop ID: 174-4-20.B
Prop Location: 15 ARNOLD ST Arlington, MA
Owner: SHANTHAKUMAR SHAKTHI KAMAL

Prop Location: 1501 MASS AVE Arlington, MA

Owner: HEALEY JAMES T & JOSEPHINE

Co-Owner:

Mailing Address:

1501 MASS AVE

ARLINGTON, MA 02476

Prop ID: 62-1-8

Prop Location: 1507-1511 MASS AVE Arlington, MA

Owner: STATHOPOULOS HARALAMBOS N ETAL

Co-Owner: STATHOPOULOS DIMITRIOS/ ESTATE

Mailing Address:

1511 MASS AVE FLOOR 2

ARLINGTON, MA 02476



Town of Arlington, Massachusetts
Department of Planning & Community Development
730 Massachusetts Avenue, Arlington, Massachusetts 02476

Public Hearing Memorandum

The purpose of this memorandum is to provide the Arlington Redevelopment Board and public with technical information and a planning analysis to assist with the regulatory decision-making process.

To: Arlington Redevelopment Board

From: Jennifer Raitt, Secretary Ex Officio

Subject: Environmental Design Review, 1500 Massachusetts Ave, Arlington, MA
Docket #3633

Date: September 9, 2020

I. Docket Summary

This is an application by 1500 Mass Ave, LLC to construct a new mixed-use building with four (4) residential units and one (1) commercial unit at 1500 Massachusetts Avenue. The opening of Special Permit Docket #3633 will allow the Board to review and approve the development in the B1 Neighborhood Office District under Section 3.4 Environmental Design Review (EDR).

Materials submitted for consideration of this application:

Application for EDR Special Permit including dimensional and parking information, building and site plans, existing site conditions, proposed landscaping, photographs, impact statement, building elevation and renderings, LEED checklist, and signage details dated August 20, 2020.

II. Application of Special Permit Criteria (Arlington Zoning Bylaw, Section 3.3)

1. Section 3.3.3.A.

The use requested is listed as a Special Permit in the use regulations for the applicable district or is so designated elsewhere in this Bylaw.

A mixed-use building allowed in the B1 Neighborhood Office District with a Special Permit under the jurisdiction of the ARB due to its location on Massachusetts Avenue. The Board can find that this condition is met.

2. Section 3.3.3.B.

The requested use is essential or desirable to the public convenience or welfare.

The Master Plan recommends supporting commercial areas by encouraging new mixed-use redevelopment, including residential and commercial uses, in and near commercial corridors. This new development is in close proximity to the Arlington Heights commercial district, and businesses along Massachusetts Avenue. The corridor is well served by transit and existing infrastructure. This project will provide a net increase of one residential unit and new office space. The Board can find that this condition is met.

3. Section 3.3.3.C.

The requested use will not create undue traffic congestion or unduly impair pedestrian safety.

The proposed new building and use will not create undue traffic congestion or unduly impair pedestrian safety. The Board can find that this condition is met.

4. Section 3.3.3.D.

The requested use will not overload any public water, drainage or sewer system or any other municipal system to such an extent that the requested use or any developed use in the immediate area or in any other area of the Town will be unduly subjected to hazards affecting health, safety, or the general welfare.

The proposed new building and use will not overload any municipal systems. The Board can find that this condition is met.

5. Section 3.3.3.E.

Any special regulations for the use as may be provided in the Bylaw are fulfilled.

All such regulations are fulfilled.

6. Section 3.3.3.F.

The requested use will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the health or welfare.

The use does not impair the integrity or character of the B1 district or adjoining districts and will not be detrimental to health or welfare. The Board can find that this condition is met.

7. Section 3.3.3.G.

The requested use will not, by its addition to a neighborhood, cause an excess of the use that could be detrimental to the character of said neighborhood.

The use will not be in excess or detrimental to the character of the neighborhood. The Board can find that this condition is met.

III. Environmental Design Review Standards (Arlington Zoning Bylaw, Section 3.4)

1. EDR-1 Preservation of Landscape

The landscape shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal, and any grade changes shall be in keeping with the general appearance of neighboring developed areas.

The current lot is vacant following demolition of the former three-family structure and removal of vegetation. The proposed new development will introduce new landscaping materials and will be regraded which is in keeping with the general appearance of neighboring developed areas. The Board can find that this condition is met.

2. EDR-2 Relation of the Building to the Environment

Proposed development shall be related harmoniously to the terrain and to the use, scale, and architecture of the existing buildings in the vicinity that have functional or visible relationship to the proposed buildings. The Arlington Redevelopment Board may require a modification in massing so as to reduce the effect of shadows on the abutting property in an R0, R1 or R2 district or on public open space.

The proposed new building design relates to the neighborhood and vicinity. Neighboring structures include a small restaurant and a 12-unit multifamily apartment building on the 1500 block of Massachusetts Avenue and one- and two-family buildings across Massachusetts Avenue. The proposed new building height will not shadow abutting properties in the R1 residential district. This is primarily because of the grade change between those properties and the proposed new building. Additionally, the former structure was close in height to this proposed new building. The Board can find that this condition is met.

3. EDR-3 Open Space

All open space (landscaped and usable) shall be so designed as to add to the visual amenities of the vicinity by maximizing its visibility for persons passing by the site or overlooking it from nearby properties. The location and configuration of usable open space shall be so designed as to encourage social interaction, maximize its utility and facilitate maintenance.

The proposed open space primarily appears in a 25 foot front setback from the sidewalk along Massachusetts Avenue. There are additional pockets of landscaping on site, including new trees and smaller plantings. The Board can find that this condition is met.

4. EDR-4 Circulation

With respect to vehicular and pedestrian and bicycle circulation, including entrances, ramps, walkways, drives, and parking, special attention shall be given to location and number of access points to the public streets (especially in relation to existing traffic controls and mass transit facilities), width of interior drives and access points, general interior circulation, separation of pedestrian and vehicular traffic, access to community facilities, and arrangement of vehicle parking and bicycle parking areas, including bicycle parking spaces required by Section 6.1.12 that are safe and convenient and, insofar as practicable, do not detract from the use and enjoyment of proposed buildings and structures and the neighboring properties.

The applicant is seeking a parking reduction through Section 6.1.5 and has submitted a Transportation Demand Management ([TDM](#)) Plan accordingly. The proposed commercial use would require two parking spaces. In mixed-use developments, the first 3,000 square feet of non-residential space is exempt from parking requirements. The residential use includes four, two-bedroom residential units. Each two-bedroom unit is required to have 1.5 vehicle parking spaces per unit. The applicant will have five vehicle parking spaces in the driveway. [The applicant proposes providing preferential parking for carpooling vehicles as part of the TDM Plan. Additional information on how this will be successful in a relatively small development will be needed to assess its appropriateness for the TDM Plan and the requested parking reduction pursuant to Section 6.1.5.](#)

Related to bicycle parking, in Section 6.1.12(A), the commercial use requires 0.50 short-term spaces and 0.30 long-term spaces and the residential use requires 0.40 short-term spaces and 6 long-term spaces. The applicant has included a total of 2 short-term and 8 long-term bicycle parking spaces.

The vehicle parking spaces and overall site circulation may be constrained. The stacked parking on the side entry aisle appears narrow and the side exit aisle also appears narrow. Compact parking spaces may be recommended and additional safety measures installed onsite to accommodate vehicles and pedestrians on the property.

5. EDR-5 Surface Water Drainage

Special attention shall be given to proper site surface drainage so that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Available Best Management Practices for the site should be employed, and include site planning to minimize impervious surface and reduce clearing and re-grading. Best Management Practices may include erosion control and stormwater treatment by means of swales, filters, plantings, roof gardens, native

vegetation, and leaching catch basins. Stormwater should be treated at least minimally on the development site; that which cannot be handled on site shall be removed from all roofs, canopies, paved and pooling areas and carried away in an underground drainage system. Surface water in all paved areas shall be collected in intervals so that it will not obstruct the flow of vehicular or pedestrian traffic and will not create puddles in the paved areas.

In accordance with Section 3.3.4., the Board may require from any applicant, after consultation with the Director of Public Works, security satisfactory to the Board to insure the maintenance of all stormwater facilities such as catch basins, leaching catch basins, detention basins, swales, etc. within the site. The Board may use funds provided by such security to conduct maintenance that the applicant fails to do.

The Board may adjust in its sole discretion the amount and type of financial security such that it is satisfied that the amount is sufficient to provide for any future maintenance needs.

The site includes permeable pavers and the driveway includes permeable material systems. The applicant is working with the Town Engineer on a review of the stormwater plan.

6. EDR-6 Utilities Service

Electric, telephone, cable TV, and other such lines of equipment shall be underground. The proposed method of sanitary sewage disposal and solid waste disposal from all buildings shall be indicated.

There will be no changes to the existing utility service infrastructure as a result of this proposal. The Board can find that this condition is met.

7. EDR-7 Advertising Features

The size, location, design, color, texture, lighting and materials of all permanent signs and outdoor advertising structures or features shall not detract from the use and enjoyment of proposed buildings and structures and the surrounding properties.

The proposal includes some signage that is compliant with the B1 Neighborhood Office District. Final signage will need to be submitted, reviewed, and approved.

8. EDR-8 Special Features

Exposed storage areas, exposed machinery installations, service areas, truck loading areas, utility buildings and structures, and similar accessory areas and structures shall be subject to such setbacks, screen plantings or other screening methods as shall reasonably be required to prevent their being incongruous with the existing or contemplated environment and the surrounding properties.

The proposed new building's special features will be properly screened and situated on the property to minimize exposure of service and utility areas. All special features will be housed inside the new building. The Board can find that this condition is met.

9. EDR-9 Safety

With respect to personal safety, all open and enclosed spaces shall be designed to facilitate building evacuation and maximize accessibility by fire, police and other emergency personnel and equipment. Insofar as practicable, all exterior spaces and interior public and semi-public spaces shall be so designed to minimize the fear and probability of personal harm or injury by increasing the potential surveillance by neighboring residents and passersby of any accident or attempted criminal act.

The proposed new building will conform to all code requirements for open and enclosed spaces. The building design and features will increase safety. The Board can find that this condition is met.

10. EDR-10 Heritage

With respect to Arlington's heritage, removal or disruption of historic, traditional or significant uses, structures or architectural elements shall be minimized insofar as practical whether these exist on the site or on adjacent properties.

The former three-family structure which was located on this property and demolished was not listed on the *Inventory of Historically or Architecturally Significant Properties in the Town of Arlington* and is not under the jurisdiction of the Arlington Historical Commission. There are not any adjacent properties listed on the Inventory. The Board can find that this condition is met.

11. EDR-11 Microclimate

With respect to the localized climatic characteristics of a given area, any development which proposes new structures, new hard surface, ground coverage or the installation of machinery which emits heat, vapor or fumes shall endeavor to minimize insofar as practicable, any adverse impacts on light, air and water resources or on noise and temperature levels of the immediate environment.

The proposed new building includes an added non-permeable footprint due to the parking lot driveway flow and circulation on this modest parcel. The new hard surface and ground coverage will not have adverse impacts on the microclimate. The Board can find that this condition is met.

12. EDR-12 Sustainable Building and Site Design

Projects are encouraged to incorporate best practices related to sustainable sites, water efficiency, energy and atmosphere, materials and resources, and indoor environmental quality. Applicants must submit a current Green Building Council Leadership in Energy and Environmental Design (LEED) checklist, appropriate to

the type of development, annotated with narrative description that indicates how the LEED performance objectives will be incorporated into the project.

A LEED checklist has been provided which indicates that the development as proposed scores 39 points. Additional attention could be paid to incorporating additional best practices on-site to achieve at least a 40 point score. The applicant should focus on including additional sustainability and performance features that will enhance energy and atmosphere and indoor environmental quality for future building tenants.

IV. Conditions

1. The final design, sign, exterior material, landscaping, and lighting plans shall be subject to the approval of the Arlington Redevelopment Board or administratively approved by the Department of Planning and Community Development. Any substantial or material deviation during construction from the approved plans and specifications is subject to the written approval of the Arlington Redevelopment Board
2. Any substantial or material deviation during construction from the approved plans and specifications is subject to the written approval of the Arlington Redevelopment Board.
3. The Board maintains continuing jurisdiction over this permit and may, after a duly advertised public hearing, attach other conditions or modify these conditions as it deems appropriate in order to protect the public interest and welfare.
4. Snow removal from all parts of the site, as well as from any abutting public sidewalks, shall be the responsibility of the owner and shall be accomplished in accordance with Town Bylaws.
5. Trash shall be picked up only on Monday through Friday between the hours of 7:00 am and 6:00 pm. All exterior trash and storage areas on the property, if any, shall be properly screened and maintained in accordance with the Town Bylaws.
6. The Applicant shall provide a statement from the Town Engineer that all proposed utility services have adequate capacity to serve the development.
7. Upon installation of landscaping materials and other site improvements, the Applicant shall remain responsible for such materials and improvement and shall replace and repair as necessary to remain in compliance with the approved site plan.
8. Upon the issuance of the building permit the Applicant shall file with the Inspectional Services Department and the Police Department the names and

telephone numbers of contact personnel who may be reached 24 hours each day during the construction period.

9. Any final building signage will be reviewed and approved by the Department of Planning and Community Development and Inspectional Services.

Exhibit A - Statement of Intent

It is the intent of the client to construct a new building on the 7,265 square foot lot located at 1500 Massachusetts Avenue with the property being located in a B1 Zone.

The preexisting three (3) story, three (3) family dwelling located at 1500 Massachusetts Ave was demolished in anticipation of the construction of a new three (3) story mixed-use building. The new building will feature ground level office space, one (1) ground level accessible dwelling unit, as well as four (4) 2-bedroom dwelling units.

There are to be five (5) vehicular parking spaces on site, as well as three (3) short term bicycle parking spaces located near the front entry and eight (8) long term bicycle parking spaces located in a designated bike room in the interior of the building.

The preexisting building was run down and uninviting as it stood. There was a paved driveway stretching the entire front length of the building, and there was minimal landscaping. The proposed design intends to provide a more desirable and interactive streetscape. This will be accomplished by adding maintained landscaped areas at the front of the building, as well as using materials and architectural elements such as bay windows to create visual ties to the existing buildings in the area. New storefront windows and doors at the ground floor will create a visual connection to the new retail space inside. New exterior lighting will be added both for aesthetics and safety purposes. The proposed design is a sophisticated way to give the building a more inviting and interactive street presence.

The lot is located in an area which contains many commercial businesses such as Mal's Auto Body, an extensive car washing business operation, a liquor store as well as other commercial enterprises further down Massachusetts Avenue in an easterly direction including Trader Joe's, and a major pharmacy and the combination of residential and commercial units in the building are a nice fit in the mixed use district in which the property is located.

The Petitioner's proposal would require eight (8) parking spaces and five (5) are provided.

There is no parking requirement for the office space as that space comprises less than 3,000 square feet of the building.

The Petitioner will be applying for relief with respect to Section 6.1.5 of the zoning bylaw which allows a parking reduction in a business zone if allowed by the Redevelopment Board to 25% of that required in the Table of Off Use Street Parking regulations.

The Petitioner in accordance with subsection c of Section 6.1.5 will provide the following three TDM parking reduction methods:

1. Petitioner will provide covered bicycle parking and storage
2. **Petitioner will provide preferential parking for carpooling vehicles.**
3. Petitioner will provide bicycle sharing on site

The fact that employees of the office space can use public transportation and the three (3) short term bicycle parking spaces and the eight (8) long term bicycle parking spaces represents an open invitation to individuals to use bicycles to travel to and from the building for any purpose including traveling to

places of employment in the case of residents of the building and for business customers of the office space.

There is an MBTA bus stop in close proximity to the property to accommodate any residents of the building or any visitors to the office space who wish to travel to and from the location particularly so with respect to individual residents who may be employed in the Boston/Cambridge area who can simply leave their cars at the 1500 Mass Ave property and travel by public transportation to their places of employment.

The proposed building provides a large green open space at the rear of the building as well as additional open space on the side of the building as shown on Petitioner's plans.

The plans propose a two-way driveway for vehicular traffic with the addition of interior and exterior bicycle parking which will allow and make it more convenient for any employee of the office unit as well as residents to commute either to their employment or elsewhere by bicycle.

Petitioner's plans will add five (5) additional dwelling units in the Town as well as office space which is in keeping with the mix use intent of Zoning Bylaw.

Each of the upper level residential units will contain two (2) bedrooms and Petitioner suggests to the members of the Board that there has been an expressed need for additional residential units in the Town both as expressed in communications from the State level and provisions of the Master Plan for the Town.

The parking areas for motor vehicles for the office unit and the five (5) residential units are depicted on Plan AS101 and five spaces are located to the rear of the property adjacent to the driveway.

Given the height of the abutting buildings to the locus, i.e. the apartment house located to the left of the property, the residence to the rear of the property and the commercial property abutting the locus there will be "no shadow" effect from the construction on neighboring properties with respect to the proposal.

TOWN OF ARLINGTON

REDEVELOPMENT BOARD

Petition for Special Permit under Environmental Design Review (see Section 3.4 of the Arlington Zoning Bylaw for Applicability)

For Projects subject to Environmental Design Review, (see Section 3.4), please submit a statement that completely describes your proposal, and addresses each of the following standards.

1. Preservation of Landscape. The landscape shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal, and any grade changes shall be in keeping with the general appearance of neighboring developed areas.

Preservation of Landscape: Landscaping on the existing site is unmaintained and overgrown. There is a large paved driveway stretching the front length of the existing building, allowing for a less than desirable streetscape. The proposed design provides a large landscaped green open space at the rear of the building as well as additional landscaped open space on the side of the building. The proposed landscaping is to be maintained and more visually appealing than the existing conditions.

2. Relation of Buildings to Environment. Proposed development shall be related harmoniously to the terrain and to the use, scale, and architecture of existing buildings in the vicinity that have functional or visual relationship to the proposed buildings. The Arlington Redevelopment Board may require a modification in massing to reduce the effect of shadows on abutting property in an R0, R1 or R2 district or on public open space.

Relation of Buildings to Environment: The scale of the proposed building and front setback is appropriate based on the existing buildings in the area. The use of materials and architectural accents such as bay windows will create visual ties to the existing buildings in the area.

3. Open Space. All open space (landscaped and usable) shall be so designed as to add to the visual amenities of the vicinity by maximizing its visibility for persons passing the site or overlooking it from nearby properties. The location and configuration of usable open space shall be so designed as to encourage social interaction, maximize its utility, and facilitate maintenance.

Open Space: The existing building on the existing site features a large paved driveway stretching the front length of the building, allowing for minimal landscaping. The proposed building provides landscaped areas along the streetscape, as well as a large amount of green open space at the rear of the building and additional green open space on the side of the building.

4. Circulation. With respect to vehicular, pedestrian and bicycle circulation, including entrances, ramps, walkways, drives, and parking, special attention shall be given to location and number of access points to the public streets (especially in relation to existing traffic controls and mass transit facilities), width of interior drives and access points, general interior circulation, separation of pedestrian and vehicular traffic, access to community facilities, and arrangement of vehicle parking and bicycle parking areas, including bicycle parking spaces required by section

8.13 that are safe and convenient and, insofar as practicable, do not detract from the use and enjoyment of proposed buildings and structures and the neighboring properties.

Circulation: The proposed design includes a two-way driveway that will create an easy flow of vehicular traffic. The addition of interior & exterior bicycle parking, designated as required by section 6.1.12 of the town Bylaw, will also make it more convenient / practical for employees & residents to commute via bicycle. See attached plans.

5. Surface Water Drainage. Special attention shall be given to proper site surface drainage so that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Available Best Management Practices for the site should be employed, and include site planning to minimize impervious surface and reduce clearing and re-grading. Best Management Practices may include erosion control and storm water treatment by means of swales, filters, plantings, roof gardens, native vegetation, and leaching catch basins. Storm water should be treated at least minimally on the development site; that which cannot be handled on site shall be removed from all roofs, canopies, paved and pooling areas and carried away in an underground drainage system. Surface water in all paved areas shall be collected at intervals so that it will not obstruct the flow of vehicular or pedestrian traffic, and will not create puddles in the paved areas.

In accordance with Section 3.3.4, the Board may require from any applicant, after consultation with the Director of Public Works, security satisfactory to the Board to insure the maintenance of all storm water facilities such as catch basins, leaching catch basins, detention basins, swales, etc. within the site. The Board may use funds provided by such security to conduct maintenance that the applicant fails to do. The board may adjust in its sole discretion the amount and type of financial security such that it is satisfied that the amount is sufficient to provide for the future maintenance needs.

Surface Water Drainage: Driveways are to be constructed using a permeable, fast draining concrete system.

6. Utility Service. Electric, telephone, cable TV and other such lines and equipment shall be underground. The proposed method of sanitary sewage disposal and solid waste disposal from all buildings shall be indicated.

Utility Service: Method of utility service is to remain as is.

7. Advertising Features. The size, location, design, color, texture, lighting and materials of all permanent signs and outdoor advertising structures or features shall not detract from the use and enjoyment of proposed buildings and structures and the surrounding properties. Advertising features are subject to the provisions of section 6.2 of the zoning Bylaw.

Advertising Features: The proposed advertising features have been designed to meet the requirements of section 6.2 of the town Bylaw. The proposed sign is to be a wall sign mounted to the front façade of the building. The location and dimensions of the proposed sign are indicated in the architectural drawings.

8. Special Features. Exposed storage areas, exposed machinery installations, service areas, truck loading areas, utility buildings and structures, and similar accessory areas and structures shall be subject to such setbacks, screen plantings or other screening methods as shall reasonably be required to prevent their being incongruous with the existing or contemplated environment and the surrounding properties.

Special Features: The proposed design does not include the addition of any exposed storage areas, service areas, truck loading areas, utility buildings, or structures.

9. Safety. With respect to personal safety, all open and enclosed spaces shall be designed to facilitate building evacuation and maximize accessibility by fire, police, and other emergency personnel and equipment. Insofar as practicable, all exterior spaces and interior public and semi-public spaces shall be so designed as to minimize the fear and probability of personal harm or injury by increasing the potential surveillance by neighboring residents and passersby of any accident or attempted criminal act.

Safety: The proposed interior layout plans have been designed to facilitate building evacuation and accessibility by fire, police, and other emergency personnel and equipment.

10. Heritage. With respect to Arlington's heritage, removal or disruption of historic, traditional or significant uses, structures, or architectural elements shall be minimized insofar as practicable, whether these exist on the site or on adjacent properties.

Heritage: There are no historical buildings on the site or on adjacent properties.

11. Microclimate. With respect to the localized climatic characteristics of a given area, any development which proposes new structures, new hard-surface ground coverage, or the installation of machinery which emits heat, vapor, or fumes, shall endeavor to minimize, insofar as practicable, any adverse impact on light, air, and water resources, or on noise and temperature levels of the immediate environment.

Microclimate: The proposed plans do not include the installation of machinery which emits vapor or fumes. The building has been designed in accordance with the height and dimensional requirements contained in the Zoning Bylaws.

12. Sustainable Building and Site Design. Projects are encouraged to incorporate best practices related to sustainable sites, water efficiency, energy and atmosphere, materials and resources, and indoor environmental quality. Applicants must submit a current Green Building Council Leadership in Energy and Environmental Design (LEED) checklist, appropriate to the type of development, annotated with narrative description that indicates how the LEED performance objectives will be incorporated into the project.

Sustainable Building and Site Design: This project will be built in compliance with all codes, including building, mechanical, electrical, plumbing, and energy conservation codes. While the applicant will not seek LEED certification for this project, many LEED initiatives across all categories will be implemented. With regards to the interior renovations, the applicant will endeavor to achieve points for materials and resources where possible during documentation.

See attached LEED Project Checklist for more information.

In addition, projects subject to Environmental Design Review must address and meet the following Special Permit Criteria (see Section 3.3.3 of the Zoning Bylaw):

1. The use requested is listed as a special permit in the use regulations for the applicable district or is so designated elsewhere in this Bylaw.

The proposed use of the property is listed as a special permit in the use regulations for the B1 Neighborhood Office District.

2. The requested use is essential or desirable to the public convenience or welfare.

The majority of the proposed building is residential, as is the existing building. The ground floor will feature office space as requested by the ARB.

3. The requested use will not create undue traffic congestion or unduly impair pedestrian safety.

The existing curb cut at 1500 Mass Ave will be shortened. The proposed design includes a two-way driveway that will create an easy flow of vehicular traffic. The addition of interior & exterior bicycle parking, designed as required by section 6.1.12 of the town Bylaw, will also make it more convenient / practical for employees & residents to commute via bicycle. See attached plans.

4. The requested use will not overload any public water, drainage or sewer system or any other municipal system to such an extent that the requested use or any developed use in the immediate area or in any other area of the Town will be unduly subjected to hazards affecting health, safety or the general welfare.

The majority of the proposed building is residential, as is the existing building. The proposed use will not add any substantial loads on utilities.

5. Any special regulations for the use as may be provided in this Bylaw are fulfilled.

Any special regulations for the use as may be provided in this Bylaw are fulfilled.

6. The requested use will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the health, morals, or welfare.

The use of this property will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the health, morals, or welfare.

7. The requested use will not, by its addition to a neighborhood, cause an excess of the particular use that could be detrimental to the character of said neighborhood.

The use of the property will not be in excess or detrimental to the character of the neighborhood.

TOWN OF ARLINGTON
 Dimensional and Parking Information
 for Application to
 The Arlington Redevelopment Board

Docket No. _____

Property Location 1500 Mass Ave, Arlington MA

Zoning District B1

Owner: _____

Address: _____

Present Use/Occupancy: No. of Dwelling Units:
Three Family, 3 Dwelling Units

Uses and their gross square feet:

Proposed Use/Occupancy: No. of Dwelling Units:
Mixed Use, 5 Dwelling Units

Uses and their gross square feet:

Residential: 4,933.2 sf Office: 475 sf

	<u>Present Conditions</u>	<u>Proposed Conditions</u>	<u>Min. or Max. Required by Zoning for Proposed Use</u>
Lot Size	7,265	7,265	min. 5,000
Frontage	80	80	min. 50
Floor Area Ratio		0.74	max. 0.75
Lot Coverage (%), where applicable	-----	-----	max. -----
Lot Area per Dwelling Unit (square feet)	-----	-----	min. -----
Front Yard Depth (feet)	17.3	2.5	min. 20
Side Yard Width (feet) right side	44.9	21.6	min. 10
left side	5.1	10	min. 10
Rear Yard Depth (feet)	10.3	46.5	min. 20
Height			min.
Stories	3	3	stories 3
Feet		32' 8"	feet 35
Open Space (% of G.F.A.)			min.
Landscaped (square feet)		2,296.5	(s.f.) 1,081.6
Usable (square feet)		1,575.5	(s.f.) 986.6
Parking Spaces (No.)		5	min. 8
Parking Area Setbacks (feet), where applicable		5	min. 10, 5 w/ suitable wall
Loading Spaces (No.)	0	0	min. 0
Type of Construction			
Distance to Nearest Building		10	min.

*Sec. 5.3.21

OPEN SPACE/GROSS FLOOR AREA

Refer to Zoning Bylaw Section 2, Definitions and Section 5, District Regulations

Address 1500 Mass Ave, Arlington MA

Zoning District B1

OPEN SPACE

Total lot area

EXISTING

7,265 sf

PROPOSED

7,265 sf

Open Space (Usable)*

1,575.5 sf

Open Space (Landscaped)

2,296.5 sf

*Usable Open Space must be at least 75% open to the sky, free of automotive, traffic and parking, and readily accessible. Open space shall be deemed usable only if : 1) at least 75% of the area has a grade of less than 8% and no horizontal dimension less than 25 feet.

GROSS FLOOR AREA (GFA)

Accessory building

Basement or cellar (>5' excluding mechanical area)

1st Floor

1,327.8 sf

2nd Floor

2,040.2 sf

3rd Floor

2,040.2 sf

4th Floor

5th Floor

Attic (>7'0" in height, excluding elevator, mechanical area)

Parking garages (except as used for accessory
Parking garages or off street loading purposes)

All weather habitable porches and balconies

Total Gross Floor Area (GFA)

5,408.2 sf

REQUIRED MINIMUM OPEN SPACE AREA

Proposed Usable Open Space Percent of GFA

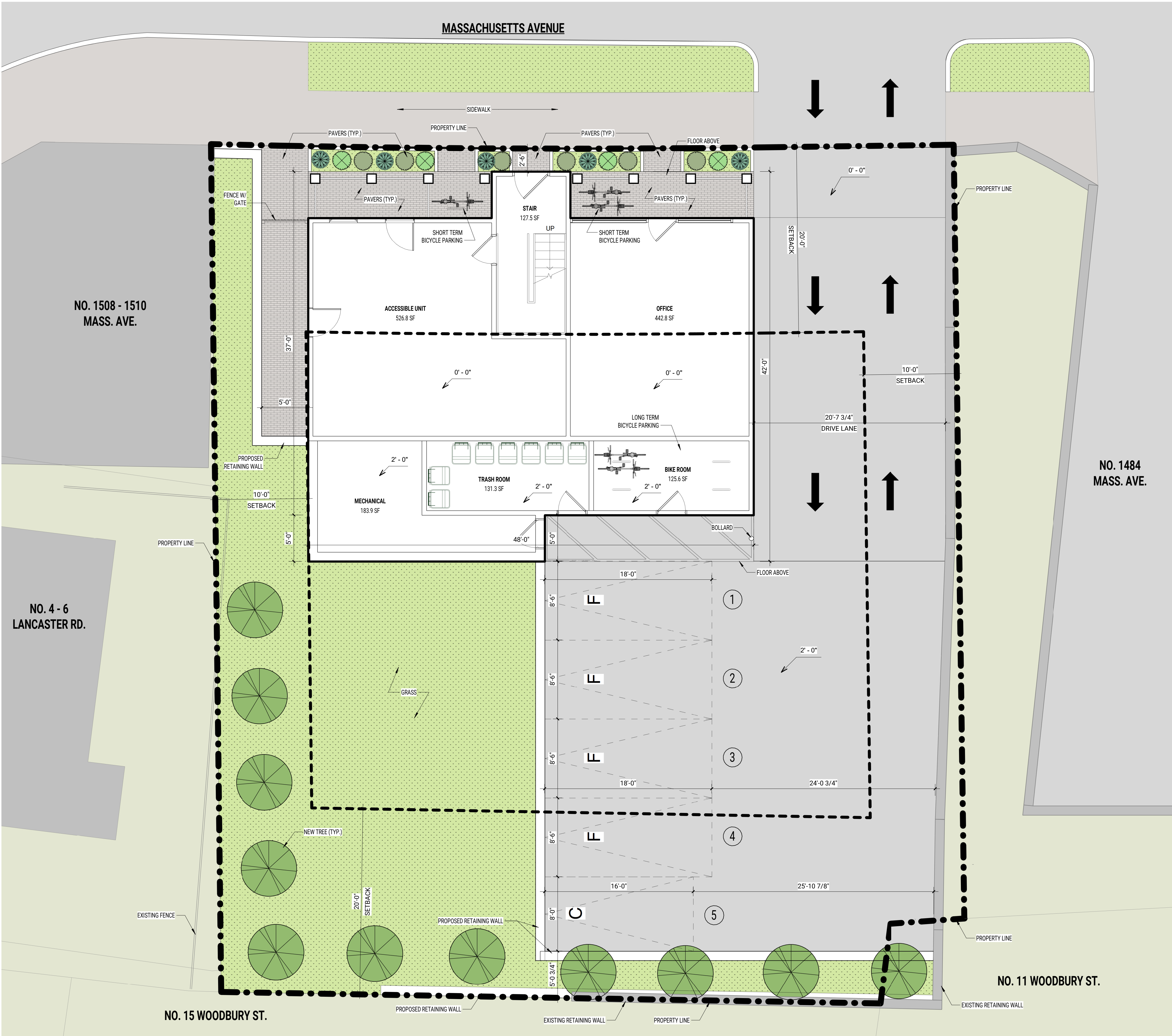
32% (% of Residential GSF only per section 5.3.21)

Proposed Landscaped Open Space Percent of GFA

42%

This worksheet applies to plans dated _____ designed by _____

Reviewed by Inspectional Services _____ Date: _____



PLANTING LEGEND	
	GRASS
	HYDRANGEA
	RHODODENDRON
	EVERGREEN AZALEA

MFDS
A+P

MONTE FRENCH DESIGN STUDIO (MFDS)

650 COLUMBUS AVE, STE. A

BOSTON MA, 02118

T: 617-606-4496

WWW.MFDS-BOS.COM

CONSULTANTS:

ZONING SET
(NOT FOR CONSTRUCTION)



MARK	DATE	DESCRIPTION

PROJECT NAME:
**1500
Massachusetts
Ave**

ADDRESS:
1500 Massachusetts Ave, Arlington MA

DATE ISSUED: 10/09/2020

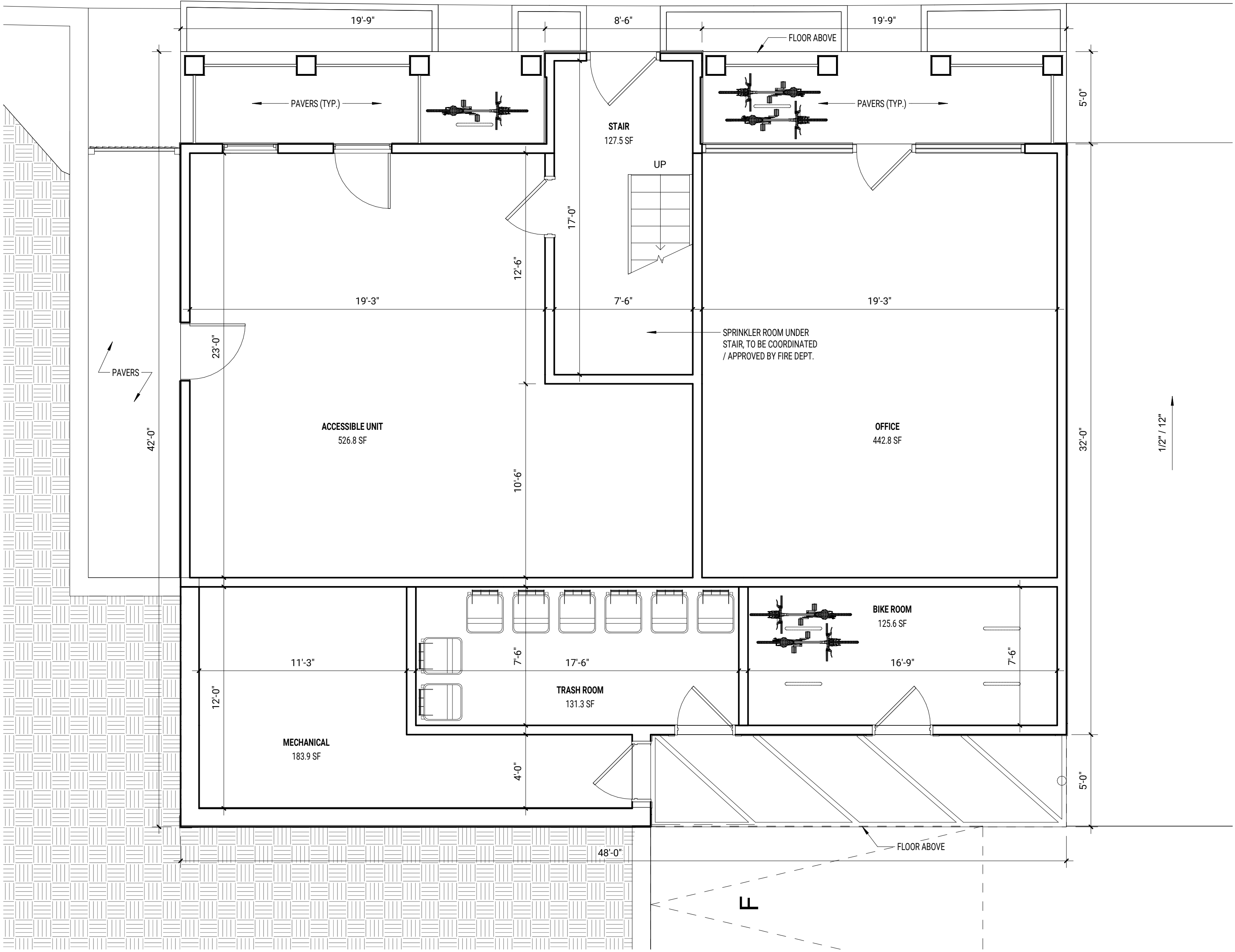
PROJECT #: 19018

SCALE: As indicated

DRAWN BY: EAD

ARCHITECTURAL SITE PLAN

AS101



CONSULTANTS:

ZONING SET
(NOT FOR CONSTRUCTION)



MARK: DATE: DESCRIPTION:
ISSUE LOG:

PROJECT NAME:
**1500
Massachusetts
Ave**
ADDRESS:
1500 Massachusetts Ave, Arlington MA
DATE ISSUED: 10/09/2020
PROJECT #: 19018
SCALE: 1/4" = 1'-0"
DRAWN BY: EAD

1ST FLOOR CONSTRUCTION
PLAN

A-102

CONSULTANTS:

ZONING SET
(NOT FOR CONSTRUCTION)



MARK: DATE: DESCRIPTION:
ISSUE LOG:

PROJECT NAME:
**1500
Massachusetts
Ave**

ADDRESS:
1500 Massachusetts Ave, Arlington MA

DATE ISSUED: 10/09/2020

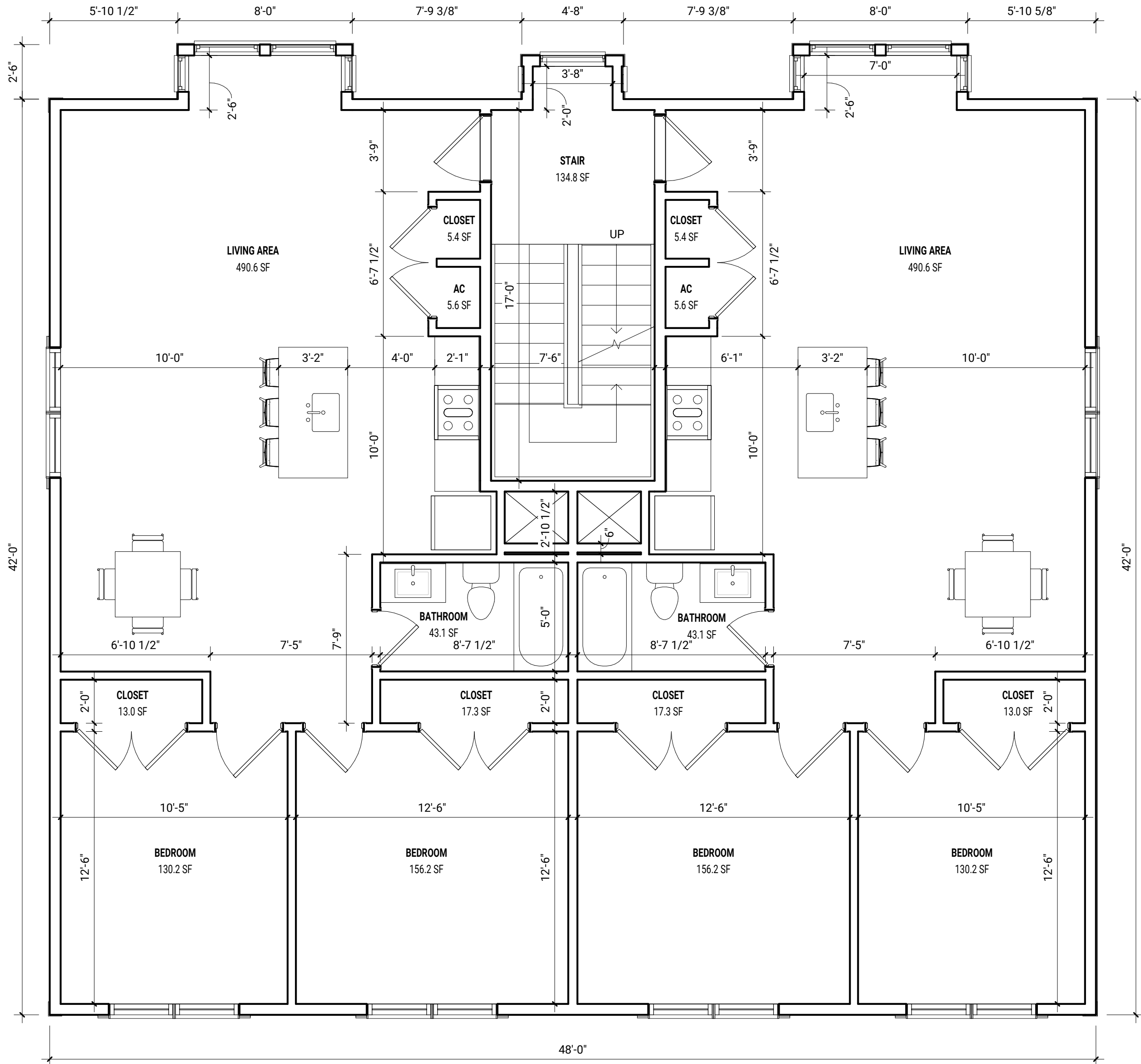
PROJECT #: 19018

SCALE: 1/4" = 1'-0"

DRAWN BY: EAD

2ND FLOOR CONSTRUCTION
PLAN

A-103



CONSULTANTS:

ZONING SET
(NOT FOR CONSTRUCTION)

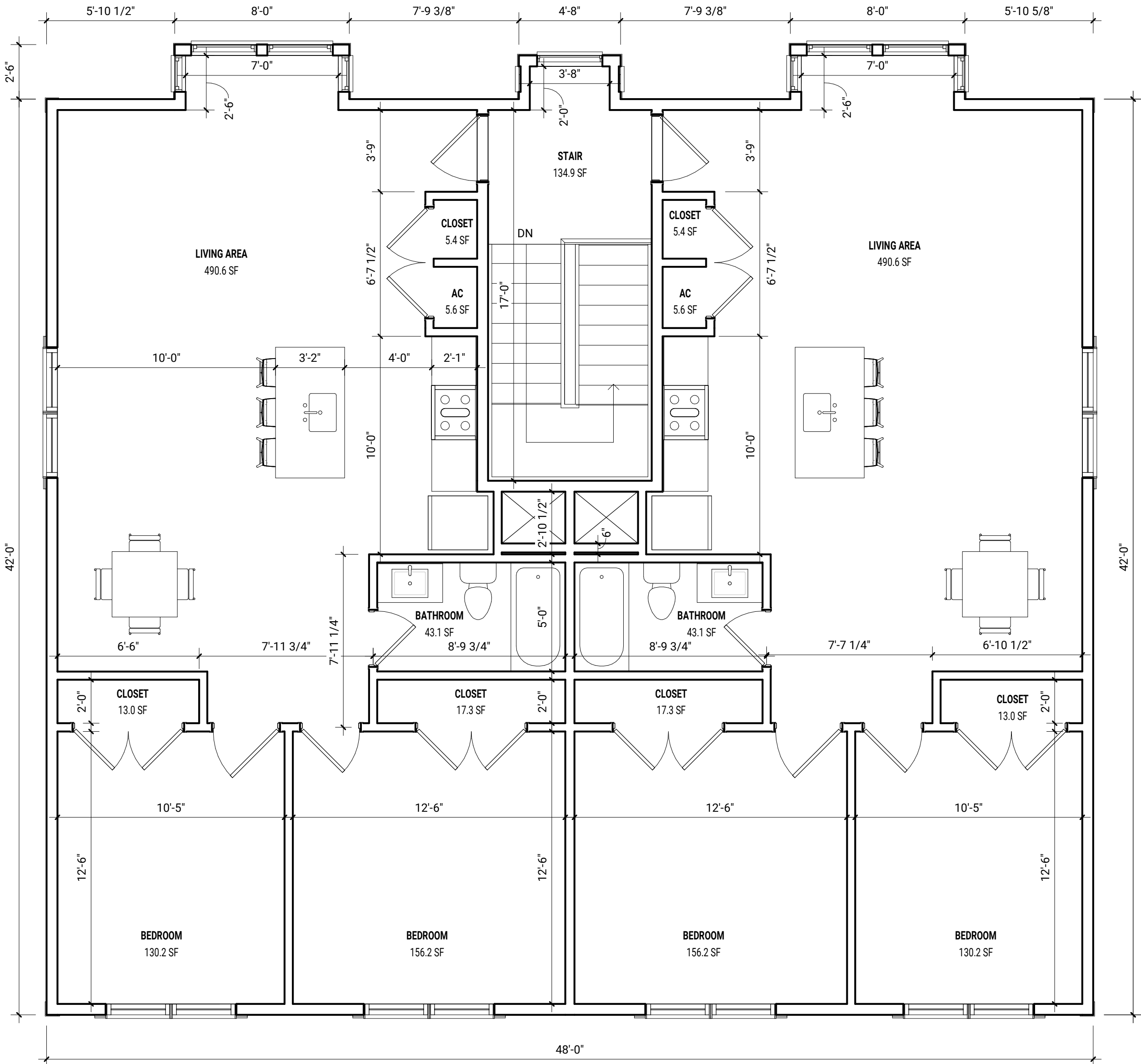


MARK: DATE: DESCRIPTION:
ISSUE LOG:

PROJECT NAME:
**1500
Massachusetts
Ave**
ADDRESS:
1500 Massachusetts Ave, Arlington MA
DATE ISSUED: 10/09/2020
PROJECT #: 19018
SCALE: 1/4" = 1'-0"
DRAWN BY: EAD

3RD FLOOR CONSTRUCTION
PLAN

A-104



CONSULTANTS:

ZONING SET
(NOT FOR CONSTRUCTION)



MARK: DATE: DESCRIPTION:
ISSUE LOG:

PROJECT NAME:
**1500
Massachusetts
Ave**
ADDRESS:
1500 Massachusetts Ave, Arlington MA
DATE ISSUED: 10/09/2020
PROJECT #: 19018
SCALE: 1/4" = 1'-0"
DRAWN BY: EAD

NORTH BUILDING ELEVATION

A-201



CONSULTANTS:

ZONING SET
(NOT FOR CONSTRUCTION)



MARK: DATE: DESCRIPTION:
ISSUE LOG:

PROJECT NAME:
**1500
Massachusetts
Ave**
ADDRESS:
1500 Massachusetts Ave, Arlington MA
DATE ISSUED: 10/09/2020
PROJECT #: 19018
SCALE: 1/4" = 1'-0"
DRAWN BY: EAD

WEST BUILDING ELEVATION

A-202



CONSULTANTS:

ZONING SET
(NOT FOR CONSTRUCTION)



MARK: DATE: DESCRIPTION:
ISSUE LOG:

PROJECT NAME:
**1500
Massachusetts
Ave**
ADDRESS:
1500 Massachusetts Ave, Arlington MA
DATE ISSUED: 10/09/2020
PROJECT #: 19018
SCALE: 1/4" = 1'-0"
DRAWN BY: EAD

SOUTH BUILDING ELEVATION

A-203



CONSULTANTS:

ZONING SET
(NOT FOR CONSTRUCTION)



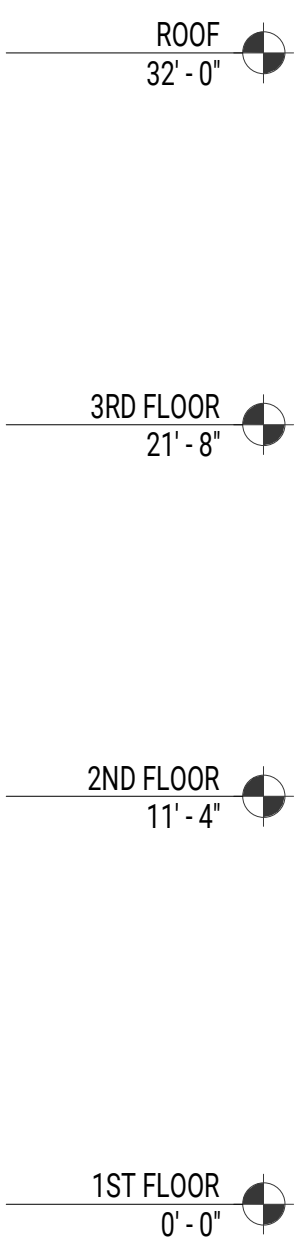
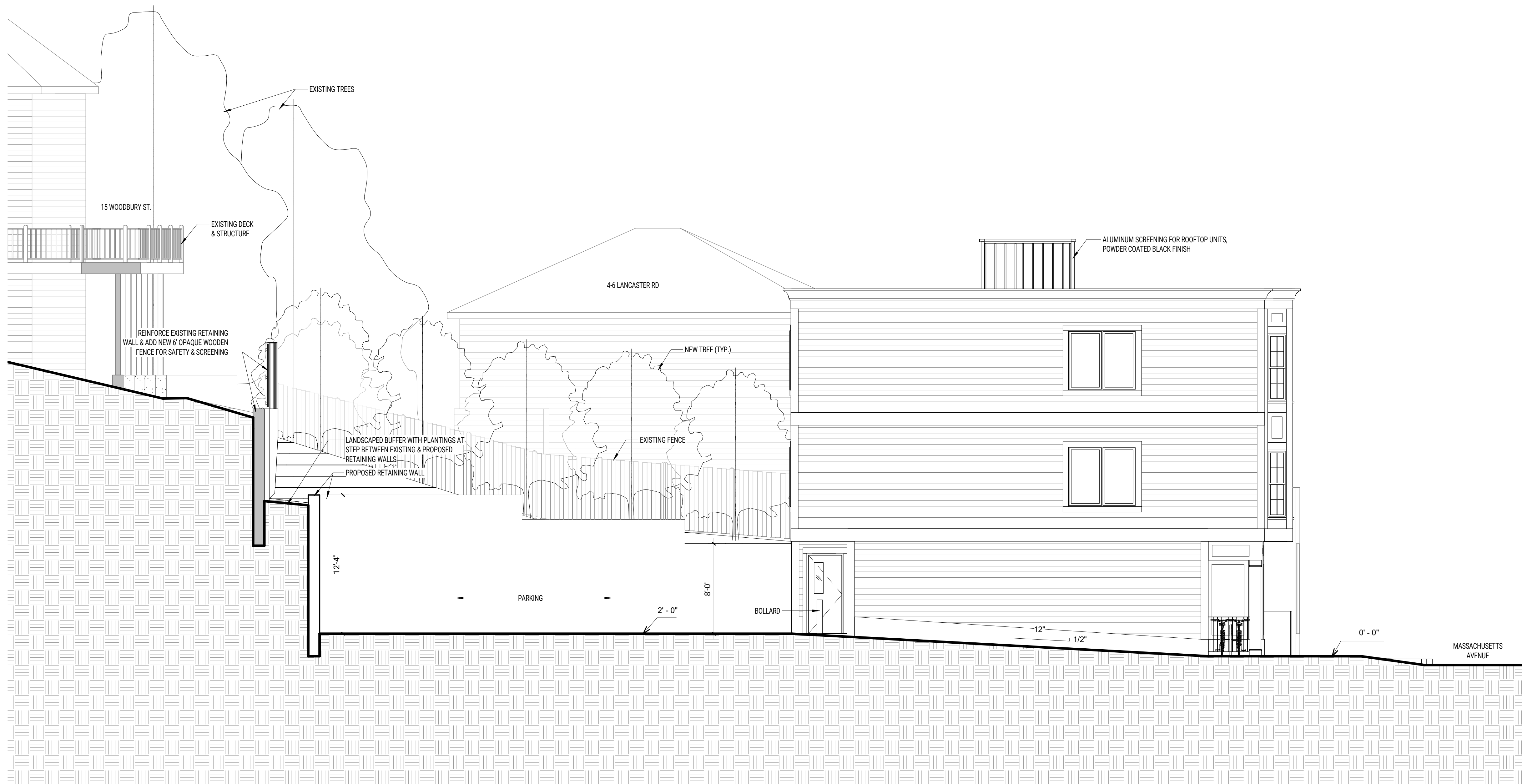
MARK: DATE: DESCRIPTION:
ISSUE LOG:

PROJECT NAME:
**1500
Massachusetts
Ave**
ADDRESS:
1500 Massachusetts Ave, Arlington MA
DATE ISSUED: 10/09/2020
PROJECT #: 19018
SCALE: 1/4" = 1'-0"
DRAWN BY: EAD

EAST BUILDING ELEVATION

A-204





CONSULTANTS:

ZONING SET
(NOT FOR CONSTRUCTION)

DRAFT

MARK:	DATE:	DESCRIPTION:
ISSUE LOG:		

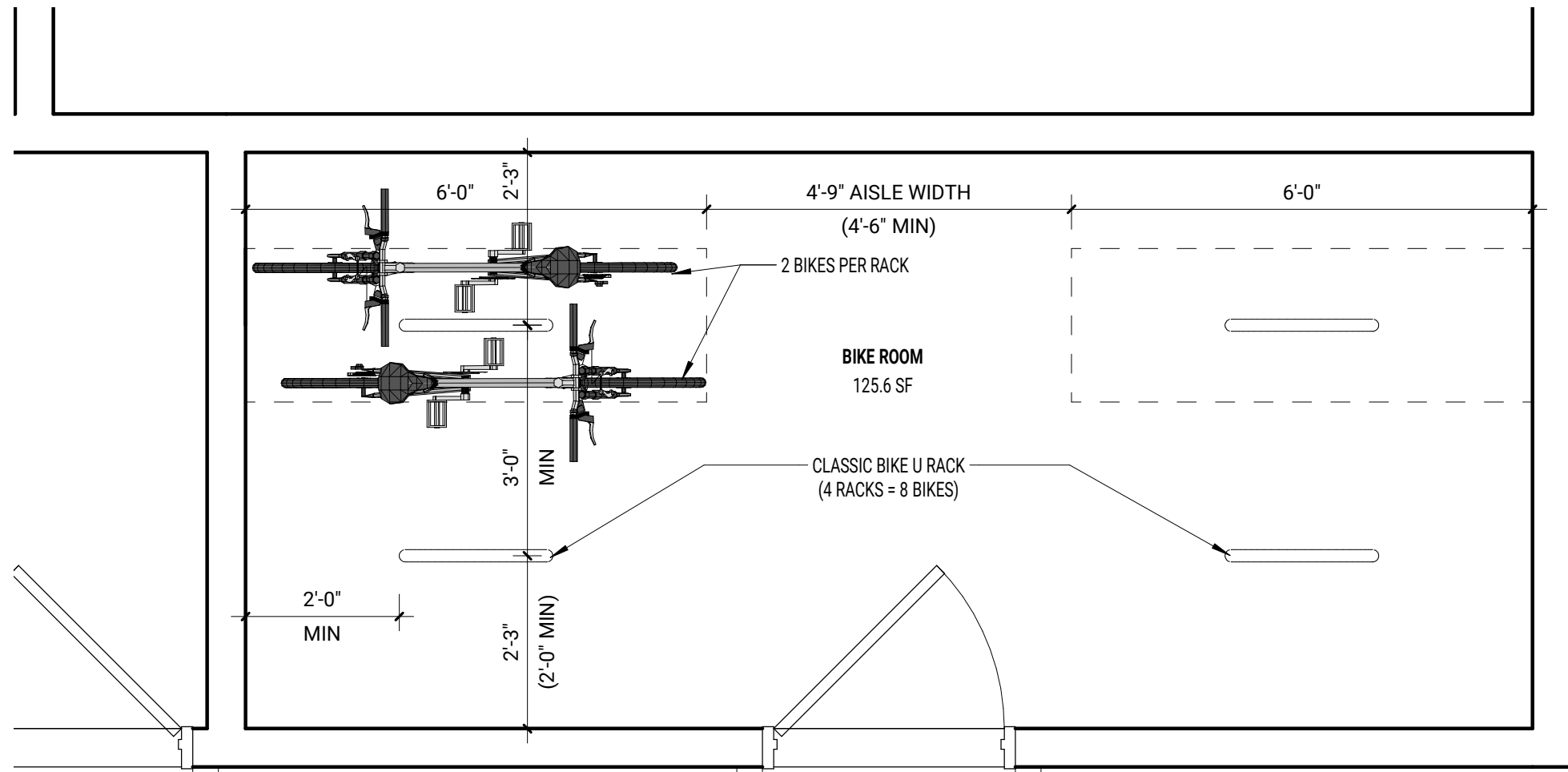
PROJECT NAME:
**1500
Massachusetts
Ave**

ADDRESS:
1500 Massachusetts Ave, Arlington MA

DATE ISSUED: 10/09/2020
PROJECT #: 19018
SCALE: 3/16" = 1'-0"
DRAWN BY: EAD

EAST BUILDING SECTION

A-301

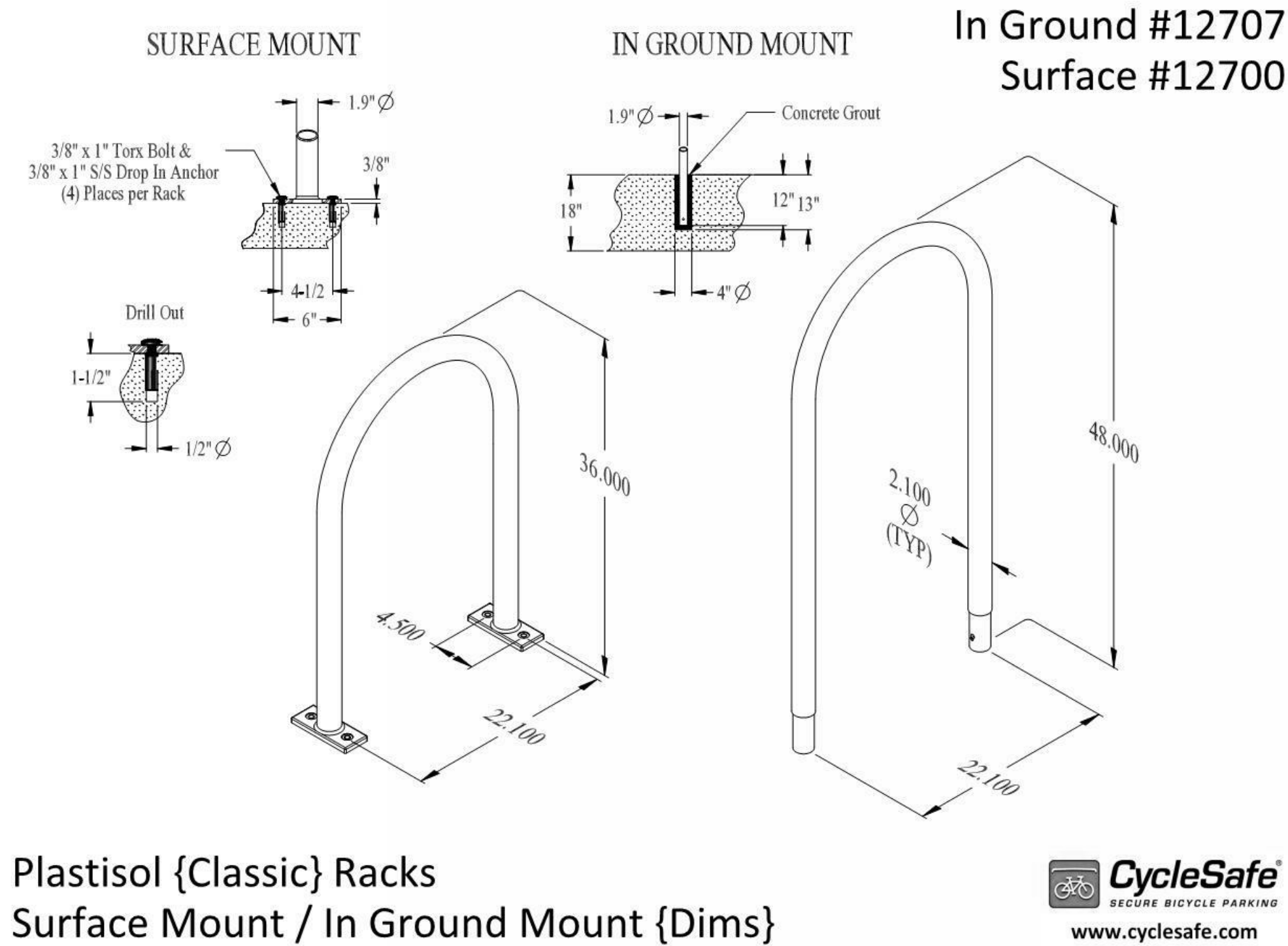


1 ENLARGED PLAN - BICYCLE ROOM
SCALE: 1/2" = 1'-0"



2 ENLARGED ELEVATION - BUILDING SIGNAGE
SCALE: 3/4" = 1'-0"

BIKE RACK SPECIFICATIONS



MFDS A+P

MONTE FRENCH DESIGN STUDIO (MFDS)
650 COLUMBUS AVE, STE. A
BOSTON MA, 02118
T: 617-606-4496
WWW.MFDS-BOS.COM

CONSULTANTS:

ZONING SET
(NOT FOR CONSTRUCTION)



MARK: DATE: DESCRIPTION:
ISSUE LOG:

PROJECT NAME:
1500 Massachusetts Ave

ADDRESS:
1500 Massachusetts Ave, Arlington MA

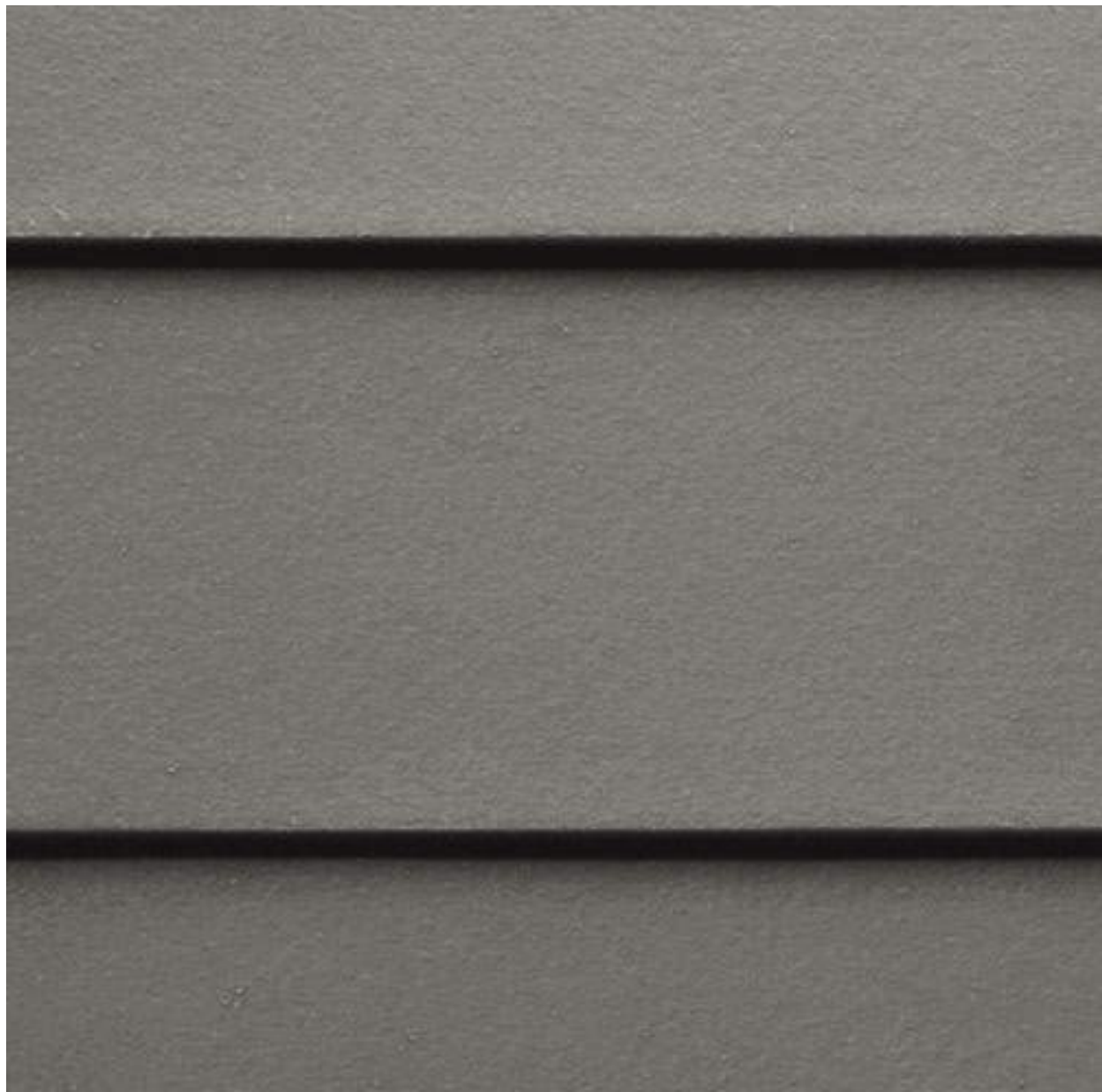
DATE ISSUED: 10/09/2020
PROJECT #: 19018
SCALE: As indicated
DRAWN BY: EAD

ENLARGED PLANS &
SPECIFICATIONS

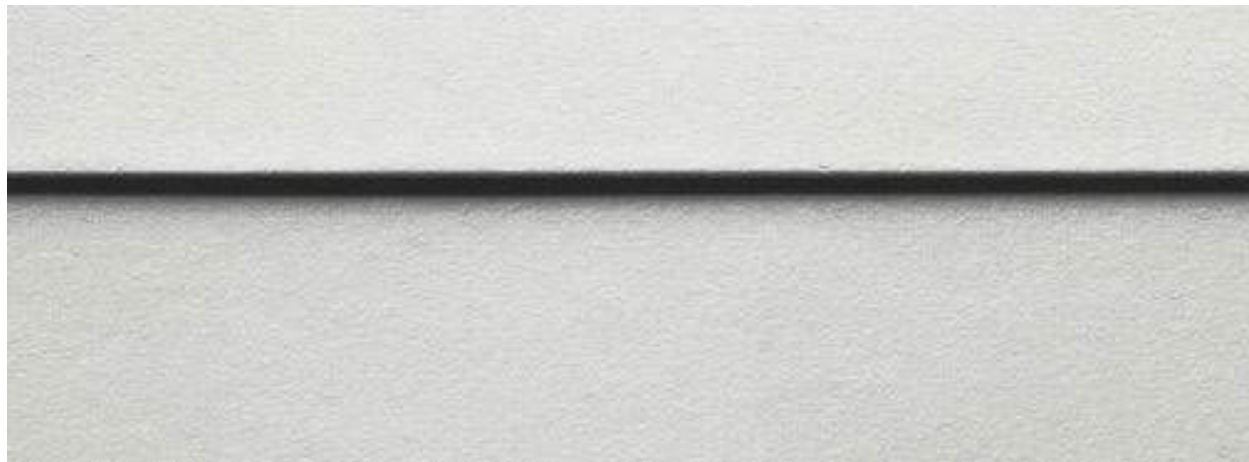
A-401



PROPOSED EXTERIOR DESIGN



JAMES HARDIE - AGED PEWTER



AZEK TRIM - WHITE



POWDER COATED BLACK ACCENTS



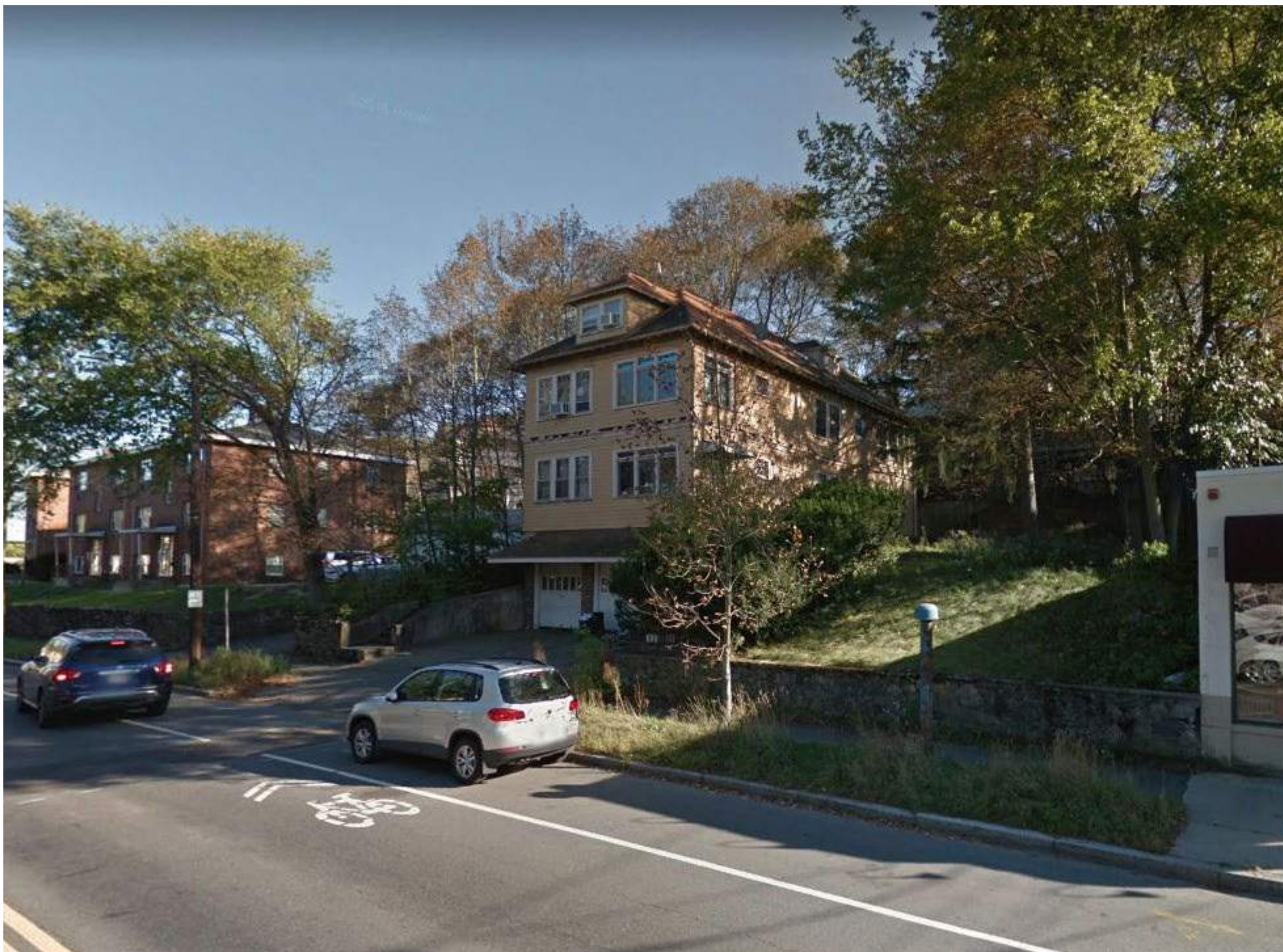
SHADES OF LIGHT -
OUTDOOR SCNCE



PROPOSED SITE SECTION

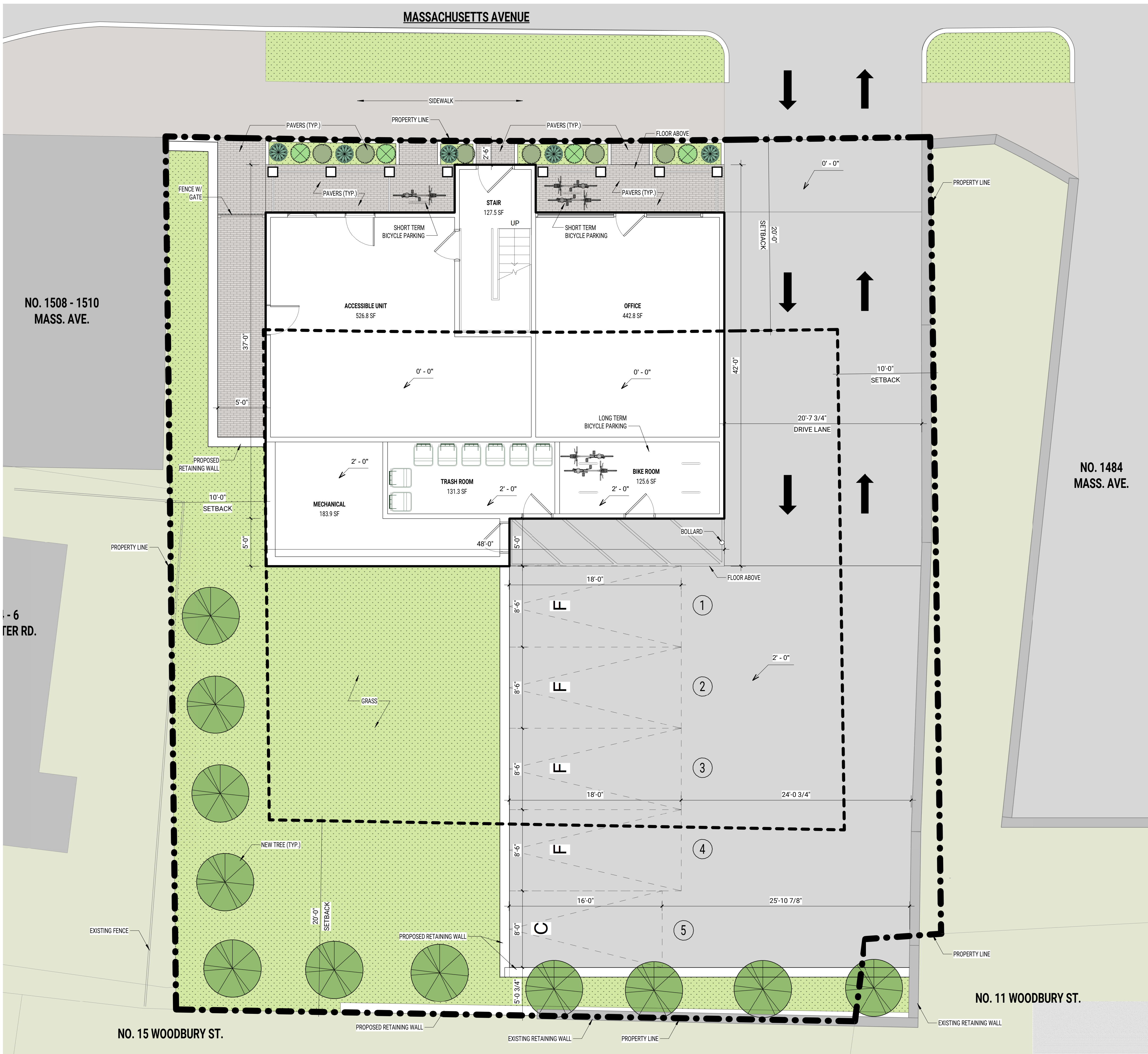
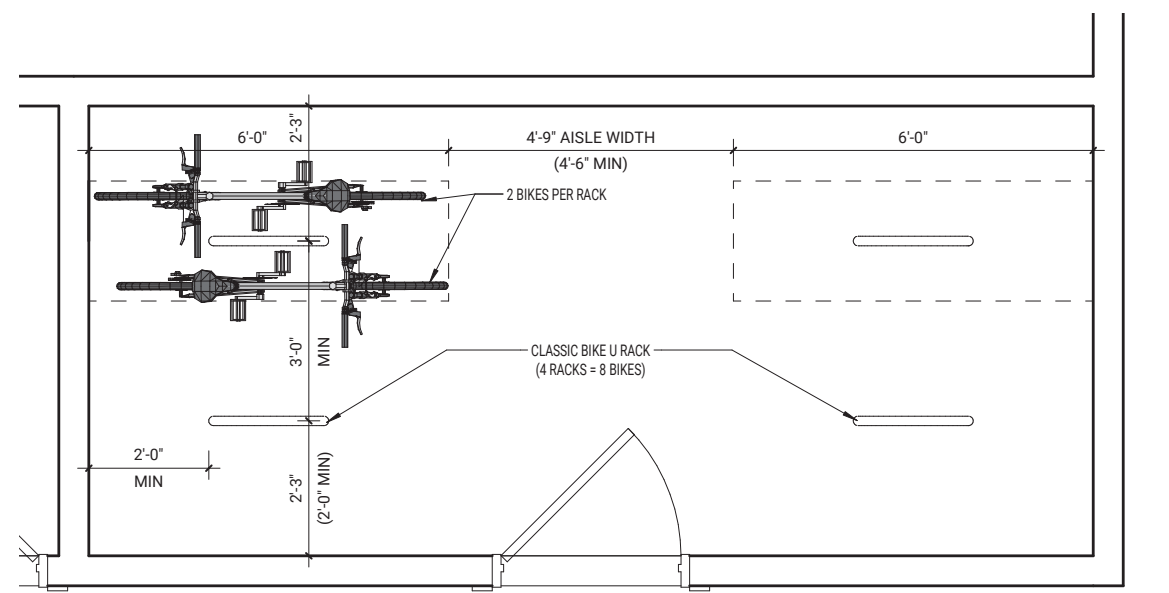
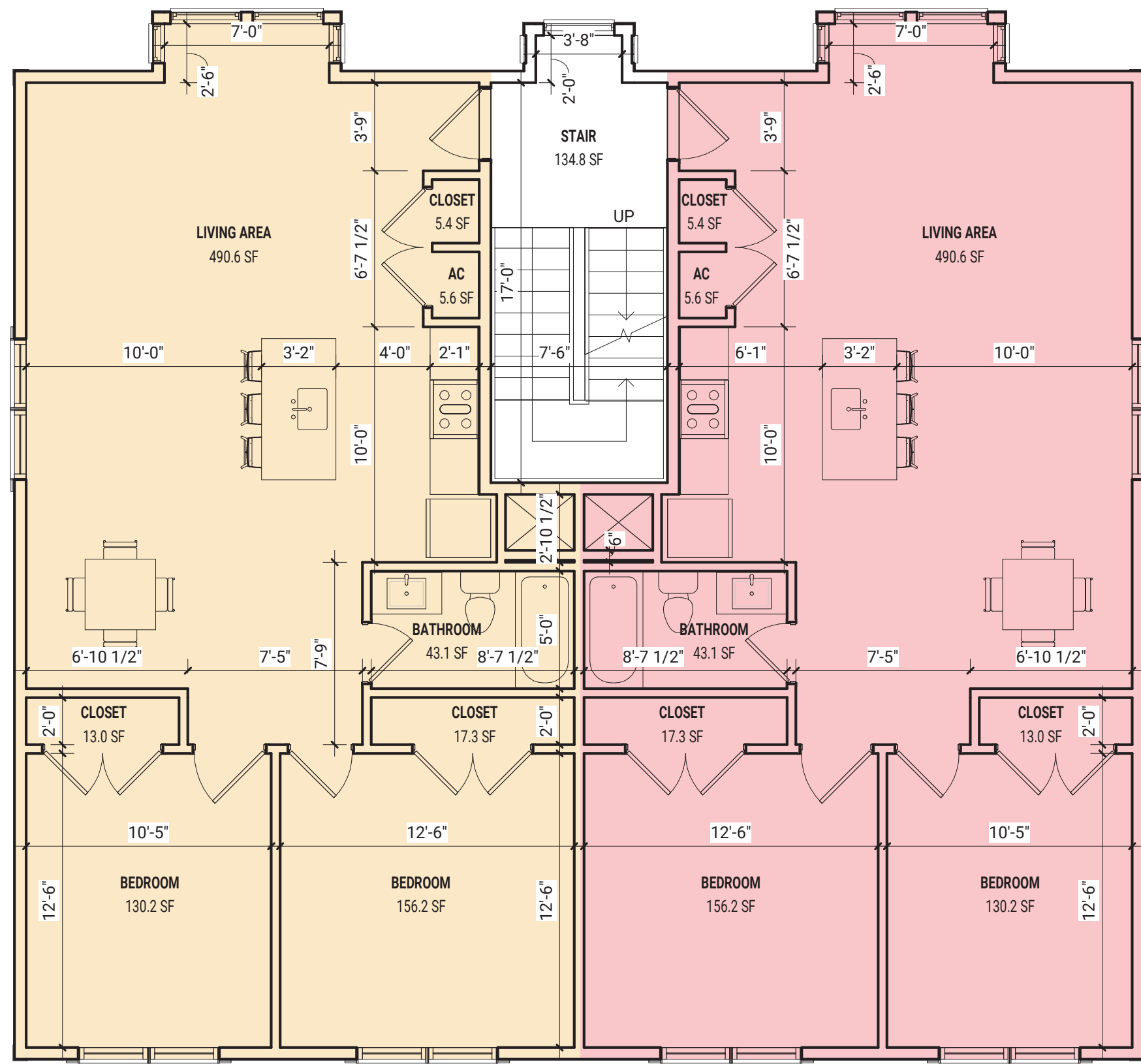
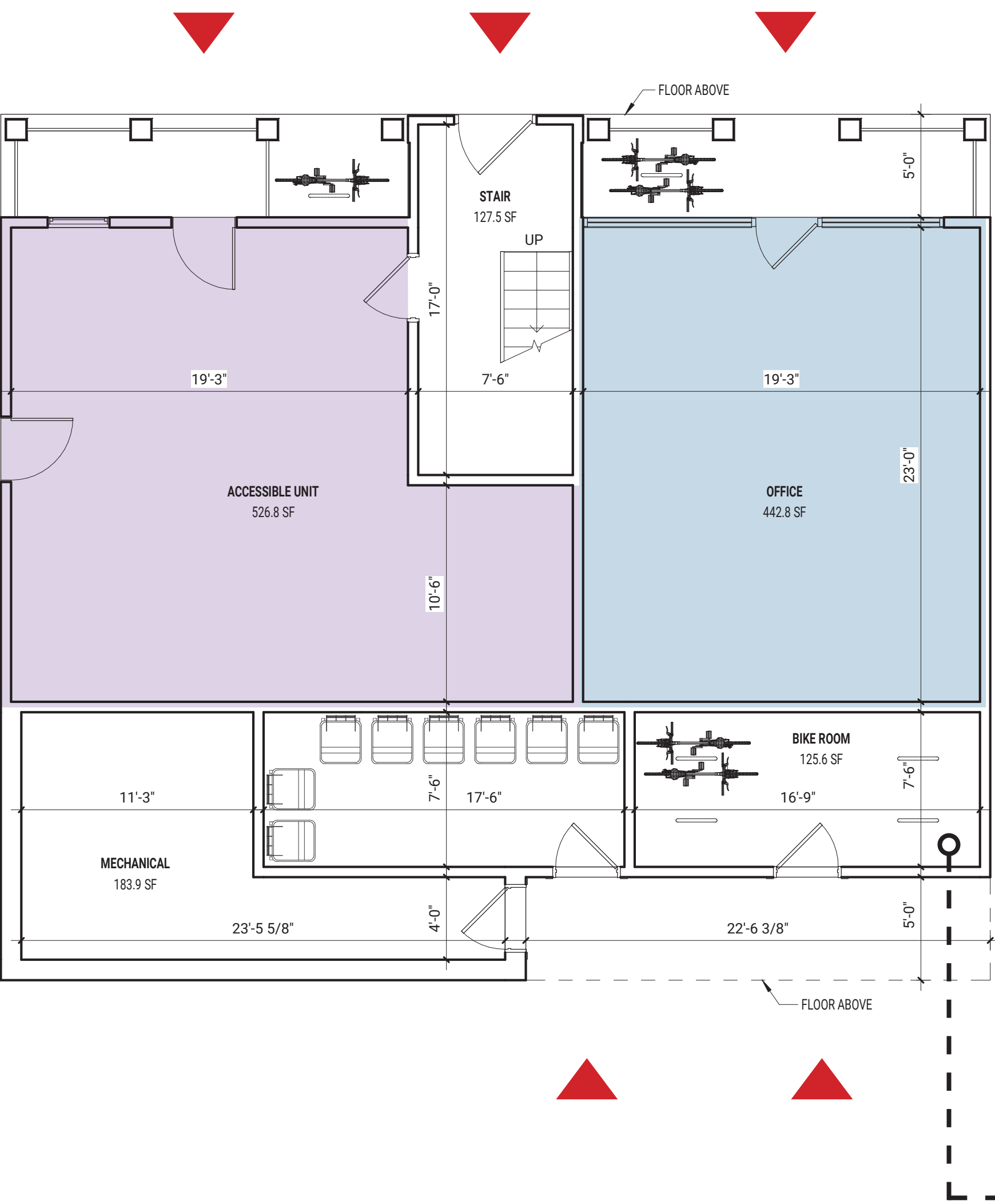


PROPOSED NORTH ELEVATION



EXISTING CONDITIONS

OFFICE UNIT 1 UNIT 2 UNIT 3 EXTERIOR DOOR / POINT OF ENTRY



SITE PLAN LEGEND

- GRASS
- HYDRANGEA
- RHODEDENDRON
- EVERGREEN AZALEA



DiNucci Companies
294 Harvard Street
Medford, MA 02155

August 2, 2019

Town of Arlington
Tree Department
51 Grove Street
Arlington, MA 02474

RE: 1500 Massachusetts Avenue Arlington Tree Plan

To : Tim Lecuivre
Tree Warden

Tim, I am enclosing a plot plan for 1500 Mass Ave with 8 trees marked for removal. I plan on replanting 8 native American trees in accordance with current tree bylaw. Please do not hesitate to call or email with any questions.

Sincerely,



Darin DiNucci

darin@dinuccicompanies.com

Cell: 617-697-8266

[illegible]



TOWN OF ARLINGTON
Department of Public Works
Office of Tree Warden
51 Grove Street
Arlington, Massachusetts 02476
Office (781) 316-3114 Fax (781) 316-3109

August 5, 2019

Darin DiNucci
DiNucci Companies
294 Harvard Street
Medford, MA 02155

RE: Article 16 Arlington Tree Bylaw, 1500 Mass Ave

Dear Mr. DiNucci,

Thank you for submitting your Tree Plan to comply with, Article 16 "Tree Protection and Preservation." The trees in the 'Setback Area' measuring 10" (DBH) Diameter at Breast Height or larger have identified on your plan. Eight healthy trees have been identified for removal. Eight trees located right side yard.

For each protected tree removed you have agreed to a replacement tree planted on the property no later than 180 days after a Certificate of Occupancy has been issued. The replacement trees planted need to be a minimum caliper of 2.5" and a species native to the area and expected to reach a height 50' or more at maturity.

The Tree Plan you have submitted is consistent with the requirements of the Bylaw, I approve your plan and commencement of work.

Sincerely,

Timothy A. Lecuire, MCA
Arlington Tree Warden
Department of Public Works
51 Grove Street
Arlington, MA 02476

Comments and Documentation in Support of the Testimony of
Christopher Loreti for the Arlington Redevelopment Board Hearing on
Special Permit Docket #3633
(1500 Massachusetts Avenue)
September 14, 2020

The comments below and the attached Town Meeting transcript indicate two significant violations of the Arlington Zoning Bylaw as it pertains to ARB EDR Docket 3633, 1500 Massachusetts Avenue.

1. Apartment Buildings are Not Allowed in the B1 Zoning District

The Arlington Zoning bylaw defines "Apartment Building" as a multifamily building consisting of four or more dwelling units. Clearly, the residential use of the proposed development meets that definition. Apartment Buildings are not allowed in the B1 zoning district—as either individual uses or as part of mixed-use developments.

The attached pages are excerpts from the certified transcript of Article 6 of the April 25, 2016 Annual Town Meeting, which amended Arlington's Zoning Bylaw to allow mixed-use developments. These excerpts demonstrate that at least three times members of the Arlington Redevelopment Board (Chair Andrew Bunnell and Michael Cayer) testified that only uses individually allowed in a zoning district could be permitted as part of a mixed-use development in the same zoning district. Town Counsel Doug Heim and Inspectional Services Head Michael Byrne were reported by the ARB to agree with this legal interpretation. Thus an apartment building, which is not allowed in the B1 zoning district, cannot be permitted as part of a mixed-use development in the B1 zoning district as proposed in Docket 3633. See statements in brackets followed by an asterisk on pages 48, 50, and 67.

2. The parking areas do not meet the setback requirements of the zoning bylaw.

The applicant states that the parking area setback is a mere 0.6 feet. The zoning bylaw requires a setback of 10 feet. However, this amount can be reduced by the ARB to as little as 5 feet if it includes a suitable fence or wall (Section 5.3.7.A). The ARB has no authority to reduce this setback to less than 5 feet.

I respectfully request that this documentation be entered into the public record for this docket as part of this public hearing.


Christopher Loreti

56 Adams St.
Arlington, MA

ORIGINAL

TOWN OF ARLINGTON
ANNUAL TOWN MEETING

MONDAY, APRIL 25, 2016

Session 1

Robbins Memorial Town Hall Auditorium

730 Massachusetts Avenue

Arlington, Massachusetts 02476



CAMBRIDGE TRANSCRIPTIONS

675 Massachusetts Avenue

Cambridge, MA 02139

(617) 547 -- 5690

www.ctran.com

1 I live on Lombard Terrace, close to three blocks, two long
2 blocks from Mass. Ave. I'll be voting against this, I
3 believe. But I'd like to say a few things. I think it's
4 dreadful that we're presented with all these changes as one
5 article. Some I would vote for, some I would vote against.
6 I attended at least one of the meetings about this,
7 approximately a week and a half or two weeks ago. I find
8 all this difficult to absorb, and it's too multifaceted for
9 me to swallow one vote. And that's part of the reason why
10 I would vote no. I would recommend that ARB postpone the
11 vote to give people another vote, at least to give us time
12 to want to vote yes. But as it is, tonight I would vote
13 no.

14 What is the neighborhood business district?
15 There's a paragraph in this thing about a neighborhood
16 business district, and I'm wondering -- I read it but --

17 MR. JOHN LEONE: Ms. Weiner? Or Mr. Bunnell
18 (Indiscernible)

19 MR. ANDREW BUNNELL: The feature of the
20 neighborhood district, business district --

21 MR. JOHN LEONE: Introduce yourself.

22 MR. ANDREW BUNNELL: Andrew Bunnell, Chair of the
23 Redevelopment Board. If you could bring out my slides
24 again, I could point out where that is on the map.

25 (Indiscernible). It's a little unclear on the map, but the

1 second line { on our key here is B2, neighborhood business
2 district. And these are interspersed throughout town.
3 They are traditionally small businesses, districts with
4 smaller businesses.

5 You won't see major developments going in in this
6 kind of a district. It usually comes into a neighborhood -
7 - it has to comply with what's already permitted in that
8 district.] * And it also has to be within the character of
9 the neighborhood. And part of the reason that the ARB has
10 decided to keep special permit review over this is so that
11 we can be assured that we're protecting neighborhoods from
12 being overrun and seeing that "Palo Alto effect" that the
13 other speaker talked about. It is important to us that
14 there is some review over these projects from the
15 beginning, so that we're not seeing monstrosities coming to
16 town, and seeing the kinds of things that people don't
17 want.

18 It is an open process, the special permit is a
19 collaborative, open process where people do have the
20 opportunity to come in and speak their case, and advise the
21 ARB on how we should be voting and what projects we should
22 be looking at, what projects we should say, maybe time to
23 go back to the drawing board and come back with something a
24 little more appropriate for the neighborhood and for the
25 use that you're requesting.

1 MR. ANDREW FISCHER: -- and the answer was yes,
2 so I def --

3 MR. ANDREW BUNNELL: Well, that's actually not
4 true. [Mixed use is any use that would be more than one
5 use. It can't be sold as residential. Again, it has to
6 fit with a permitted use; a parking garage won't be
7 permitted in there, because a parking garage isn't
8 permitted. A residential on top of a gas station won't be
9 permitted if that use is not already permitted. It has to
10 fit what's already allowed under zoning,* and it has to fit
11 within the character of the neighborhood being considered.

12 MR. JOHN LEONARD: At any rate, I would support
13 Mr. Loreti's amendment, for the reason I just said. And
14 the other reason I'm going to vote no is that I can't find
15 anybody that wants higher density in the town, not in my
16 precinct, anyway, when I talk with people. And the theory
17 that we're obligated to go higher and higher density
18 because of the world and greenness, I don't buy it. I
19 happen to think we're at optimal density right now. I
20 think we've already done more than our job. There are
21 equally valid reasons to say high density is not healthy.
22 So, that's my feeling then. I would repeat everything that
23 the previous speaker also said. Thank you.

24 MR. JOHN LEONE: Thank you very much. Mr.
25 Worden.

1 it that said "5,000." There wasn't any intent to change
2 that. So, instead of the dash, the scrivener's error that
3 we've corrected now with the Town Clerk and provided to the
4 Clerk and the Moderator, is to change that dash to a
5 "5,000." So, hopefully, that's clear.

6 MR. JOHN LEONE: If you'll all make that change
7 administratively to your report, we'll just go with it as
8 we proceed. Go ahead, Mr. Cayer.

9 MR. MIKE CAYER: Thank you. So, I want to start
10 by saying, zoning is hard. It's hard and we do it first,
11 which, frankly, I think is a disservice to both zoning and
12 for helping the town move some of these things forward.

13 But, be that as it may, that's what we're doing.
14 We're here tonight to talk about Articles 6 and 7,
15 hopefully, eventually.

16 [So, the first thing I want to talk about is
17 correct a couple of things that were talked about earlier.
18 There was a statement made that said that any commercial
19 use can be snuck in to the mix -- the definition that's
20 been put forth before you, in a mixed use development. So,
21 you know, you can put a meat-processing plant on the first
22 floor if you so choose, and if those rascals on the
23 Redevelopment Board approve it, then you're going to have a
24 meat-packing plant on the first floor.

25 That's not correct. We've worked with both the

1 Inspectional Services, the head of Inspectional Services,
2 as well as Town Counsel on the wording that's before you.
3 And only the uses that are permitted in a particular
4 district are the ones that can happen in a mixed use in
5 that district. So, just to clarify on that point.] *

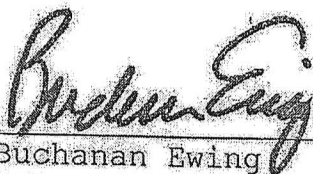
6 The second point I want to bring up is, with
7 respect to height, I think we've clarified a few things
8 with respect to height. But I want to clarify two others.

9 Number one is, is, you've heard some people talk
10 about a four-story buffer, okay? What that is, is what
11 we're really talking about there is if a proposed mixed use
12 is next to resident, then, instead of being five stories,
13 you can only build four. That's a buffer zone, okay? You
14 cannot go all the way up, and what's already in there stays
15 in there, okay? It's only in the more commercial spine,
16 where you've got other big buildings around you, that
17 you'll be able to go to the maximum height.

18 Now, the important thing on this, though, is that
19 what this does is it actually, from the streetscape, limits
20 the height of the buildings even further down, because what
21 you've also heard is about stepbacks. And a stepback means
22 that as you go up to that fifth floor, or as you go above
23 three, you have to move those next floors back seven and a
24 half feet. So that from the streetscape now, you're only
25 going to see three stories.

C E R T I F I C A T E

I, Buchanan Ewing, do hereby certify that the foregoing transcript is a true and accurate record of the aforementioned matter prepared to the best of our knowledge, skill, and ability.



Buchanan Ewing

6/2/16

Date

Notary Public No. 17610 DNP

My commission expires June 15, 2018

CAMBRIDGE TRANSCRIPTIONS

Approved Court Transcriber

From: Don Seltzer <timoneer@gmail.com>
To: Jenny Raitt <jraitt@town.arlington.ma.us>, Erin Zwirko <EZwirko@town.arlington.ma.us>
Date: 09/14/2020 10:19 AM
Subject: 1500 Mass Ave EDR1 - Docket 3633

CAUTION: This email originated from outside of the Town of Arlington's email system. Do not click links or open attachments unless you recognize the REAL sender (whose email address in the From: line in "< >" brackets) and you know the content is safe.

Correspondence for the Redevelopment Board

I offer the following comments regarding the proposal for 1500 Mass Ave in the context of Environmental Design Review EDR-1, **Preservation of Landscape**.^[1]_{SEP}

The landscape shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal, and any grade changes shall be in keeping with the general appearance of neighboring developed areas.

The applicant describes the property as having “minimal landscaping”. This is misleading, in that the applicant has intentionally created that condition in the past year. At the time that he purchased the property, half of it was extensively landscaped with significant tree canopy, as seen below.



Some time during or after August 2019, the applicant bulldozed the lot, removing all vegetation including at least eight large caliper trees. According to the Tree Warden, the applicant promised to replace all eight of those trees. This filed tree plan from last year is missing from the submitted package for this docket.



The recent package submitted to this Board is inconsistent with last year's promise, showing only two trees on the modified lot.

Another inconsistency is the size of the total lot. The applicant has submitted two deeds, showing the purchase of a 6400 sf lot with Mass Ave frontage, and a second purchase of a 391 sf sliver of land in the rear. It is not clear how this totals to the 7265 sf claimed on the application for the calculation of FAR.

Sincerely,

Don Seltzer
Irving St

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.



Town of Arlington, Massachusetts

Draft Report to Town Meeting

Summary:

7:30 p.m. Board will vote on their report to Town Meeting.

ATTACHMENTS:

	Type	File Name	Description
▢	Reference Material	Agenda_Item_2_Draft_Report_to_Town_Meeting_STM_10-29-20.pdf	Draft Report to Town Meeting STM 10-29-20



Town of Arlington

Report to 2020 Special Town Meeting

Rachel Zsemlery, Chair

Kin Lau, Vice Chair

Eugene Benson

Katherine Levine-Einstein

David Watson

Jennifer Raitt

Secretary Ex-Officio

Director of Planning and Community Development

voted as amended November 2, 2020

Introduction and Overview

The Arlington Redevelopment Board (ARB) has statutory authority over M.G.L. c. 40A as the Town's planning board (Section 2 of Section 17 of the Town Manager Act) and M.G.L. c. 41 § 81 as the Redevelopment Authority. The ARB was created by a Town Meeting-adopted home rule petition, followed by a State Legislature act to form the ARB in 1971. The Department of Planning and Community Development was created in 1969. The authority and role of the ARB is included in Article 17 of the Town Manager Act. As a planning board, the ARB is charged with developing Arlington's Master Plan; proposing bylaws, regulations, and rules to implement the Master Plan; and applying those bylaws, regulations, and rules. Lastly, the ARB serves as a special permit granting authority. The ARB is also a duly constituted redevelopment authority formed under the authority of M.G.L. c. 121B. As a redevelopment authority, the ARB can buy, sell and hold property and it is because of these powers that the ARB acts as landlord, responsible for many properties that the Town Meeting has seen fit to put under the Board's jurisdiction. With Town Meeting approval, the Board may hold property to improve and rehabilitate to meet community development goals.

The members of the ARB are as follows:

Rachel Zsembery, Chair, (Term through 6/30/2023)

Kin Lau, Vice Chair (Term through 1/31/2022)

Eugene Benson (Term through 1/31/2023)

Katherine Levine-Einstein (Term through 1/31/2023)

David Watson (Term through 9/22/2023, Gubernatorial designee)

Jennifer Raitt, Secretary Ex-Officio and Director of Planning and Community Development

At the end of the summer, longstanding member, Andrew Bunnell, vacated his seat. Mr. Bunnell served the Board from 2013 through 2020. The Board is grateful for his service, particularly his leadership overseeing the development the community's first Master Plan since 1966 and its implementation. The Board also thanks Erin Zwirko, AICP, LEED AP, Assistant Director of Planning and Community Development who provided excellent service to the Department and Board.

Zoning Articles Overview

When any warrant article proposes to amend the "Town of Arlington Zoning Bylaw", the ARB is required to issue a report with recommendations to Town Meeting. Appearing below are a number of articles that propose to amend the Zoning Bylaw and Zoning Map. This report includes a brief discussion of the intent of amendments followed by a recommended vote of the ARB. The ARB's vote constitutes its recommendation to Town Meeting. The recommendations of the ARB, and not the original warrant articles, are the actual motions that will be considered by the Town Meeting. An ARB vote of "No Action" means that Town Meeting will be asked to vote that no action be taken on the proposed warrant article. Changes to the Zoning Bylaw text are shown beneath the recommended votes. Additions to the original Zoning Bylaw text appear as underlined text, while any deletions to the original Zoning Bylaw text appear as strike through text.

The ARB advertisement for Special Town Meeting appeared in the *Arlington Advocate* as required on October 8, 2020, and October 15, 2020. In accordance with the provisions of the Arlington Zoning Bylaw and Massachusetts General Laws Chapter 40A, the ARB held public hearings and heard public comments on the proposed amendments on Thursday, October 22, 2020, Monday, October 26, 2020, and Wednesday October 28, 2020, held on remotely on Zoom. The ARB voted on recommended bylaw language at their meeting on October 28, 2020. The ARB approved this report on November 2, 2020.

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Zoning Bylaw Amendments: Definitions Related to Open Space

Additions to the Zoning Bylaw shown in underline format. Deletions shown in ~~strikeout format~~.

ARTICLE 16

ZONING BYLAW AMENDMENT/ DEFINITIONS RELATED TO OPEN SPACE

To see if the Town will vote to amend the Zoning Bylaw by renaming the terms "Open Space", "Open Space, Usable" and "Open Space, Landscaped" in Section 2 – Definitions; or take any action related thereto.

(Inserted by the Redevelopment Board at the request of Stephen A. Revilak and 10 registered voters)

Discussion:

The petitioner proposed replacing the term “open space” with “yard space”. The petitioner also proposed referring to usable open space and landscaped open space as primary and secondary, respectively. This differs from open space included in the Open Space District on the Zoning Map. Open Space in the Open Space District includes parcels under the jurisdiction of the Park and Recreation Commission, Conservation Commission, Arlington Redevelopment Board, Massachusetts Department of Conservation and Recreation, or Massachusetts Bay Transportation Authority (MBTA). This open space has a public benefit compared to private open space.

The ARB appreciates the intention of the petitioner to clarify who benefits from open space on private property (the landscaped open space and the useable open space), which is designed to benefit the owner and occupants of private property, compared to public open space. However, the ARB noted that “open space” is a term of art that municipalities use in Zoning Bylaws and Ordinances throughout the Commonwealth. The ARB suggested that using “private open space” would be a better option than “yard space” to remain consistent with the term of art. The ARB is concerned that departing from the generally accepted term for describing private open space on a parcel would create confusion among users of Arlington’s Zoning Bylaw. As such, the ARB did not believe that the wording proposed is the solution to describe the differences between private open space and public open space.

ARB Vote:

The Redevelopment Board voted (5-0) to recommend no action on Article 16.

Zoning Bylaw Amendments: Notice of Demolitions

Additions to the Zoning Bylaw shown in underline format. Deletions shown in ~~strikeout format~~.

ARTICLE 17

ZONING BYLAW AMENDMENT/ NOTICE OF DEMOLITION, OPEN FOUNDATION EXCAVATION, NEW CONSTRUCTION, OR LARGE ADDITIONS

To see if the Town will vote to amend the Zoning Bylaw in Section 3.1.B. by appending to the end of this section the sentence: “No such permit shall be issued until the Building Inspector finds that the applicant is in compliance with the applicable provisions of Title VI, Article 7 of the Town Bylaws.”; or take any action related thereto.

(Inserted by the Redevelopment Board at the request of Michael Ruderman and 10 registered voters)

Discussion:

The petitioner indicated that the implementation of Title VI, Article 7 of the Town Bylaw, the Arlington Residential Construction Agreement, also known as the “Good Neighbor Agreement”, has been inconsistent. The Good Neighbor Agreement, adopted by Town Meeting in 2017 and amended in 2019, applies to residential construction, including demolitions, open foundation excavation, new construction, and large additions, and requires notification by the contractor or property owner to abutters within a set period of time prior to any activities that may trigger the bylaw, including tree removal. The Good Neighbor Agreement establishes certain construction standards that must be maintained throughout the construction period. The addition of a cross reference in the Zoning Bylaw would improve implementation of the Good Neighbor Agreement.

The ARB found this addition to the Zoning Bylaw was unnecessary and determined that the proposed language does not align with the Town Bylaw. The ARB is concerned that this language may result in the application of the Good Neighbor Agreement to more projects than what the Town Bylaw indicates is required to comply with the Good Neighbor Agreement. The ARB recommended revising the language of Article 7 of Title VI to improve the implementation of the Good Neighbor Agreement before revising the Zoning Bylaw.

ARB Vote:

The Redevelopment Board voted (5-0) to recommend no action on Article 17.

Additions to the Zoning Bylaw shown in underline format. Deletions shown in ~~strikeout format~~.

ZONING BYLAW AMENDMENT/ IMPROVING RESIDENTIAL INCLUSIVENESS, SUSTAINABILITY, AND AFFORDABILITY BY ENDING SINGLE FAMILY ZONING

To see if the Town will vote to or take any action related thereto: To amend the Zoning Bylaw for the Town of Arlington by expanding the set of allowed residential uses in the R0 and R1 Zoning Districts with the goal of expanding and diversifying the housing stock by altering the district definitions for the R0 and R1 Zoning Districts.

(Inserted at the request of Benjamin Rudick and 10 registered voters)

Discussion:

The petitioner explained that this article, to allow the two-family and duplex use in the R0 and R1 districts, should be adopted for four key reasons: addressing the racist legacy of single-family zoning in Arlington; improving environmental sustainability; increasing housing choice; and allowing for more affordable homes. The petitioners pointed to a number of actions that allowed Arlington to develop into a community consisting of predominantly single-family homes occupied by white owners, and proposed this article as a way to reverse previous actions.

The ARB believes that this article can address the important issues that the petitioner refers to in the presentation. The ARB also believes that it is important for the Town of Arlington to consider the past actions of both the Town and private entities, reflect on those actions, and determine a way to mitigate and reverse those actions. The ARB understands that this article reflects a larger policy conversation that the town should have, and is interested in hearing from Town Meeting Members on this topic after hearing a wide variety of opinions during the course of public dialogues. However, the ARB recognizes that there has been no broad research relative to the impact of similar rezonings in other States and no public engagement regarding this article.

The ARB discussed changes to the proposed motion that would improve the article and potentially address topics heard during the public hearings. Those items include:

1. Requiring that any two-family or duplex home that is built appears as a single-family home;
2. Codifying certain design requirements to maintain the appearance of a single-family home as well as minimizing changes that may alter the streetscape view; and
3. Capturing the value gained by building two homes versus one home by requiring a percentage payment to a municipal affordable housing trust fund based on the sales price or assessed value.

The ARB recognized that regulating appearance is a subjective proposition and the language of these three points would need further research and review that would be difficult to complete within the timeframe for Special Town Meeting. As such, the majority of the ARB recommended no action on this article and referred the topic to the Department of Planning and Community Development to identify an existing or new study committee for further study. The minority opinion believed that the right course of action would be to allow Town Meeting discussion on the article prior to referring the topic for further study.

ARB Vote: The Redevelopment Board voted (4-1) to recommend No Action on Article 18 and refer to the topic to the Department of Planning and Community Development to identify an existing or new study committee for further study.

Zoning Bylaw Amendments: Accessory Dwelling Units

Additions to the Zoning Bylaw shown in underline format. Deletions shown in ~~strikeout format~~.

ARTICLE 19

ZONING BYLAW AMENDMENT/ ACCESSORY DWELLING UNITS

To see if the town will vote to allow Accessory Dwelling Units (ADUs) in single and two-family dwellings in residential districts, or take any action related thereto by amending the Zoning Bylaw as follows:

Section 1.2 Purposes to add “to encourage housing for persons at all income levels *and stages of life*”:
and

Section 2 5 Definitions Associated with Dwelling: to add *An ACCESSORY DWELLING UNIT, OR ACCESSORY APARTMENT, “Accessory dwelling unit”, four or more rooms constituting a self-contained accessory housing unit, inclusive of sleeping, cooking and sanitary facilities on the same premises as the principal dwelling, subject to otherwise applicable dimensional and parking requirements, that: (i) maintains a separate entrance, either directly from the outside or through an entry hall or corridor shared with the principal dwelling sufficient to meet the requirements of the state building code and state fire safety code; (ii) is not larger in floor area than 1/2 the floor area of the principal dwelling.* and

Section 3.3.3 Special Permits to add “*in the case of requests for special permits for Accessory Dwelling Units, the use will add to the need for a range of affordable housing opportunities for the Town.*” and

Section 5.2.3 Districts and Uses: to add “to allow for the creation of accessory dwelling units in all zoning districts which allow residential use. (Include in Section 5.4 Residential Districts);
or take any action related thereto.

(Inserted at the request of Barbara Thornton and 10 registered voters)

Discussion:

The petitioner indicated that the article is substantially different than the ARB’s 2019 warrant article, which was short nine votes and failed at Town Meeting. The petitioner noted that the primary difference between these articles is that this one allows accessory dwelling units (ADUs) by-right in any residential zoning district. The ARB’s article proposed ADUs by Special Permit in the R0 and R1 residential zoning districts. The petitioner indicated that allowing ADUs in the community would be beneficial in four main ways: providing flexibility for families, as needs change over time; increasing range of housing choices; providing a form of housing generally less costly and more affordable than similar units in multifamily buildings; and adding units to Arlington’s total housing stock with minimal effects on neighborhoods.

The ARB agrees that this article is substantially different from the 2019 article. However, the ARB does not believe that this article is the best vehicle to allowing ADUs in Arlington. The ARB believes that there is inconsistency and ambiguity in the proposed motion. Further, the petitioner wrote the article in such a way that makes it difficult to revise while staying within scope. The ARB strongly supports the as-right basis of this article. However, there are a number of items from the 2019 article that the ARB would want to see included in an ADU bylaw such as requiring that one of the units is owner-occupied, limiting the gross floor area of the ADU at a percentage lower than 50%, and prohibiting short-term rentals.

The ARB also discussed a proposal presented by the public during the hearing, required that the rent charged for the non-owner-occupied unit not exceed an affordable rent as defined in the Zoning Bylaw. The ARB disagrees with this approach to creating ADUs. The ARB discussed a similar proposal in 2019 and maintains that this requirement would have unintended consequences including being burdensome to the owner and resulting in few if any ADUs constructed as a result. A majority of the ARB members voted no action on this article and discussed presenting an article at a future Town Meeting that will incorporate many of the best elements of this article and the 2019 article. The minority opinion believed that no action continues to delay meaningful progress in the town increasing a range of housing choices.

ARB Vote: The Redevelopment Board voted (3-2) to recommend No Action on Article 19.

Zoning Bylaw Amendments: Parking Reductions

Additions to the Zoning Bylaw shown in underline format. Deletions shown in ~~strikeout format~~

ARTICLE 20 ZONING BYLAW AMENDMENT/ PARKING REDUCTIONS IN THE B3 AND B5 DISTRICTS

To see if the Town will vote to amend the Zoning Bylaw to allow the Board of Appeals or Arlington Redevelopment Board, as applicable, to reduce the parking requirement to as low as zero in the B3 and B5 Districts through Special Permit where businesses have no ability to create new parking by amending SECTION 6.1.5. PARKING REDUCTION IN BUSINESS, INDUSTRIAL, AND MULTI-FAMILY RESIDENTIAL ZONES; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

Discussion:

The B3 and B5 Zoning Districts make up the three major businesses districts: Capital Square in East Arlington, Arlington Center, and Arlington Heights. Based on Town GIS data, there are 83 parcels in the B3 Zoning District and 26 in the B5 Zoning District; the Article would affect 109 parcels. The attached maps identify the location of the parcels in the B3 and B5 Zoning Districts. There are no other properties zoned B3 or B5 outside of these areas.

As stated in the definition and purpose in the Zoning Bylaw, the intent of the B3 and B5 Zoning Districts includes allowing for uses oriented to pedestrian traffic. This is both to encourage commercial activity from neighborhood residents, and to encourage visitors who drive to park once and visit multiple locations on foot in a single visit. In each business district, on-street parking is available and in many cases, municipal parking is available.

Additionally, the average lot size in the B3 and B5 Districts is approximately 6,100 square feet and lot coverage (the amount of a building covering a lot) is at or near 100%. Due to these conditions, property owners and business tenants cannot create new parking on lots in the B3 and B5 districts without significant building or lot reconfiguration, or the conversion of existing parcels to surface or structured parking lots. Many of these parcels are also under the jurisdiction of the Arlington Historical Commission and may disturb historic structures making proposals that adhere to strict parking requirements both impracticable and not in the overall best interest of the community.

The ARB indicated that the Article would allow the Special Permit Grant Authorities to have greater flexibility and case-by-case consideration of adjustments to parking requirements beyond the currently allowable parking reduction, especially for a commercial change of use within existing storefronts.

ARB Vote:

The Redevelopment Board voted (5-0) to Recommend Action on Article 20 as amended. That the Zoning Bylaw be and hereby is amended as follows:

6.1.5. Parking Reduction in Business, Industrial, and Multi-Family Residential Zones

The Board of Appeals or Arlington Redevelopment Board, as applicable, may allow the reduction of the parking space requirements in the R5, R6, R7, Business, and Industrial Zones to 25 percent of that required in the Table of Off-Street Parking Regulations if the proposed parking is deemed adequate and where Transportation Demand Management practices are incorporated, as evidenced by a Transportation Demand Management Plan approved by the Special Permit Granting Authority. Methods to reduce parking on site may include but are not limited to:

- A. Shared Parking: To implement shared on-site parking, the applicant shall demonstrate that proposed uses are non-competing. In mixed-use developments, applicants may propose a

Zoning Bylaw Amendments: Parking Reductions

Additions to the Zoning Bylaw shown in underline format. Deletions shown in ~~strikeout format~~

reduction in parking requirements based on an analysis of peak demand for non-competing uses. In these cases, the parking requirement for the largest of the uses (in terms of parking spaces required) shall be sufficient.

- B. Off-site Parking: An applicant may use off-site parking to satisfy their parking requirements as provided in Section 6.1.10. The applicant shall document efforts to promote use of off-site parking by customers, residents, or employees.
- C. Transportation Demand Management (TDM): Any request for parking reduction must include a plan to reduce demand for parking. TDM provides incentives to reduce the use of Single Occupant Vehicles and encourages the use of public transit, bicycling, walking, and ridesharing. All projects requesting a parking reduction must employ at least three TDM methods described below:
 - (1) Charge for parking on-site;
 - (2) Pay a stipend to workers or residents without cars;
 - (3) Provide preferential parking for carpooling vehicles;
 - (4) Provide a guaranteed emergency ride home;
 - (5) Provide transit pass subsidies;
 - (6) Provide covered bicycle parking and storage;
 - (7) Provide bicycle or car sharing on site;
 - (8) Provide showers for business or industrial uses;
 - (9) Other means acceptable to the applicable Special Permit Granting Authority.

When the applicable Special Permit Granting Authority determines that a business in the B3 or B5 District has no ability to create new parking onsite and that there is adequate nearby on-street parking or municipal parking, it may reduce to less than 25 percent or eliminate the amount of parking required in the Table of Off-Street Parking Regulations. In those circumstances, the applicable Special Permit Granting Authority may require the applicant to incorporate methods set forth in subparagraphs A., B., and C. of this section. The reductions described in this paragraph do not apply to residential use classes identified in Section 5.5.3. and are in addition to the exemption from the parking requirements for the first 3,000 square feet of non-residential space in a mixed-use development as set forth in Section 6.1.10.C.

Additions to the Zoning Bylaw shown in underline format. Deletions shown in ~~strikeout~~ format

ARTICLE 21

ZONING MAP AMENDMENT/REZONE TOWN PROPERTY

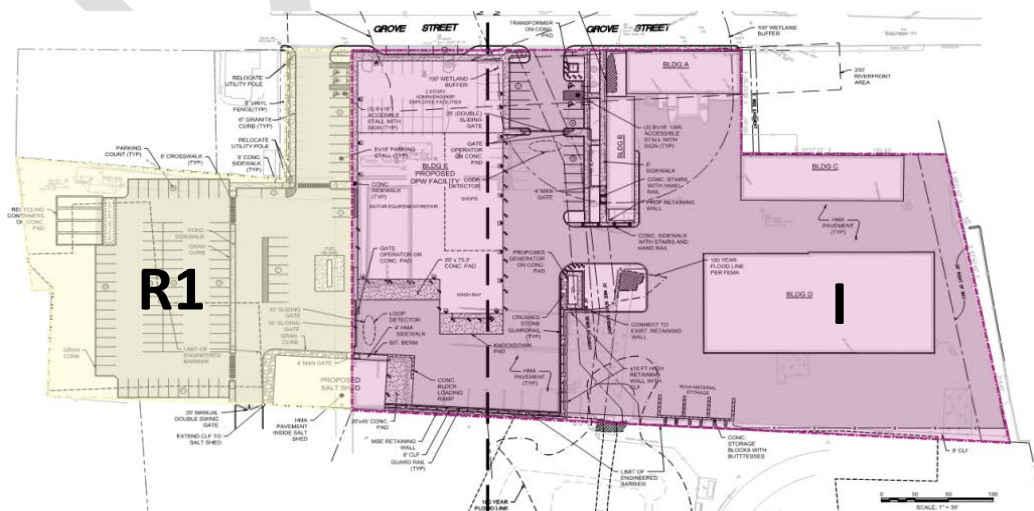
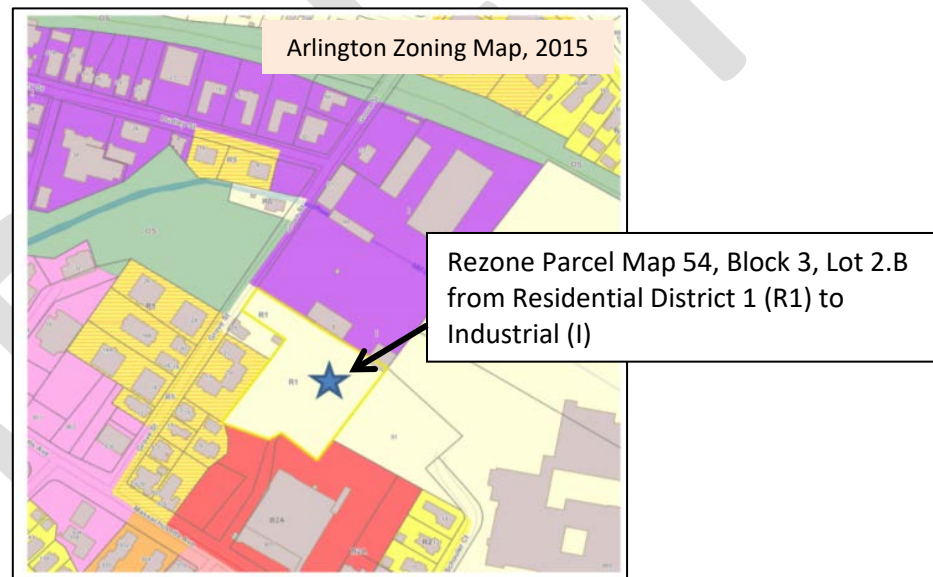
To see if the Town will vote to rezone a parcel of land belonging to the Town of Arlington with access from Grove Street and being identified by Map 54, Block 3, Lot 2.B from R1 to I, or take any other action related thereto.

(Inserted at the request of the Town Manager)

Discussion:

The majority of the planned Department of Public Works (DPW) Yard Renovation will take place on the parcels, shown below and zoned as Industrial at 49 and 51 Grove Street. However, the proposed new salt shed will straddle the lot line to the south and be located partially in the R1 Zoning District (noted with a star in the image of the Arlington Zoning Map). A fuel island will also be located on the R1 parcel. Neither the salt shed nor the fuel island are allowed to be located in the R1 zoning district. The ARB supports the rezoning of this parcel from R1 to Industrial in order to create a consistent campus supporting DPW.

ARB Vote: The Redevelopment Board voted (5-0) to recommend Article 21 to amend the Arlington Zoning Map, to rezone a parcel of land belonging to the Town of Arlington with access to Grove Street at Map 54, Block 3, Lot 2.B from Residential District 1 to Industrial.





Town of Arlington, Massachusetts

Meeting Minutes (8/17/20, 9/14/20)

Summary:

8:00 p.m. Board will vote on approval of minutes.

ATTACHMENTS:

Type	File Name	Description
▢ Reference Material	08172020_Draft_ARB_Minutes.pdf	8/17/20 Draft ARB Minutes
▢ Reference Material	09142020_Draft_ARB_Minutes.pdf	9/14/20 Draft ARB Minutes

Arlington Redevelopment Board
Monday, August 17, 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 Zsebery

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 asked if anyone would like to speak to please use the raise hand function and the Chair will allow time to speak during the Open Forum portion of the meeting. The Chair said that going forward speakers will be unmuted and may be on video if they like. Comments will be limited to 3 minutes per person due to the length of the agenda for this evening.

The Chair introduced the first agenda item, Continued Public Hearing for Docket #3602, 1207-1211 Mass Ave. The Chair introduced Mary Winstanley O'Connor and Jim Doherty to present updates. Ms. Winstanley O'Connor said that all of the updates requested by the board were submitted to Ms. Raitt's office. Ms. Winstanley O'Connor was disconnected from the meeting and the hearing was briefly paused.

The Chair introduced the fourth agenda item, Meeting Minutes for July 6, 2020. Mr. Benson moved to approved the minutes for July 6, 2020 with amendments, Mr. Lau seconded, approved 5-0.

The Chair reopened the continued Public Hearing for Docket #3602, 1207-1211 Mass Ave. Ms. Winstanley O'Connor summarized her letter to the board dated August 10th. Ms. Winstanley O'Connor said that plans for the bonus FAR and the access space plans remain unchanged. If the public access space can only be used from dawn to dusk then Mr. Doherty is not interested in the additional bonus FAR. Ms. Winstanley O'Connor said that changing the bonus area public access space request would result in the loss of real estate and hotel tax for the town. The Clark Street set-back is no longer an issue at 7.5 feet, the same as the adjoining lot. Results of shadow study conducted by the Planning Department confirm the shadow study completed by Lincoln Architects. Rick Salvo, Civil Engineer, and Greg McIntosh, Architect, confirmed that it is possible to tandem park 10 cars. Ms. Winstanley O'Connor addressed traffic and parking concerns: the staggered hotel check in will not be during peak traffic hours, the restaurant will not create undue traffic or unduly impact pedestrian safety, and that handicapped parking is not required in a valet lot. Ms. Winstanley O'Connor said that she believes that this hotel is needed to bring additional business to local retailers and to expand the Arlington commercial tax base.

Ms. Zsebery said that she agrees with Ms. Winstanley O'Connor's response letter to the Traffic Advisory Group about adding a sidewalk on the right side of the pull in circle. Ms. Zsebery said that she agrees with Ms. Winstanley O'Connor's assessment that the nearby intersections are an existing issue and Ms. Zsebery said she would not put onus on this group to address. Ms. Zsebery asked about the specifications of the finishes of the building, she would like to see colors to be used and final specifications to review, can review and approve separately at a later date. Ms. Raitt said that has the materials in her office for review and final specifications are usually included in the General Conditions of the permit.

Ms. Zsebery said that the ADA concerns brought up regarding plans inside of the hotel are not under jurisdiction of the

Board, they are under the jurisdiction of the Building Department. Mr. Lau thanked the proponent for the updated plans with elevations to give a better understanding how the building sits within the neighborhood now. Mr. Lau said he agrees with Ms. Zsembery that the ADA units issue falls under the Building Department's purview.

Mr. Lau asked if the planter at the corner of the building could be chamfered to allow for more clearance. Mr. Lau asked about the possible roof garden and set-back on the top floor. Mr. Doherty said that if the bonus space is not available then the roof garden is not possible. Mr. Benson asked about the parking for the hotel and restaurant staff. Ms. Winstanley O'Connor said that there are 11 contracted parking spaces for this purpose. Mr. Benson asked about the level of LEED certification that the developers intend to meet with the building. Mr. Doherty said that the LEED report is currently falling in the silver category. Mr. Benson asked what times would be acceptable for the public bonus space. Mr. Doherty said that he did not want to schedule specific times or days to be used in a professional way. Mr. Benson asked who would be managing the space and Mr. Doherty said he is looking to manage the space in a creative way where the hotel would work with the Town.

Mr. Watson asked about the slopes of the curved driveway and if there are any sight line issues for vehicles exiting the driveway onto Clark Street. Mr. Salvo said that the fact that there is an 11 foot sidewalk and a building with a first floor set-back of almost 24 feet the building does not interfere with the site lines of either end of the driveway. Mr. Benson said that one of the comments the public made was that people exiting the hotel driveway on the Clark Street side would not be able to see pedestrians walking down the street. Mr. Salvo said that there is a 9% grade, which is not enough of a drop to obscure the sidewalk. Mr. Lau asked about a tactile warning strip by the Clark Street driveway, as those warning strips are usually placed before an intersection, Mr. Salvo said that they were included in response to a comment and can be removed if needed. Mr. Watson said that the safety issues at the Appleton intersection is about bicycle and pedestrian traffic. Ms. Winstanley O'Connor said that TAC is working to address the issues at that intersection and the hotel does not have responsibility because it is an existing condition. Mr. Watson asked about overflow parking when the valet parking is full. The Chair stated that the applicant will be asked submit a parking plan that will address overflow parking as part of Special Permit conditions. Mr. Watson said that he likes Mr. Lau's suggestion for a rooftop garden. Mr. Lau said he notice that there is a new study on Appleton Street and Massachusetts Ave. that does not allow a left hand turn onto Appleton Street so the Town is addressing the issue with that intersection. Mr. Benson said he likes the idea of a rooftop garden and with that area it will get the hotel closer to meeting the FAR and the correct gross floor calculation.

The Chair opened the floor to public comment.

Ann LeRoyer 12 Peirce Street said that it looks like the hotel project is on its way to being approved despite many unresolved concerns. Ms. LeRoyer said that she hopes that in the long run the hotel is successful and is a good neighbor for this part of Arlington. Ms. LeRoyer said it increases tourism, economic development, and the kind of tax receipts as envisioned. Ms. LeRoyer said she hopes that The Board can sympathize with the neighborhood's skepticism and concern for short term and longer term impacts in the neighborhood including traffic, parking, and public safety. Ms. LeRoyer said that others have argued knowledgably about the questionable zoning and legal decisions during this review process. Ms. LeRoyer said that the hotel will seriously change the character of the residential neighborhood and many feel neighbor's concerns have not been listened to or taken seriously. Hours have been spent with the developer to tweak sight plans but very little effort has been made to reach out to the neighbors and that the TAC report has been dismissed. Ms. LeRoyer said she is hoping we can all learn from this disturbing experience to be more sensitive to neighbors' concerns, to reach out and engage residents in the beginning of a project to try to accommodate and mitigate problems and concerns as they arise. Ms. LeRoyer said that Julia Mirak invited residents to a Zoom meeting to discuss the planned project at 1165 Massachusetts Ave. and solicit feedback before presenting to the Select Board. Ms. LeRoyer said that the neighbors appreciated the effort

and hope that this can be viewed as a good precedent for other projects going before the ARB.

Darcy Devney 110 Thorndike Street is a member of the Arlington Disability Commission said that the project's mission is lacking or unclear when it comes to accessibility of various kinds, both legally and morally required. Valet parking does allow exemptions from some of the HP space requirements, but some vehicles are modified with hardware that would be unfamiliar to valets. Ms. Devney said that a 50 room hotel must provide a minimum of 3 accessible rooms, one of which must have a roll in shower. Ms. Devney asked why the ADA rooms are not shown in the plans and ramps at the intersection of Clark Street seem to be oriented incorrectly. The Disability Commission offered to meet with the developer to understand why requirements for ramps and elevator size are needed. Ms. Devney said that Human Centered Design found in their audit that 27 Arlington public buildings had ADA deficiencies that include 12 newly renovated public school facilities with numerous failures. Ms. Devney said that the ADC will be sending the information about the Lexington Hotel project to the Building Inspector. Ms. Devney asked the applicant not to delay dealing with disability access issues until building inspection and occupancy permit time because tearing up the entrance and regrading will not be cheap or easy. Ms. Devney asked the applicant to please be mindful not to scapegoat people with disabilities as the reason for a delay in the permitting process. Ms. Devney said that the project's contractors are supposed to be responsible for legally mandated access to the building. Ms. Devney said that the fact that ADA standards have not been followed to date does not fill one with confidence that you can and will do the right thing. Ms. Devney said that the earlier we work on those issues the better.

The Chair said that this is an important issue and it will be added as part of the conditions for the Special Permit that the ADA requirements will be addressed.

Don Seltzer 104 Irving Street said that The Board has Mr. Seltzer's detailed comments of several serious deficiencies which he summarized: the building is too big for this lot it exceeds the zoning code by several thousand square feet, it does not qualify for the 10% bonus exception that the applicant seeks, the building is too tall, the portion in the B2 district should be limited to 3 stories and 40 feet and the height difference matters to the neighbors on Pierce and Clark Street, the circular front driveway is a design disaster because the architects did not realize early on that the site was not actually flat, the driveway is impassable to ordinary passenger sedans which will bottom out at the peak, the plans ignore state law on accessible drop-off and loading zones, contrary to what was stated earlier it is required for valet parking to have an accessible passenger drop-off and loading zone, room tax revenue estimates are highly inflated, and zoning bylaw does not allow a hotel in the B2 section of the property which was the clear promise of this board when the mixed-use bylaw was proposed to Town Meeting in 2016. Mr. Seltzer said that the words of the Chair at that time were "You will not see any major development going into a B2 district. Any development coming into a B2 district has to comply with what is already permitted in that district and has to comply with the character of that district."

Michael Sandler 18 Peirce Street said that the neighbors have been ignored here and will be the most directly affected by this monolith looming over our neighborhood and changing the look and feel of this neighborhood. The project will make the neighborhood unsafe, congested, and unattractive. This is not a boutique hotel, these are small rooms, it is not clear who the intended hotel guests for these small spaces will be. Mr. Sandler said that he has seen a lot of the laws moved around and there are so many exceptions to them, there are bylaws for a reason. Mr. Sandler asked if any members of The Board have envisioned what this development will actually look like. Mr. Sandler said that this development is brazenly disrespectful to those of us who live here and have invested in our homes and our families.

James Fleming 1226 Mass. Ave. said he thinks that the project will look pretty good. Mr. Fleming said that currently the sight is an eyesore with just a bunch of parked cars; this project will be a big improvement. Mr. Fleming said as long as this

can be done legally, he does not have any concerns about design as far as aesthetics go.

Ivana (last name unclear on recording) Peirce Street said as a mother and an abutter she is concerned. The current proposal will create parking and traffic congestion. She said that this is a young neighborhood with 10 plus children, where families meet and children ride bikes and play on Peirce street. Families will have to up their games in terms of vigilance with the traffic on the streets. Purely profit maximizing design decisions that do not make it seem that this is a boutique hotel that will fit with the character of the neighborhood.

Carl Wagner 30 Edgehill Road said he echoes most of the critical comments. The applicant does not yet own the property to complete this project. Furthermore the ARB has a moral and legal requirement to follow the bylaws and can offer some slight variances or relief, but this property goes beyond what the ARB can provide to the property owner. The developer owns other properties with trash and cars. The original plans were for a boutique hotel or B&B type hotel, these plans are far too large, the traffic and parking are serious issues, and there is a handicap issue. Mr. Wagner said that the current development plan is a mockery of our laws and is illegal and immoral. Mr. Wagner said the Select Board should stand up and say that the ARB should not be voting yes for properties that go against the basic things the neighbors bought into. Mr. Wagner asked The Board to say no tonight because of its many deficiencies in standing up for the people, the residents, and the tax payers.

Aram Hollman 12 Whittemore Street said he urges the ARB to reject the project for the many reasons the opponents have already given. This is the wrong use, in the wrong place, at the wrong time, in the wrong zoning district. The land is too sloped, not enough parking, too many rooms and too much in general on too little land. It is a non-conforming use. The ARB is abusing the process and setting a series of terribly unwise precedents in allowing excess after excess beyond what zoning allows and you are seeing the results. In the pursuit of redevelopment the ARB has given the proponent a pass on issue after issue with this project, concentrating on the details while ignoring the big picture that it is too big. All the people except one oppose this proposal. Mr. Hollman said developers should study the zoning and propose projects that generally comport with zoning, exceptions should be rare and site specific. Mr. Hollman urged the ARB to reject this project.

Gordon Jamieson 163 Scituate Street said that the members of The Board asked insightful questions especially Mr. Lau's idea about the roof garden. Mr. Jamieson said that the way he looks at Mass. Ave. and Broadway is that in the long term a lot of our zoning allows for a more massive development along that corridor, like what is seen in Brookline. When you walk past that corridor when you walk past it into a neighborhood suddenly it is much quieter, the building actually acts as a buffer to the noise along the main thoroughfare. Mr. Jamieson said that Arlington needs development because if you don't want development then you have got to love overrides. Mr. Jameson said he hasn't heard any of the opponents say that they love overrides tonight. Mr. Jamieson said that he is generally in favor of development like this in town.

JoAnne Preston 42 Mystic Lake Drive said in addition to the ADA requirements and the welfare of neighbors, consideration of the Ottoson School has been left out. Ms. Preston said that there was a traffic study and TAC conducted a study have been conducted however the students, faculty, and staff have not been there since mid-March. Ms. Preston wanted to know when the study was completed. Ms. Preston does not believe that people will be coming and going from the hotel at random times. Ms. Preston said that the tourists staying at the hotel will be leaving in the mornings when the students and faculty will be traveling to the Ottoson School. Ms. Preston said that the area is very congested and that should be part of the determination. Ms. Preston said she does not believe that there is suitable visibility for trucks and valet leaving the parking lot. Ms. Preston said that if the design is wrong then we will have to live with it for 50 years so we should take our time in reviewing the project.

Steve Revilak 111 Sunnyside said, as bicycle commuter who rides up Mass. Ave. to Lexington Center and back daily, that he feels fine with the proposed hotel and the anticipated impacts on traffic. Mr. Revilak said he acknowledges that the Appleton Street intersection is a dangerous intersection due to the vehicle traffic taking left hand turns across Mass. Ave. to Appleton Street. Mr. Revilak said traffic to and from the hotel will not be turning onto Appleton Street, which as a cyclist, he feels comfortable with.

Paul Raia 44 Columbia Road said even though valet parking is allowed van spaces are still required in front of the building for van users using hand controls. Dr. Raia said that the rooms themselves are so small as to probably not allow for a standard wheelchair. It is important that those in Arlington who represent those with disabilities of all sorts have a say to make sure it is ADA compliant across the board. Arlington is an age friendly community, Arlington has committed to the WHO to look into how elders will benefit from anything in our town. Dr. Raia asked the Board to please hold off on voting for a building permit until we have had a chance to look at this to make the building better.

The Chair closed to floor to public comment. The Chair said he wanted to address a few issues that have come up during public comment. The idea that the ARB is not being responsive to issues of disability, the Chair said that he wanted to be clear that this will be a condition of any Special Permit that is granted. Just because a Special Permit is granted that does not mean that a Building Permit is granted. The ARB allows the layout of the project. The Building Department grants Building Permits with other points of review regarding room specifications and accessibility. The Chair said that the Special Permit condition should say that at least the minimums are met. The Chair said he would turn over the parking issue/van spot out front over to the applicant to see if that is a possibility. Mr. Doherty said that parking will comply with ADA requirements. Ms. Winstanley O'Connor said that a Building Permit and an Occupancy Permit would not be granted if the hotel was not in compliance.

The Chair said that this project is much better than when it started. We are relying on Mr. Doherty to be a good neighbor as he said the hotel would be. The Chair said that Mr. Doherty must abide by the conditions of the Special Permit. The Chair said that Mr. Jameson had a good point about neighbors enjoying the outdoor environment without having to worry about traffic, parking, and trash. Ms. Zsembery said that the issue that still needs to be discussed is the building height and the use of the 4th story relative to the shared space. Ms. Winstanley O'Connor said that The Board will have to make a determination. Mr. Doherty said that his desire was not to go to the second rendering of the 4th floor but to stick with the proposal that everyone has worked so hard on. Mr. Doherty said he is requesting that the area be increased by 2,100 square feet and then under the 50 unit scenario a rooftop garden of 12x20 feet on the Clark Street side.

Ms. Zsembery said that she would support that proposal. The Chair said that he likes that proposal as well the terms and conditions of the public space do not need to be worked out tonight. The Chair said that there will be a memorandum of understanding with the conditions to be worked out before the final permitting. Mr. Benson said that he does not think he will agree with this. Mr. Benson said he would like to review each condition and vote on each. Mr. Benson said that he does not like idea of the public space and what the applicant is getting in return. Mr. Benson said he prefers the option with the smaller area of the 4th floor and the bigger roof deck without the public space. Mr. Lau said that he likes Ms. Zsembery's idea of having the roof garden on the corner and the project having 48 units instead of 50 units. Mr. Doherty said that he wanted to make it clear that both proposals meet the criteria for gross floor area as long as The Board grants the easement.

Ms. Raitt reviewed the list of General Conditions and Special Conditions for the Special Permit with The Board and the proponents. The Chair closed the public hearing for Docket #3602. Mr. Lau moved to approve the Special Permit with the agreed conditions, Ms. Zsembery seconded, approved 5-0.

The Chair introduced the second agenda item, Public Hearing for Docket #3631, 473 Mass Ave. Special Permit review for Acitron's signage. Mr. Gotu Hule introduced himself and explained that the awning needs to be replaced and he wanted an updated look for his restaurant sign. Ms. Zsembery said she appreciates that Mr. Hule is updating the sign and improving the look of the restaurant but the proposal is larger than the current bylaw allows. Ms. Zsembery wanted to know about the condition of the sign band on that building behind the current awning. Mr. Hule said that his intention was to cover the old peeling concrete of the sign band with the full awning. Mr. Hule said that curb appeal is so important to a restaurant. Mr. Watson suggested bringing the swirl designs in closer to the restaurant name lettering on the proposed sign. Mr. Hule also said that the goose neck lighting will be replaced with lights behind the awning that backlight the sign. Mr. Lau said he would also like to see what is behind the existing awning before making a decision. Mr. Lau said that there might be some copper patina. Mr. Hule said that new awning is smaller at just 3.5 feet. Mr. Lau offered to go look at the building and Ms. Zsembery asked to have the dimensions of the box. Mr. Lau moved to continue to September 14, 2020, Mr. Benson seconded, approved 5-0.

The Chair introduced the third agenda item Discussion: Comprehensive Permit Application at 1165R Massachusetts Avenue. Ms. Raitt said that the Select Board provides a comment letter to Mass. Housing when an applicant files a comprehensive permit for a project eligibility letter. The Select Board is discussing the Mirak application and wanted to know if other boards or commissions would like to weigh in. If The Board would like to make comments and/or concerns The Board would prepare a letter to the Select Board. Ms. Raitt said that this letter is optional as this would be a ZBA permit. Mr. Watson asked if there is any commercial component to this project. Ms. Raitt said that there is no commercial component. Mr. Watson said he is disappointed to lose more property with commercial development could happen. The Chair said he agreed, the goal of expanding housing affordability is important but too much removal of possible commercial space concerns me. Mr. Lau said he also agrees. Mr. Lau said that there is a lack of balanced development in town right now, we need 40B housing but we are losing the commercial space. Mr. Lau suggested we look at why the town can't attract some commercial business there. Ms. Winstanley O'Connor said that she represents the Mirak project and Mirak will own the eventually the 40B. Ms. Winstanley O'Connor said that Mirak did do a study and Mirak feels that it is sort of a mixed-use because Work Bar will be there. Mr. Lau said that he wants to take a look at the missed opportunity this community had for more commercial space. Mr. Benson said he thinks it is a good project for somewhere else in town, Mr. Benson said that he is disappointed this project is in an industrial zone. Ms. Winstanley O'Connor said Mirak have been very good stewards of their properties in town. Ms. Zsembery suggested that perhaps the proposed amenity space could be considered for a commercial space. Ms. Winstanley O'Connor said she would pass that suggestion on to the Miraks. Ms. Raitt said that the letter to the Select Board is due by September 7, 2020. Mr. Watson suggested saying something about potential transportation impacts for a project this size at this location. Mr. Watson is concerned about exacerbating traffic issues that are already expected to get worse.

The Chair opened the floor to comment from the public for the Open Forum portion of the meeting.

Aram Hollman 12 Whittemore Street wanted to respond to The Board's comments regarding the previous agenda item. Twenty years ago Mirak announced the Legacy project and also said that they were having trouble finding commercial businesses. Mr. Hollman said that Mirak will do what is most profitable. There is nothing stopping another developer from applying for 40B housing to build another housing development on the same site. Mr. Hollman said that the letter from The Board should be an expression of concern.

Don Seltzer 104 Irving Street said that the Chair deferred many questions and concerns to the Building Inspector and Mr.

Seltzer wanted to know who that person is. Mr. Seltzer said that the Building Inspector has recused himself because of his relationship with the developer. Mr. Seltzer said he is concerned if the Building Inspector will be included in the process. The Chair asked Mr. Seltzer to ask the Building Inspector directly.

Steve Revilak 111 Sunnyside Ave said of Arlington's zoned acreage roughly 5.6% is zoned business or industrial. This is a small portion of the town where businesses are allowed. If commercial zoning was eliminated that would be a residential tax increase of about 6%, which is less than the debt exclusion passed for the new High School. Mr. Revilak said he appreciates wanting a larger commercial tax base which can be achieved by more intensive development or take existing sites where commercial development is not allowed and allowing it. Mr. Revilak said that if The Board would like to increase commercial development we need to accommodate the land for that.

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

Meeting adjourned.

Arlington Redevelopment Board
Monday, September 14, 2020, 7:00 PM
Meeting Conducted Remotely via Zoom
Meeting Minutes

This meeting was recorded by ACMI.

PRESENT: Rachel Zsemlery (Chair), Eugene Benson, Kin Lau, Katherine Levine Einstein, David Watson

STAFF: Jennifer Raitt, Director of Planning and Community Development, and Erin Zwirko, Assistant Director

Vice-Chair, Mr. Lau, called the meeting to order and notified all attending that the meeting is being recorded by ACMI.

Mr. Lau 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.

Mr. Lau introduced the second agenda item, Docket #3631, 473 Mass Ave Continued Public Hearing

Patricia Worden interjected to say that she is unable to get on to the video call. Ms. Raitt said that she would assist Ms. Worden while Mr. Lau continues the meeting.

The proponent, Mr. Gotu Hule, introduced himself and gave an overview of his new submission. Mr. Hule explained that he submitted the side view of the sign. Mr. Hule said that the current awning sign is 154 square feet and the new sign is just above the awning. Ms. Zsemlery said that the new sign is larger than what is allowed in the bylaw. Ms. Zsemlery said that she visited the building and noted that the sign band has been damaged so a smaller sign would leave the deteriorated sign band exposed. Ms. Zsemlery suggested moving the curly-Q design from the outside corners. Ms. Zsemlery asked about the lighting and Mr. Hule said that the lettering would be lit. Mr. Watson said that he agreed with Ms. Zsemlery that the curly-Q design should be pulled in closer to the lettering, if the proponent wanted to do that. Mr. Hule said that he likes the look of pulling the design in closer to the lettering. Mr. Benson said he agrees because this is an unusual circumstance since the sign band seems to be in very bad condition. Mr. Benson said that he does feel the sign is too big, so he would like to have the lettering and the curly-Q artwork within the allowed 40 square feet. Mr. Lau suggested aligning the sign with the building's cornice and then the sign transitions to the canopy. Mr. Watson said that after looking at the neighboring businesses' they also have signs that do not align with the sign band. Ms. Zsemlery said that the letters are 30 inches tall. Ms. Zsemlery said that if the lettering is reduced slightly it would work better with the building. Ms. Zsemlery said she thinks that the Historical Commission would also prefer a sign that aligns with the elements of the building. Mr. Watson said he is supportive and in the future if other businesses in that building change their signage The Board can get those signs more aligned with the sign band. Mr. Hule said that he feels that the wording would be too small and the awing becomes much bigger. Mr. Lau said that Mr. Hule's options are to have the lettering match the sign band or to replace his existing signage. Mr. Watson said that after looking at other signs in the area only two were entirely within the sign band.

Mr. Lau opened the floor to public comment. Ms. Raitt said she did not have any requests from the public to comment.

Ms. Zsemlery said after looking at the neighboring business' sign it looks like the sign band was extended to the size the proponent is requesting. Mr. Watson moved to approve the application as submitted with the supplemental materials with the condition that the artwork be entirely brought within the allowable square footage, Mr. Benson seconded for Docket #3631, 473 Mass Ave, approved 4-0.

Mr. Lau introduced the first agenda item, Welcome to Katherine Levine Einstein new Board member Organizational Meeting - Vote to designate new Chair. Mr. Lau welcomed Ms. Levine Einstein as a new member of the Board. Mr. Benson

asked Mr. Lau if he would like to be Chair since Mr. Lau is Vice Chair. Mr. Lau nominated Ms. Zsebery as Chair, Mr. Benson seconded approved 5-0.

Patricia Worden interjected to say that that she cannot connect via Zoom to the meeting. Mr. Watson said that the meeting link located on the Town website does not require a passcode and Ms. Raitt told Ms. Worden that she will need to log into Zoom to connect.

The Chair introduced the third agenda item, Docket #3633, 1500 Mass Ave Public Hearing. Ms. Raitt wanted to point out a few items mentioned in Ms. Raitt's memo that have been updated on the website, including a tree plan from the Town Tree Warden and a good neighbor agreement sent to abutters. Ms. Raitt said that the applicant will need to resolve circulation issues and the tree plan. Bob Annese is representing the applicant and Mr. Annese introduced Monty French, Architect, Emily Driscoll, Architect, and Darren Denuchi, Contractor/Developer. Mr. Annese reviewed the size of the project and said that the proponent is not looking for retail space but office space instead. The properties surrounding the site include more commercial properties. Mr. Annese is requesting a 25% reduction request for parking, there is not enough room on site for carpooling but will provide a shower in the office space. Mr. Annese said that he is looking for help from the ARB with the plans in progress for this difficult mixed-use in the B1 zone.

Monty French reviewed the plans and office space on the first floor. The circulation is one way around the site and the 6 parking spaces are in parallel around the perimeter of the site. 4 residential units are 2 bed 2 bath units with a bike room towards the back of the building. Mr. French said that the tree plan will be updated to include the Tree Warden's requirements. This building does not have site view of shadow obstruction because the surrounding buildings are taller. Mr. French said that the 25 foot building set-back on the site was added to meet the open space requirement.

Mr. Lau said he is supportive of the project but he has some questions. Mr. Lau asked about the mandatory ADA accessible unit required in buildings with 4 or more residential units. Mr. French said that it is possible to add an additional ADA accessible unit on the ground floor. Mr. Lau suggested changing the parking and circulation plan to reduce the set-back so the office space is closer to the sidewalk and provide parking in the back of the building.

Mr. Benson asked for clarification for the gross floor area and plot size calculations and a more detailed Transportation Demand Management plan. Mr. Benson said that if there was an affordable unit in the building the Board would be able to reduce the required number of parking spaces from 6 to 5. Mr. Annese said that the development would not be able to support an affordable unit. Mr. Benson asked for a market analysis that shows an office of the planned size would be viable in Arlington. Mr. Benson also asked to review the size of the balcony to make sure that it does not project into the neighboring yard and need to see a proposal that meets the Tree Warden's requirements. Mr. Benson asked about the retaining walls to be removed and if the gas vent pipe has been addressed with the gas company.

Mr. Watson asked if there will be any mechanical systems on the roof. Mr. French said that the mechanical systems have not been designed yet but they intend to have mini-splits in the units so there would not be a need for a big air handler on the roof but may need a condenser. Mr. Watson asked how the building will relate to the abutter to the rear. Mr. Watson said that he would like to see an elevation with the retaining structures and the proposed building in relation to the abutters. Mr. Watson said he is also concerned about the tree plan and would like to see a landscape plan that conforms with the tree plan. Mr. Watson said that he is concerned about the circulation plan with such a tight turning radius, Mr. Watson said he agrees with Mr. Lau's suggestions. Mr. French said that changes to the circulation plan may lose the ability to have the planned open space. Mr. Watson said that he is also concerned about the small size of the first floor commercial space and whether this building would meet the intention of the mixed-use bylaw. Mr. Watson said that if is possible to add

an affordable unit that would solve the parking issue for this project and help us to meet our goals of having more affordable housing.

Ms. Einstein said she likes this plan and this would be a nice addition to the neighborhood. Ms. Einstein agrees with Mr. Lau's suggestion to bring the building closer to the sidewalk. Ms. Einstein said she supports adding another accessible unit and supports having a single driveway instead of the two curb cuts would stay within the Town's priority for pedestrian safety. The Chair said that she echoes what her colleagues have suggested.

Mr. Benson said that on the next plan a snow removal plan should be included. The Chair suggested adding a planting zone to soften the look of the large retaining wall at the rear of the building. Mr. Watson asked about trash removal with the trash room located at the rear of the property. Mr. French said that it would be a private trash service to collect the trash. Mr. Watson said with the current circulation plan he is concerned about a large trash truck being able to maneuver in the driveway. Mr. Annese said they would probably have large trash barrels brought to the curb. Mr. Watson said that he does not think that is preferable.

The Chair opened the floor to public comment. The Chair asked if anyone would like to speak to please use the Zoom raise hand function and the Chair will allow time to speak. The Chair said that going forward speakers will be unmuted and may be on video if they like. Comments will be limited to 3 minutes per person due to the length of the agenda for this evening.

Andreas Kellas 15 Woodbury Street said he is happy the existing building is being demolished but has some concerns about the new plans. Mr. Kellas said that the tree removal plan showed removal of 8 trees all on the west side of the property but some large maple trees and a large evergreen tree, that were screening Mr. Kellas' property from Mass. Ave., were also removed in addition to the 8 trees on the plan. Mr. Kellas said that the plans do not seem to include the replacement of these large trees. Mr. Kellas said he is also concerned about the grade of this property; the new retaining wall will need to be much higher which will create a precipitous drop from Mr. Kellas' property. Mr. Kellas said he is also concerned about the proposed height of the new building and the proposed size of the building is too ambitious for the size of this lot.

Barbara Thornton said that she is delighted to see housing coming into Arlington. Ms. Thornton asked why the developer did not plan for 4 stories instead of 3 and why not add more affordable housing instead of the office space. Ms. Thornton said that she does not think such small commercial space will make a big difference in the Town's tax base.

Don Seltzer said that a 4 unit apartment building is not allowed in this B1 zoning district. Mr. Seltzer said to allow this exception would set a precedent and the Board should expect to receive many similar requests. Mr. Seltzer said that Mr. Annese already has another apartment building project lined up in a B1 zone. Mr. Seltzer said that Mr. Annese would undoubtedly argue that it is capricious and arbitrary to allow one exception and not others. Mr. Seltzer said that some Board members are under the impression that Town Counsel has issued a legal opinion that mixed-use means any two uses can be placed in any district. Mr. Seltzer said that he spoke to Doug Heim and he has not issued any legal finding. Mr. Seltzer said that Doug Heim said that he attributes the misunderstanding to correspondence with a resident in which he offered some informal views. Mr. Seltzer said that Mr. Heim said that it was the genesis of an informal opinion. Mr. Seltzer said that at the 2016 Town Meeting it was stated that only those uses that were already allowed in a district would be allowed for mixed-use. Mr. Seltzer then proceeded to play a recording of the 2016 Town Meeting discussion regarding mixed-use.

Steve Revilak said that he thinks that this is a nice project and the addition of housing is needed in Arlington. Mr. Revilak said that the people who will live in this building will be grateful for having a nice place to live. Mr. Revilak said that he knows there is more work to do and encourages the Board to work with the applicant and hopes to see more projects like

this along Mass. Ave. and Broadway.

Patricia Worden said that she will submit additional written comment because the 3 minute comment period is so short. Ms. Worden said that the project at 1500 Mass. Ave. violates the zoning bylaw so badly that it should never have been considered. Tonight's hearing is a demonstration of the ineffectiveness of the Planning Department. The proponent needs to submit an economic analysis. Ms. Worden said that a 4 unit residential building is not allowed in a B1 district, whether mixed-use or not. Ms. Worden said she is concerned that the town has a need for affordable housing and this project has none, wanton destruction of property, trees, and landscape in anticipation of being awarded a an approved permit for an illegal project. Ms. Worden said that there is no committed tenant for the commercial area so it is likely that the entire building could become residential due to a loop-hole in the zoning bylaw. Ms. Worden said that there are dangers regarding the curb cuts.

Chris Loreti said he is disappointed in the understanding that the Board has shown in the Arlington zoning bylaw. Mr. Loreti said that even on the legal notice it states that a permit would be issued under section 3.4 of the zoning bylaw but you neglected that you to need to issue a special permit under section 3.3. Mr. Loreti said that the first decision under that criterion is that the use requested is a use permitted in the district for a special permit. An apartment building is not allowed in B1 district. Mr. Loreti said that 3.3.3F, which states that the intended use will not impair the character and integrity of the district, also has not been met. B1 zoning district is for 1 or 2 family homes or offices but to allow a 4 unit building with an office is not in keeping with the B1 district when it is so out of character. Mr. Loreti said that he appreciates that the applicant's plans meet the zoning bylaw criteria for open space. Mr. Loreti said that he is well aware of Town Counsel's memo which states that the Board can supplant the ZBA in granting variances, Mr. Loreti said he does not think that will stand up in court. Mr. Loreti said abutters objected to the way the Board handled the Hotel Lexington Special Permit and it may be appealed. Mr. Loreti asked if the court strike down the Board's ruling what happens in that case, would the Board withdraw the special permit for this project. Mr. Loreti said the Board should at least have to wait until the outcome of the Hotel Lexington appeal to move forward with this request.

The Chair closed public comment.

The Chair listed the items for the applicant to review:

- Circulation/parking configuration
- Gross square footage on 1st floor
- Addition of a accessible unit on the first floor/addressing accessibility
- Market analysis for the office space
- Look at the balcony projections into side yard
- Review Tree Warden's requirements and the 8 trees that have been removed from the site
- Screening on the roof for the abutters
- Elevation and rendering that addresses the height of the retaining wall and relation to neighboring buildings
- Snow and trash removal
- Location of the sprinkler room
- A detailed Transportation Demand Management Plan

Mr. Benson said that he will not approve the project if there is a large decrease in the commercial space.

Mr. Lau moved to continue Docket# 3633 to the meeting on Monday October 19, 2020, Mr. Watson seconded, approved 5-0.

The Chair introduced the next agenda item, 19R Park Ave – review of and update on Minuteman Bikeway connection. Ms. Raitt introduced Pam Hallett, the Executive Director of the Housing Corporation of Arlington. Ms. Raitt said there has been a change to the plans since the approval for this project and Ms. Raitt would like the applicant to review the proposed changes, updated site plan, and change to project goals with the Board.

Ms. Hallett said that with the remediation of this site there have been significant cost overruns of over \$100,000.00. More of the soil was contaminated than expected and contaminated with PCPs, which need to go to a special dump site and that process is quite costly. Ms. Hallett said that they had a small contingency of \$50,000.00 and used the project contingency to have the remediation completed. Funders became concerned that there is no longer a 5% contingency for the project so HCA said that they would come up with cost cutting measures to ensure that there is a 5% contingency. Ms. Hallett said that she proposed holding off building the bridge to connect to the Minuteman Bikeway and the Funders accepted that option. Ms. Hallett said that the building project is now 35% complete. Ms. Hallett had the site design updated with the reconfigured plan which allows for greater fire truck access. Ms. Hallett said that she heard from the MBTA and they have many restrictions regarding what will be allowed. Ms. Hallett is also not sure what the MBTA will charge on a lease basis. Ms. Hallett said that she wanted to review the updated plans in case the bridge cannot be built at the end of the project with the contingency funds.

Mr. Lau said that he likes this project, that it will be all affordable housing. Mr. Lau asked about funding in the future to build the bridge. Mr. Watson said he remains excited about this project and will be disappointed if the bridge is not able to be built as it is an important part of the Transportation plan and for the health of the residents. Ms. Raitt said that this is not a formal hearing this is advisory and there is no need to make changes to the Special Permit at this time.

The Chair introduced the next agenda item, Committees and Appointments: Ms. Raitt said that she and Erin Zwirko recommend appointing Ben Bradlow to the Housing Plan Implementation Committee. Mr. Bradlow said that he moved to Arlington in July and has been involved in housing initiatives in other communities and would love to contribute to the Housing Plan Implementation Committee. Mr. Lau asked if Mr. Bradlow has had any experience with developments. Mr. Bradlow said that he has been involved with development projects in neighboring communities and in South Africa. Mr. Lau moved to approve Ben Bradlow's appointment to the Housing Plan Implementation Committee, Mr. Benson seconded, approved 5-0.

Ms. Raitt asked to review the Board's appointments on the following Town Committees:

- Community Preservation Act Committee – Mr. Benson is currently on this committee.
- Master Plan Implementation Committee – The Chair will now attend these committee meetings.
- Zoning Bylaw Working Group – Mr. Watson is currently on this committee.
- Housing Plan Implementation Committee - Ms. Raitt said that maybe the Board can revisit this in a few months and that Department staff participates in these meetings. Ms. Raitt said that there are plans for the HPIC to have a new housing plan production plan update and it was very helpful to have a member of the Board participate with that process in the past. The RFP for the Housing Production Plan update is being submitted soon so the work may start early next year.

Mr. Watson moved to have Mr. Benson continue on the Community Preservation Act Committee, to have Mr. Watson continue on the Zoning Bylaw Working Group, for The Chair to join the Master Plan Implementation Committee, and to

temporarily leave the position on the Housing Plan Implementation Committee vacant, Mr. Lau seconded, approved 5-0.

The Chair introduced the next agenda item, the fall meeting schedule. Ms. Raitt said the Board's next meeting is on 10/5, which will include a hearing for a retail marijuana establishment and design guidelines; the next meetings are scheduled for 10/19/20, 11/2/20 and 11/16/20. The Select Board discussed opening the warrant for Special Town Meeting on 9/21/20 and holding Special Town Meeting on 11/9/20. The Board can now refile the warrant articles that were postponed in the spring, but will need to add meetings to review those articles. Ms. Raitt proposed the following dates for those additional hearing dates to review zoning warrant articles: 10/19/20, 10/22/20, 10/26/20, and 10/28/20. Mr. Benson moved to add the additional meetings on 10/22/20, 10/26/20, and 10/28/20, Mr. Lau seconded, approved 5-0.

The Chair introduced the next agenda item, Upcoming ARB Goal Setting Meeting and Joint Meeting with Select Board on September 21. Ms. Raitt said that the goal is to revive the conversation at the last joint meeting with the Select Board and commit to next steps. Ms. Raitt said that the Board will also need to set their annual goals. The Chair suggested adding feedback from the Economic Recovery Task Force regarding how the Board can support business owners in town during this difficult economic time.

The Chair introduced the last agenda item, Open Forum. The Chair opened to floor to the public. The Chair reminded the public that they will have 3 minutes to comment during open forum and to please state their full name and address when speaking and to use the raise hand function in Zoom. There were no comments from the public so The Chair closed the floor.

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

Meeting adjourned.