



Town of Arlington, MA Redevelopment Board

Agenda & Meeting Notice March 18, 2024

Per Board Rules and Regulations, public comments will be accepted during the public comment periods designated on the agenda. Written comments may be provided by email to cricker@town.arlington.ma.us by Monday, March 18, 2024, at 3:00 pm. The Board requests that correspondence that includes visual information should be provided by Friday, March 15, 2024, at 12:00 pm.

The Arlington Redevelopment Board will meet Monday, March 18, 2024 at 7:30 PM in the **Arlington Community Center, Main Hall, 27 Maple Street, Arlington, MA 02476**

1. Review Meeting Minutes

7:30 pm The Board will review and vote to approve meeting minutes from March 4, 2024.

2. Public Hearing: Warrant Articles for 2024 Annual Town Meeting

7:35 pm The Board will hear deliberate and vote on the following proposed zoning amendments to the Zoning Bylaws.

ARTICLE 25

ZONING BYLAW AMENDMENT / BUILDING DEFINITIONS

To see if the Town will vote to amend Section 2: Definitions, in the Zoning Bylaw to amend the definitions of Building, Attached, and Building, Detached, to clear up an ambiguity between those two definitions; or take any action related thereto.

ARTICLE 26

ZONING BYLAW AMENDMENT / ADMINISTRATIVE CLARIFICATION

To see if the Town will vote to amend Section 5.4.2.A. R District Yard and Open Space Requirements in the Zoning Bylaw to reference an exception found elsewhere in the Zoning Bylaw; or take any action related thereto.

ARTICLE 27

ZONING BYLAW AMENDMENT / ADMINISTRATIVE CORRECTION

To see if the Town will vote to amend Section 5.9.2. Accessory Dwelling Units for clarity to change how subsections are numbered and

to remove a subsection that is outdated; or take any action related thereto.

ARTICLE 28

ZONING BYLAW AMENDMENT / DELETE INLAND WETLAND OVERLAY DISTRICT

To see if the Town will vote to delete Section 5.8, Inland Wetland Overlay District, from the Zoning Bylaw and adjust the numbering of subsequent sections; or take any action related thereto.

ARTICLE 29

ZONING BYLAW AMENDMENT / REDUCED HEIGHT BUFFER

To see if the Town will vote to amend Section 5.3.19. Reduced Height Buffer Area in the Zoning Bylaw to alter the height buffer requirements; or take any action related thereto.

ARTICLE 30

ZONING BYLAW AMENDMENT / SHADED PARKING LOTS

To see if the Town will vote to amend Section 6.1.11.D of the Zoning Bylaw to require that trees or other shade be provided in parking lots with more than 25 spaces; or take any action related thereto.

ARTICLE 31

ZONING BYLAW AMENDMENT / ADD 5-7 WINTER TO THE MBTA NEIGHBORHOOD DISTRICT

To see if the Town will vote to add the Address of 5-7 Winter St., to the Neighborhood Multi-Family (NMF) Subdistrict Parcel List. So that the Map/Table listing of all the properties in the Neighborhood Multi-Family (NMF) Subdistrict includes the following property, the additional line will read as follows: Address: 5-7 Winter St.; Owner: AML Realty Trust; Existing Use Codes: 104; Existing Use Description: Two Family Residential; Parcel Acres: 0.420; Parcel Square Footage: 18,306; or take any action related thereto.

ARTICLE 32

ZONING BYLAW AMENDMENT / TRAFFIC VISIBILITY

To see if the Town will vote to amend Section 5.3.12(A) of the Town's Zoning Bylaws to permit buildings, structures or vegetation across street corners if it can be shown that they will not restrict visibility in such a way as to hinder the safe transit of a vehicle through the subject intersection; or take any action related thereto.

ARTICLE 33

ZONING BYLAW AMENDMENT / REAR YARD SETBACKS IN BUSINESS DISTRICTS

To see if the Town will vote to amend the Zoning Bylaw Section 5.5.2, Dimensional and Density Regulations, to adjust the rear yard setback requirement for uses of four or more stories in the Business Districts; or take any action related thereto.

ARTICLE 34

ZONING BYLAW AMENDMENT / RESIDENTIAL USES

To see if the Town will vote to amend Section 5.4 of the Town's Zoning Bylaws by changing the definitions, regulations, and requirements of R0 Large Lot Single-Family Districts, R1 Single-Family Districts and R2 Two-Family Districts to permit the expansion of allowable residential uses in these districts, with the goal of diversifying the Town's housing stock; or take any action related thereto.

3. Adjourn

10:00 pm (Estimated)

4. Correspondence

Inspectional Services Dept - 3/8/24
E. Benson - 3/13/24
C. Chalapatias - 3/18/24
A. Chan Waay - 3/15/24
J. Cullinane - 3/17/24
A. Ehlert - 3/18/24
P. Fisher - 3/18/24
E. Grigoris - 3/18/24
L. Grigoris - 3/18/24
C. Heigham - 3/11/24
C. Loreti - 3/05/04
M. Marx - 3/15/24
G. Oba - 3/11/24
R. Peterson - 3/8/24
J. Pierce - 3/4/24
J. Pierce - 3/7/24
M. Radochia - 3/17/24
L. Veivy - 3/7/24



Town of Arlington, Massachusetts

Review Meeting Minutes

Summary:

7:30 pm The Board will review and vote to approve meeting minutes from March 4, 2024.

ATTACHMENTS:

Type	File Name	Description
▢ Reference Material	03042024_AMENDED_Minutes_Redevelopment_Board.pdf	03042024 AMENDED Minutes Redevelopment Board

Arlington Redevelopment Board
Monday, March 4, 2024, at 7:30 PM
Community Center, Main Hall
27 Maple Street, Arlington, MA 02476
Meeting Minutes

This meeting was recorded by ACMI.

PRESENT: Rachel Zsembery (Chair), Eugene Benson, Shaina Korman-Houston, Kin Lau, Stephen Revilak

STAFF: Claire Ricker, Director of Planning and Community Development; Sarah Suarez, Assistant Director of Planning and Community Development

The Chair called the meeting of the Board to order.

The Chair opened with **Agenda Item 1 – Review Meeting Minutes.**

February 26, 2024 – Mr. Lau requested one edit of the minutes. The Chair requested a motion to approve the February 26 minutes as amended. Mr. Lau so moved, Mr. Revilak seconded, and the Board voted 4-0 in favor, with the abstention of Mr. Benson, who did not attend the February 26 meeting.

The Chair moved to **Agenda Item 2 – Public Hearing: Warrant Articles for 2024 Annual Town Meeting.**

The Chair reopened the public hearing for the warrant articles for 2024 Annual Town Meeting. This is the second night of hearings. The Board will hear from article applicants and members of the public wishing to speak on Articles 30 through 34. The Board will reserve final discussion and voting on each article until the last night of hearings.

ARTICLE 30 – SHADED PARKING LOTS

Ms. Ricker said that Article 30 was inserted at the request of Susan Stamps and 10 residents of Arlington.

Elisabeth Carr-Jones (1 Lehigh St) representing Green Streets Arlington, presented Article 30, Shaded Parking Lots, which would require that shade in the form of trees and/or photo-voltaic canopies be provided in parking lots with more than 25 spaces. Trees make for a more livable environment and help mitigate climate change. Arlington was designated a Green Community in 2010 and has focused on sustainability for a long time. The zoning bylaw currently requires that parking lots of more than 25 spaces have landscaped areas of at least 8% of the paved area. This proposal would add the requirement that shade be provided by one or both of two methods: a) one shade tree for every eight parking spaces, with each parking space within 30 feet of the tree, or b) solar canopies over parked cars, to cover at least 50% of the paved parking lot. The first option comes from Lexington's zoning bylaws. The second option comes from Arlington's own zoning bylaws for parking lots in industrial zones.

The Whole Foods parking lot is an example. It includes 81 parking spaces with no shade trees on the property and no solar canopies. Were this proposed article already in place, the Whole Foods parking lot could have been built with 80 parking spaces, 5 shade trees, and 192 solar panels.

Susan Stamps explained that they amended their original proposal; they changed the standard for tree care and maintenance to be in accordance with the standard in Article 30 the USDA Forest Service Tree Owner's Manual. They consulted with Mr. Benson and Mr. Revilak, who both helped to shape the language of the main motion. Mr. Revilak proposed a few further technical changes.

Mr. Revilak noted that when the industrial district regulations were rewritten, ground-mounted solar photovoltaic systems were allowed in the industrial districts, but not in other districts. He thinks that the use tables for all districts would need to be amended to allow for ground-mounted solar photovoltaic systems in all districts. Mr. Benson said that he thinks that amending the use tables is unnecessary because Section 5.2.2 says that anything not designated is prohibited unless otherwise authorized, and this article would authorize solar photovoltaic systems in

parking lots. Also, he noted that amending the use tables as proposed would allow such systems everywhere, not just in parking lots. Mr. Revilak suggested adding a line to the main motion of Article 31 specifying that solar photovoltaic systems are allowed in business and residential districts, as well as industrial districts, thus making it clear that they are authorized and satisfying the requirement of Section 5.2.2.

Ms. Korman-Houston asked for clarification about how the combination of solar panels and trees would work, and whether the goal is 50% shade coverage. Ms. Stamps noted that including a tree for every eight parking spaces provides about 50% shade coverage. Solar panels are assumed to provide 50% coverage of whatever portion of the parking lot includes them. Ms. Korman-Houston said that she thinks it might need to be reworded for clarity. She also expressed concern about the requirement that all spaces be within 30 feet of a tree. She noted that requiring one tree for every eight parking spaces and requiring that all eight spaces be within 30 feet of the tree allows for very little flexibility in layout of parking spaces. She suggested increasing the number of feet or otherwise altering it to allow for greater flexibility. Ms. Stamps said that the reason for that requirement is to distribute trees throughout the lot, rather than having them all planted in one area.

Mr. Lau asked how many properties this zoning change would affect. Ms. Carr-Jones said that she counted around 70 existing parking lots in Arlington with over 25 spaces. He is concerned that this requirement adds a burden to developers and may stifle commercial development. He would prefer to use public spaces, adding street trees, tree islands, or rain gardens, rather than placing a burden on developers. He also noted that solar panels are not economically viable if they are surrounded by too many shade trees, so using both trees and solar panels to provide shade in a single parking lot may not make sense.

The Chair asked about the standard for tree care included in the amendment. At the previous meeting at which this proposal was presented, they discussed whether a particular standard of care should be set, versus referring to other standards used in Arlington, by the Tree Warden, for example. Because standards often change, the Board prefers to avoid citing specific standards in the bylaws. Ms. Stamps said that Section 6.3, Public Shade Trees, which requires developers to plant street trees every 25 feet, says that those trees will be cared for pursuant to the American Standard of Nursery Stock, so she used that language in this proposal. But that standard applies only to the choice of trees and location; it does not include a post-planting standard of tree care. They then talked to the Tree Warden, who proposed the use of the USDA Forest Service Tree Owner's Manual instead. She also noted that the proposal includes the phrase "or other standards the Redevelopment Board may designate."

The Chair opened the floor for public comment.

- Chris Loretta, Adams St – He supports the idea of this proposal but has a number of questions. He would like to know how often it would have applied over the last 20 years, given that it only applies to new outdoor parking lots. He also noted that any development large enough to include a parking lot of more than 25 spaces already needs to go before the Redevelopment Board. He does not think that this proposal places too much of an additional burden on developers, because it doesn't increase the amount of space required for a parking lot. He would also like to make sure that a development that includes solar panels in a parking lot would not thereby have a reduced requirement for rooftop solar.
- John Leone, Precinct 8 – He noted that this would only be applied going forward, not retroactively. He asked if the reduction in potential parking spaces this proposal might require would affect any other aspects of a potential building, such as square footage or floor area ratio.

The Chair closed public comment on Article 30.

The Chair asked Ms. Ricker to investigate the question of how many parking lots have been developed over the last 20 years that this proposal would have applied to. She also noted that developers are generally quite willing to work with the Board on landscaping plans, so there is already an opportunity to work with developers about this issue, even without this proposal as part of the bylaw.

In answer to Mr. Leone's question, the Chair noted that the number of required parking spaces is calculated based on several variables, including building size. Developers going before the Board have the opportunity to ask for a reduction in the number of required parking spaces based on a Transportation Demand Management Plan, and their

compliance with this proposal, were it part of the bylaw, would certainly be factored in to the Board's decision about how many parking spaces were required.

Mr. Benson said that he does not believe that solar panels in parking lots would substitute for the requirement for solar panels on roofs; it would be an additional requirement.

The Chair closed discussion of Article 30.

ARTICLE 31 – ADD 5-7 WINTER STREET TO THE MBTA NEIGHBORHOOD DISTRICT

Ms. Ricker said that Article 31 was inserted at the request of John Leone and 10 residents of Arlington. She also noted that the Town is required to notify EOHLC of any potential changes to the MBTA Communities District, and they have been so notified.

John Leone (Precinct 8) presented this article. He and his sister Suzanne Leone are the trustees of the AML Realty Trust, a family trust composed of the Leone siblings, which owns the property at 5-7 Winter Street. Their grandparents bought the house in 1956, and it's been in the family ever since, and Suzanne Leone currently lives there. 5-7 Winter Street is one of the largest parcels in East Arlington. It is surrounded by the MBTA Communities Multi-Family Neighborhood Subdistrict, the Summit House Condominiums, the Fox Library (which the Town is exploring rebuilding with multi-family housing above it), and commercial properties. Their contention is that this property should have been included in the Multi-Family Subdistrict to begin with. If all the other buildings around 5-7 Winter Street are redeveloped to the maximum allowed height, the parcel would be surrounded by 4- to 6-story buildings, with no possibility of being redeveloped itself. They have no plans to redevelop, but they want to preserve their rights to do so, as well as the rights of any future owners. The property is on the National Historic Register, but so are 13 and 15 Winter Street, both of which are included in the Neighborhood Multi-Family District.

Mr. Lau said the Board's original intent was to leave all historic properties out of the MBTA Communities Overlay District, and 13 and 15 Winter Street were missed. He asked if Mr. Leone has spoken to the Historical Commission. He said that he spoke with JoAnn Robinson, Chair of the Historical Commission, who reminded him that any changes to the house would have to go through the Historical Commission, regardless of whether it is in the MBTA Communities Overlay District.

Ms. Korman-Houston asked Ms. Ricker if EOHLC needs to approve any changes of this nature to the MBTA Communities Overlay District, or if they just need to be notified. Ms. Ricker replied that they do not need to approve it. The purpose of the notification is to ensure that municipalities are not reducing the district in size, so this amendment would not pose a difficulty.

Mr. Benson said that he has no problem with the proposal, but he has questions about the process. The zoning bylaw requires two types of notice. The first says that a petition must show that copies of the petition have been sent by registered or certified mail to all owners and immediate abutters of the land referred to in the petition. The second is that DPCD must send a notice by first-class mail to all abutters of abutters within 300 feet, which has been done. In order to support this amendment, he would need to see evidence that the first requirement has been met. Mr. Leone asked if they would need to send it to the condo association of Summit House, or to all the individual owners. Mr. Benson said that the requirement says all owners. The Chair asked Ms. Ricker to confirm with Town Counsel about whether the condo association would qualify as including all owners of properties in Summit House.

The Chair opened the floor for public comment.

- Shelly Dein, 7 Cleveland St – In general, she is supportive of increasing the density of housing options. Some of the neighbors are not familiar with what is allowed under the Multi-Family Neighborhood Subdistrict and think that it is being approved as a two-family house. She asked for clarification about what exactly is included in the Neighborhood Multi-Family District, because she does not think that the map on the website matches the map as shown by the citizen petitioner. Ms. Ricker said that the map presented here is the most up-to-date version, and if the one on the website doesn't match, DPCD will change it. Her final concern is that the commercial properties on Mass Ave abutting 5-7 Winter Street are so shallow, that it seems unlikely that they will be developed as taller buildings, so they could be overshadowed by residential properties behind them.

- Chris Loretta, Adams St – He noted that the Board dropped all the properties on Mass Ave in East Arlington from the MBTA Communities Overlay District, based on the plan to rezone all those properties at some point to create a new business district. His assumption was that the reason 5-7 Winter Street was dropped was that it would be included with the business district rezoning, given the shallowness of the commercial properties in front of it. He asked if that rezoning will occur, and if so, if 5-7 Winter Street should be part of that rezoning rather than part of MBTA Communities. He also noted that MBTA Communities has not yet been approved by the Attorney General's Office, and it may not be approved if anyone objects to the defect in the hearing notice. He asked if it is possible to amend a zoning change that has not yet been approved and is not officially part of the zoning bylaw at this time.
- Jerry Grady, 11 Winter Street – If this amendment passes, and the property is rezoned, what kind of development could happen on the property?

The Chair closed public comment on Article 31.

The Chair asked Ms. Ricker to clarify the situation with regard to the approval of the MBTA Communities Overlay District. Ms. Ricker explained that there was a procedural flaw with regard to the public notice of the Board's hearing. The Attorney General's Office is working through that issue with the Town Clerk and the Town Counsel to come up with a resolution.

Mr. Revilak explained what kind of development is allowable in the Neighborhood Multi-Family District. It allows development of multi-family homes, which is defined as dwellings including three or more units, at a height of three stories, with setbacks of 15 feet in the front, 20 feet in the rear, and a total of 20 feet on the two sides combined.

The Chair said that the Board did not include the business districts in the MBTA Communities Overlay District in anticipation of future rezoning of the three main business districts. They intend to bring a plan for rezoning the Arlington Heights Business District to 2025 Annual Town Meeting, and the rezoning of the business district in East Arlington will occur after that.

The Chair closed discussion of Article 31.

ARTICLE 32 – TRAFFIC VISIBILITY

Ms. Ricker said that Article 32 was inserted at the request of Caitlin Monaghan and 10 residents of Arlington.

Caitlin Monaghan (43 Highland Avenue) presented this article. Her house is on a corner lot that would be impacted by this proposal. The goal of the proposal is amend Section 5.3.12, which insures traffic visibility by putting restrictions on the placement and height of buildings, fences, and vegetation. Section 5.3.12.A defines a triangle on corner lots of 200 square feet and says that nothing above three feet can be in that space, except shade trees. Section 5.3.12.B defines a zone along driveways, with a height limitation of two-and-a-half feet, and it includes the possibility of an exception – "unless it can be shown that the vegetation or structure will not restrict visibility in such a way as to hinder the safe entry of a vehicle from any driveway into the street." Many types of fences do not obstruct the view of traffic. Under the current bylaw, a homeowner could take advantage of the exception in Section 5.3.12.B to put such a fence next to a driveway, but not on a street corner. This is a problem because it discourages fences that are of an adequate height to protect children and pets. The Massachusetts Department of Early Education and Care requires childcare centers to install a barrier at least four feet tall if there is a hazard nearby such as a busy street. Arlington's Zoning bylaws require that swimming pools be surrounded by a fence at least five feet tall. This proposal would update Section 5.3.12.A with language taken from Section 5.3.12.B, in order to add the same exception. This would preserve the intent of the bylaw but also allow fences to protect children and pets.

Mr. Revilak agreed that it makes no sense that one of the two subsections of Section 5.3.12 allows an exception but the other doesn't, and he thinks the proposed amendment is entirely reasonable.

Mr. Benson asked who would make the decision about whether the barrier restricts visibility. Ms. Ricker said that she would speak with the Mike Ciampa, Director of the Inspectional Services Department, to determine if ISD would need to issue a permit for a non-structural fence.

Ms. Korman-Houston asked if a distinction between fences and vegetation should be made. She also noted that ensuring compliance, particularly with vegetation, would be a challenge.

Mr. Lau agreed with Mr. Benson's concern. The question of whether a fence or vegetation impedes visibility is subjective. He would recommend including more specific language, such as anything over three feet needing to allow at least 50% visibility. He also encouraged the petitioner to look into adding rain gardens at the corner, which would shorten the actual crossing.

Mr. Benson suggested changing the wording; instead of using the phrase from Section 5.3.12.B that allows a variety of exceptions (without specifying who decides), instead, allow for a single exception of a transparent fence, or a fence with a certain percentage of visibility. That would eliminate any uncertainty about what is allowed. Ms. Monaghan agreed with that idea. Mr. Benson said that he would share a revised proposal with Ms. Monaghan and reach out to Mr. Ciampa.

Ms. Monaghan also asked if it would be possible to change the language of Section 5.3.12.B at the same time to allow for the more limited and clearly defined exception. The Chair said that because the language of warrant Article 32 refers to Section 5.3.12.A, it is beyond the scope of the Article to change 5.3.12.B as well.

The Chair opened the floor for public comment.

- Carl Wagner, 30 Edgehill Rd, Town Meeting Member – He noted that the images that Ms. Monaghan provided of transparent fences are relatively low and not on corners. He thinks that the Town's current rules regarding fences are very logical, and if a resident wants to exceed those rules, they can go before the Redevelopment Board and Zoning Board of Appeals. The applicant's needs in terms of a fence are important, but so are the needs of everyone else who uses the streets and sidewalks of Arlington. It would be better to maintain the bylaws as they are and allow for variances issued by the ARB or the ZBA.
- Chris Loretto, Adams Street – He believes the applicant's presentation of the triangular zone in which nothing taller than three feet is allowed is inaccurate. He believes that the bylaws refer to the curb line of the street, not the street right of way, which the applicant's images show. Before it was recodified, the zoning bylaw included illustrations about how this section should be interpreted, which show that they measured 20 feet from the curb line, creating a considerably smaller triangle, making this amendment unnecessary. He also said that Inspectional Services is responsible for enforcement, and they will generally inspect a fence at the request of a neighbor. In his experience, the exception in Section 5.3.12.B is never applied, so adding the same exception to Section 5.3.12.A would not have any effect. He thinks that the safety of pedestrians outweighs the minor inconvenience to a homeowner of having a smaller area of their property that they can enclose with a tall fence. He also notes that the way the exception is written, it would allow buildings, as well as fences and vegetation, which is not appropriate. As a Town Meeting Member, he would not support this article.

The Chair closed public comment on Article 32.

Mr. Benson asked Ms. Monaghan how she determined the exact placement and size of the triangle. She said that she was confused by the wording of the bylaw, which refers to the intersection of the property lines of the street, so she asked Mr. Revilak for help. Mr. Revilak said that his interpretation was based on the fact that property lines do not intersect with the street, but with the sidewalk. Mr. Benson said that he would ask Inspector Ciampa for further clarification.

Mr. Benson noted that it is not possible to get a variance for an exception to Section 5.3.12.A.

Ms. Monaghan noted that many streets in Arlington have no sidewalks, so even if Mr. Loretto's interpretation of the size of the triangle is correct, this amendment would still be useful for those properties without sidewalks.

The Chair closed discussion of Article 32.

ARTICLE 33 – REAR YARD SETBACKS IN BUSINESS DISTRICTS

Ms. Ricker said that Article 33 was inserted at the request of Andrew Greenspon and 10 residents of Arlington.

Andy Greenspon (89 Palmer Street) presented Article 33. At the 2023 Special Town Meeting, the method of determining rear setbacks in the business districts was simplified to the existing language. As it is now written, if a building is increased from three to four stories, the required rear yard setback abutting a residential property increases from 20 to 30 feet for all the stories. His proposal is that for the first three stories, the rear yard setback would remain 20 feet, and the 30-foot setback would only apply to the fourth and higher stories. Requiring all stories to have a 30-foot setback shrinks the footprint of the entire building, which may make such development less economically feasible. Somerville's zoning code has a similar setback requirement to this proposal.

Mr. Lau said that he supports this article. He made one suggestion to Mr. Greenspon regarding making his presentation slightly clearer.

The other Board members all expressed support. Mr. Revilak noted that a smaller rear setback on the bottom floors could allow for more commercial space in mixed-use developments.

The Chair opened the floor for public comment.

- Carl Wagner, 30 Edgehill Rd, Town Meeting Member – He contacted an engineer, who reviewed the article. The engineer said that the scale of Mr. Greenspon's illustration implies that the stories of the buildings are only 5.5 feet high. The diagram also shows a larger side setback than is typical in East Arlington. Mr. Wagner requested that the Board require diagrams and illustrations in proper scale. He said that the changes that were made at the Special Town Meeting in October 2023 had no opportunity for public input. The situation deserves to be studied better and understood by residents who live in homes next to business districts.
- Steve Moore, Piedmont St – He agrees with Mr. Wagner. The Special Town Meeting in October 2023 caused significant consternation in Arlington. We should not continue to chip away at the current zoning bylaws relative to height and setbacks. This article too quickly reengages with issues already discussed at that Town Meeting and brought to conclusion with significant discussion. He would recommend that the Board not support such changes.
- Wynelle Evans, Orchard Pl – Much of Arlington is already non-conforming, so many houses have rear and side setbacks that do not meet the requirements in the bylaws. Such a house abutting a business district would be closer to a commercial building than Mr. Greenspon's illustrations suggest, and a four-story or higher building with the first three stories only 20 feet from the property line would be a looming presence to a house with a small setback. This proposal should take nonconforming lots into consideration.
- Ratnakar Vellanki, 21 Adams Street – He supports this amendment; it clarifies the changes made at the last Town Meeting, and it gives further scope to develop commercial space, which we need.
- Chris Loretto, Adams Street – He thought that the zoning bylaw adopted at Special Town Meeting in October was exactly the same as the Somerville regulations. He doesn't know why they would need to be changed now. He noted that the rear yard of a building in the business district generally abuts the side yard of a residential building, which may only be about five feet, which is considerably smaller than what is shown in Mr. Greenspon's illustration. He also noted that this introduces inconsistency to the terminology used in the zoning bylaws. What this proposal refers to as an upper-story setback is elsewhere in the bylaw referred to as a step-back. He also raised the same objection he did earlier – that the bylaw passed last October has not yet been approved by the Attorney General's Office, so it is not actually part of Arlington's bylaws yet and therefore cannot be amended.

The Chair closed public comment on Article 33.

Mr. Greenspon said that he consulted with a member of the Board regarding the language regarding setback and step-back, and he thinks that this proposal is consistent. He can change the scale of the drawings, but they reflect a reality that is already in place, that a three-story building must be set back 20 feet from the property line abutting residential property, and a four-story building must be set back 30 feet. Allowing a three-story building 20 feet from the property line to add a fourth story 30 feet from the property will not make a building any more looming over residential property than what is currently allowed.

The Chair closed discussion of Article 33.

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ARTICLE 34 – RESIDENTIAL USES

Ms. Ricker said that Article 34 was inserted at the request of John Paul Lewicke and 10 residents of Arlington.

Mr. Lewicke presented Article 34. The proposed amendment would allow two- and three-family dwellings by right throughout Arlington, while keeping all the existing dimensional requirements in place for each district. They would like to incorporate Site Plan Review, but they didn't have language for that when the main motion language needed to be submitted. They are considering having an asterisk in the use table indicating that Site Plan Review is required, but they want to be guided by the Board and what language they would like to see.

The biggest unresolved question has been whether this proposal would require a simple majority or a two-thirds majority at Town Meeting. The state's housing choice law is intended to make it easier to allow for three-family dwellings by right throughout the state, so only a simple majority would be required for an amendment allowing that, but it's unclear if allowing both two- and three-family dwellings would also be covered under that provision. Town Counsel is consulting with the Attorney General's office. If Counsel determines that it requires a two-thirds majority, the petitioners intend to withdraw the petition.

Mr. Lewicke tried to create a simulation of possible development over the next ten years were this article to pass, using a similar model to the one Mr. Revilak used with the simulation he created of possible development within the MBTA Communities Overlay District. There are obviously many variables, and the proposed amendment applies to many more parcels than are included in the MBTA Communities Overlay District, so it is very difficult to predict. The simulation predicted approximately 560 parcels redeveloped, with 726 new dwelling units, over the course of 10 years, but different assumptions would lead to very different conclusions in the simulation.

Annie LaCourt spoke with Dana Mann, Director of the Assessor's Office. He said that as the number of units in a building goes up, the assessed value goes up, even if the overall size stays the same, so a three-family of the same size as a single-family will produce more tax revenue. However, no one can predict the effect on Town expenses. Most expenses do not increase as population increases, but schools and trash collection are exceptions. There is no way to calculate the final effect on overall Town revenue and expenses.

Mr. Lewicke shared a few examples of what two- and three-family dwellings on standard single-family lots could look like in a way that is in keeping with the surrounding neighborhood.

Mr. Lewicke also shared their plan for public engagement. They've been waiting for the determination of the required vote before publicizing the article, but they intend to reach out to Town Meeting Members and attend precinct meetings. They will also reach out to YourArlington and other town news sources. They plan to coordinate at least one public event to hear concerns and suggestions.

Mr. Lau said that he is a little hesitant because this is coming so soon after MBTA Communities. He wants to see how that develops before making further changes to housing. He also thinks there may not be enough time for the amount of public engagement required. The public engagement process will probably change exactly what they're putting forward, and they need to allow the time for that.

Ms. Korman-Houston noted that the descriptions of the R0 and R1 districts in the bylaw explicitly discourage intensive land use. She asked if building a three-family house would be considered intensive land use. She asked if there is a physical overlap with the MBTA Communities Neighborhood Multi-Family District. Are all the new units predicted by the simulation in addition to new units predicted under MBTA Communities, or do those numbers overlap to some extent? She also expressed concern about the lack of any public outreach thus far.

Mr. Benson asked for clarification of the numbers in Mr. Lewicke's simulation. He referred to a report that came out last year about Minneapolis, looking at the effect of eliminating single-family zoning. The report found that it had almost no impact; almost all the increases in housing were in larger buildings on a main thoroughfare, not from converting single-family homes. He thinks that the numbers in the simulation may be too high.

Mr. Benson agreed with Ms. Korman-Houston that they would need to re-write the definitions of the R0, R1, and R2 districts. He suggested creating a new category for the use tables called SPR, for Site Plan Review, rather than

putting a Y with an asterisk indicating that it would require Site Plan Review. He also suggested adding language saying that houses built under this amendment have to look like single-family homes.

Mr. Benson also expressed concern that this is happening too soon after MBTA Communities, which hasn't even been implemented yet. It might make sense to wait and see what kind of development happens in the next couple of years in the Neighborhood Multi-Family District.

Mr. Revilak suggested that Site Plan Review not be required for two-family, as two-family housing is not considered multi-family housing. Mr. Benson agreed.

The Chair opened the floor for public comment.

- Caitlin Monaghan, 43 Highland Ave – She thinks this is a great idea. She would like to see an analysis of how many current single-family houses are as large as they are allowed to be in terms of setbacks. Knowing those numbers might help us predict whether there is likely to be much development.
- Carl Wagner, 30 Edgehill Rd, Town Meeting Member – This article looks similar to the article a few years ago that proposed getting rid of single-family zoning, and he is distressed to see it come back so soon. At the time, the argument was that it would improve affordability, help climate resiliency, and add diversity. In Town Meeting, it was shown that it would do none of those things. Trees and permeable surfaces would be lost to an effort to get more space for parking. In all cases in which single-families have been turned into two-families in Arlington, the individual unit price of each unit was more than the price of the single unit that was torn down. Residents should have a choice to move from large buildings to two-families to single-families if they want to. We owe it to Arlington not to put radical choices out so quickly after MBTA Communities.
- Steve Moore, Piedmont St – He agrees with Mr. Wagner. MBTA Communities is a radical change for the town, and we haven't had a chance to see the results of that. This is premature, and considering the difficulty of the discussions held last year, it's tone-deaf to come back and do this so quickly again. He thinks we need to make no more changes in housing-related zoning for a couple of years.
- Susan Stamps, 39 Grafton St – She agrees that waiting a year or two might make sense, but she likes the idea of making single-family homes into two- or three-family homes. It's already happening that small houses are being torn down and much larger ones built in their places, so we might as well give developers the opportunity to make a home for three families in one of the large homes being built rather than just one. She worries about this leading to more paving over yards to create parking, but she thinks there are ways to mitigate that.
- Grant Cook, Precinct 16 – He noted that the same Minneapolis report that Mr. Benson cited, which noted that eliminating single-family zoning didn't make much of a difference, also said that eliminating parking minimums did make a big difference. The Board fought to keep parking minimums in MBTA Communities, but they said that they would deal with the parking situation at some point, and he looks forward to seeing that happen. The status quo in terms of affordability is pretty bad, how and when to act is an open question, but he hopes that we act steadily to improve things.
- John Gersh, Kipling Rd – He would feel better about this proposal if it were presented in such a way that would garner a two-thirds majority. If it only requires a 50% majority, that will feel like the system is being gamed.
- Wendy Richter, Brattle Pl – She is an affordable housing advocate, and she thinks that this proposal will not lead to an increase in affordability. Perhaps if existing single-family homes were allowed to be converted to multi-family homes, that could increase affordability. Land is very expensive here, so developers maximize their land use and build the biggest units they can. Building out R0 and R1 lots for three-families will result in very expensive units. Building two- and three-families that look like single-families doesn't usually happen because people want their own front door. Converting an existing large single-family will look very different from building a new building that maximizes the use of the land and minimizes open space.

- Ratnakar Vellanki, 21 Adams Street – He supports this proposal. He does not think that it is too soon after MBTA Communities, because we should not limit ourselves to one major change every few years if the changes will benefit the town. We need to use all levers possible to resolve the housing crunch and better the Town's finances. Property taxes have increased because we don't have enough new growth. This proposal would open up housing choice, not curtail it. In 1970, the average household size was 3.2 people, and now it is only 2.2 people. That means we need more housing units to house the same number of people. The town's population has decreased by 13% since 1970, during a time when the population of Massachusetts increased by 24%. In order to increase our population and tax base, we need to create more housing units, and we shouldn't let the fact that we made a change last year stop us from doing that.
- Wynelle Evans, Orchard Pl – The *Boston Globe* ran an op-ed today by State Senator Lydia Edwards and James Jennings, Professor of Environmental and Land Use Policy at Tufts. They said that production does not equal equity. To create truly equitable housing, we need to do a lot more than simply produce more units. This proposal focuses entirely on production. Developers will build the highest price units that they possibly can. We need to consider much more broadly how to make Arlington more welcoming and think beyond production. As a Town Meeting member, she would not support this.
- Rebecca Gruber, Pleasant St – She also read the op-ed, and her understanding of it was that production is good but not enough. 149 Pleasant Street, on the corner of Gray and Pleasant, which is currently a dilapidated ranch house is zoned R4, and a developer has proposed building a three-family, so there's interest in using a large lot to create more housing. The plans match the aesthetics of other buildings on Pleasant St, which include single- and two-families. It's a shame that a three-family can currently only be built on that lot and not on other similar lots nearby that have the space to do so but are zoned R1 or R2.

The Chair closed public comment on Article 34.

Mr. Benson said that as a child, he lived in one unit of a three-family building that was previously a single-family and had been converted. He sees the value in this proposal and is torn. He wonders if it would make sense as an interim step to allow for conversion of existing single-family homes but not allow new building.

Ms. LaCourt said that she and Mr. Lewicke are aware of how bruising the MBTA Communities process was, and they will consider whether this proposal needs more time for consideration and more public outreach than they have time for. This is a collaborative process between the petitioners and the Board, and they will move forward at whatever pace and in whatever way feels right to them all collectively.

Ms. LaCourt said that those who commented that this proposal is not about affordable housing are correct; it is about housing production. In her neighborhood, small houses are continually bought by developers, torn down, and rebuilt as 4,000- or 5,000-square-foot homes that sell for over 2 million dollars. Instead, they could be rebuilt as three-families; those units will not be affordable, but they will be more affordable than the one two-million-dollar home. People who can afford to spend one million dollars on a house, but not two million, are often forced to move to other communities, where they displace other people and gentrify that neighborhood. By providing more housing in Arlington, we are creating less displacement in other places where housing is more affordable, because it is a regional system. Building large houses does not preserve the environment and open space. What does preserve trees and open space is the thing they are not proposing to change – dimensional requirements and setbacks. This proposal allows for more housing choices and more diversity of housing stock.

The Chair asked if Ms. LaCourt has gotten any feedback from the Town Counsel about when they will hear about the decision about the vote required. Ms. LaCourt said she has not, and she will try to contact him again.

The Chair closed discussion of Article 34.

The Chair noted that the final night of this hearing will be on Monday, March 18, at which the Board will deliberate and vote on all the warrant articles they have heard. She asked for a motion to continue the public hearing for 2024 Annual Town Meeting warrant articles to March 18, 2024. Mr. Lau so moved, Mr. Benson seconded, and the Board approved unanimously.

The Chair moved to **Agenda Item 3 – Open Forum.**

The Chair opened the floor for public comment. Seeing no one who wished to speak, the Chair closed Open Forum.

The Chair moved to **Agenda Item 4 – New Business.**

The Board had no new business to discuss.

The Chair asked for a motion to adjourn. Mr. Lau so moved, and Mr. Benson seconded. The Board voted and approved unanimously.

Meeting **Adjourned at 10:15 pm.**

DRAFT



Town of Arlington, Massachusetts

Public Hearing: Warrant Articles for 2024 Annual Town Meeting

Summary:

7:35 pm

The Board will hear deliberate and vote on the following proposed zoning amendments to the Zoning Bylaws.

ARTICLE 25

ZONING BYLAW AMENDMENT / BUILDING DEFINITIONS

To see if the Town will vote to amend Section 2: Definitions, in the Zoning Bylaw to amend the definitions of Building, Attached, and Building, Detached, to clear up an ambiguity between those two definitions; or take any action related thereto.

ARTICLE 26

ZONING BYLAW AMENDMENT / ADMINISTRATIVE CLARIFICATION

To see if the Town will vote to amend Section 5.4.2.A. R District Yard and Open Space Requirements in the Zoning Bylaw to reference an exception found elsewhere in the Zoning Bylaw; or take any action related thereto.

ARTICLE 27

ZONING BYLAW AMENDMENT / ADMINISTRATIVE CORRECTION

To see if the Town will vote to amend Section 5.9.2. Accessory Dwelling Units for clarity to change how subsections are numbered and to remove a subsection that is outdated; or take any action related thereto.

ARTICLE 28

ZONING BYLAW AMENDMENT / DELETE INLAND WETLAND OVERLAY DISTRICT

To see if the Town will vote to delete Section 5.8, Inland Wetland Overlay District, from the Zoning Bylaw and adjust the numbering of subsequent sections; or take any action related thereto.

ARTICLE 29

ZONING BYLAW AMENDMENT / REDUCED HEIGHT BUFFER

To see if the Town will vote to amend Section 5.3.19. Reduced Height Buffer Area in the Zoning Bylaw to alter the height buffer requirements; or take any action related thereto.

ARTICLE 30

ZONING BYLAW AMENDMENT / SHADED PARKING LOTS

To see if the Town will vote to amend Section 6.1.11.D of the Zoning Bylaw to require that trees or other shade be provided in parking lots with more than 25 spaces; or take any action related thereto.

ARTICLE 31

ZONING BYLAW AMENDMENT / ADD 5-7 WINTER TO THE MBTA NEIGHBORHOOD DISTRICT

To see if the Town will vote to add the Address of 5-7 Winter St., to the Neighborhood Multi-Family (NMF) Subdistrict Parcel List. So that the Map/Table listing of all the properties in the Neighborhood Multi-Family (NMF) Subdistrict includes the following property, the additional line will read as follows: Address: 5-7 Winter St.; Owner: AML Realty Trust; Existing Use Codes: 104; Existing Use Description: Two Family Residential; Parcel Acres: 0.420; Parcel Square Footage: 18,306; or take any action related thereto.

**ARTICLE 32
ZONING BYLAW AMENDMENT / TRAFFIC VISIBILITY**

To see if the Town will vote to amend Section 5.3.12(A) of the Town’s Zoning Bylaws to permit buildings, structures or vegetation across street corners if it can be shown that they will not restrict visibility in such a way as to hinder the safe transit of a vehicle through the subject intersection; or take any action related thereto.

**ARTICLE 33
ZONING BYLAW AMENDMENT / REAR YARD SETBACKS IN BUSINESS DISTRICTS**

To see if the Town will vote to amend the Zoning Bylaw Section 5.5.2, Dimensional and Density Regulations, to adjust the rear yard setback requirement for uses of four or more stories in the Business Districts; or take any action related thereto.

**ARTICLE 34
ZONING BYLAW AMENDMENT / RESIDENTIAL USES**

To see if the Town will vote to amend Section 5.4 of the Town’s Zoning Bylaws by changing the definitions, regulations, and requirements of R0 Large Lot Single-Family Districts, R1 Single-Family Districts and R2 Two-Family Districts to permit the expansion of allowable residential uses in these districts, with the goal of diversifying the Town’s housing stock; or take any action related thereto.

ATTACHMENTS:

	Type	File Name	Description
▢	Reference Material	DRAFT_ATM_2024_Zoning_Bylaw_Amendments_03-18-2024.pdf	DRAFT ATM 2024 Zoning Bylaw Amendments 03-18-2024
▢	Reference Material	Article_30_-_Parking_lots_25+_spaces_built_last_25_yrs_3-14-24.pdf	Article 30 - Parking lots 25+ spaces built last 25 yrs 3-14-24
▢	Reference Material	Article_30_-_Whole_Foods_parking_lot.pdf	Article 30 - Whole Foods parking lot
▢	Reference Material	Article_31_-_Certified_Mail_packet_to_abutters.pdf	Article 31 - Certified Mail packet to abutters
▢	Reference Material	Article_34_-_withdrawal.pdf	Article 34 - withdrawal



Town of Arlington

ARLINGTON REDEVELOPMENT BOARD

**2024 Annual Town Meeting
DRAFT Zoning Bylaw Amendments**

as of March 18, 2024

Introduction and Overview

The Arlington Redevelopment Board (ARB) is the Town's Planning Board, under M.G.L. Chapter 41 § 81. There are five members of the Board. Four are appointed by the Town Manager and the fifth is a gubernatorial designee appointed by the Massachusetts Department of Housing and Community Development. The Board serves as the Town's special permit granting authority for projects which require an Environmental Design Review (EDR) as identified in the Zoning Bylaw. The ARB is also the Town's Urban Renewal Authority under M.G.L. Chapter 121; with Town Meeting approval, the Board may hold property to improve and rehabilitate them to meet community development goals.

The members of the ARB are as follows:

Rachael Zsembery, Chair (term through 6/30/2026)
Kin Lau, Vice Chair (term through 1/31/2027)
Eugene Benson (term through 1/31/2026)
Shaina Korman-Houston (term through 1/31/2026)
Stephen Revilak (term through 9/22/2028)

Claire Ricker, AICP, Director of the Department of Planning and Community Development, serves as Secretary Ex-Officio to the ARB.

In accordance with the provisions of the Town of Arlington, Massachusetts Zoning Bylaw and Massachusetts General Laws Chapter 40A, a public hearing will be held by the Arlington Redevelopment Board (ARB) on:

1. **Monday, February 26, 2024**, beginning at 7:30 PM, to hear Articles 25 through 29, in the Arlington Community Center, Main Room, 27 Maple Street, Arlington, MA.
2. **Monday, March 4, 2024**, beginning at 7:30 PM, to hear Articles 30 through 34, in the Arlington Community Center, Main Room, 27 Maple Street, Arlington, MA.
3. **Monday, March 18, 2024**, beginning at 7:30 PM, to deliberate and vote on Articles 25 through 34, in the Arlington Community Center, Main Room, 27 Maple Street, Arlington, MA.

The articles are presented in the order in which they will appear in the Warrant for Annual Town Meeting and as shown in the meeting details above. The ARB will hear public comments on the proposed amendments to the Zoning Bylaw. After receiving public comments, the ARB will make recommendations on the proposed amendments for Annual Town Meeting, which will begin on Wednesday, April 24, 2024.

The draft language of the proposed amendments to the Zoning Bylaw may be viewed at the front counter of the Department of Planning and Community Development at 730 Massachusetts Avenue, at the main desk of the Robbins Library at 700 Massachusetts Avenue, or viewed and downloaded from the Redevelopment Board webpage of the Town's website at www.arlingtonma.gov/arb.

Contact Claire Ricker, Director of Planning and Community Development, at 781-316-3092 or cricker@town.arlington.ma.us with any questions or comments.

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Summary of Recommended Votes of the Redevelopment Board

This page is reserved for a listing of all final votes taken by the Board.

ARTICLE 25: BUILDING DEFINITIONS

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

ARTICLE 25

ZONING BYLAW AMENDMENT / BUILDING DEFINITIONS

To see if the Town will vote to amend Section 2: Definitions, in the Zoning Bylaw to amend the definitions of Building, Attached, and Building, Detached, to clear up an ambiguity between those two definitions; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

DRAFT AMENDMENT

Amend SECTION 2, Definitions, as follows:

Building, Attached: A building having one or more walls or roofs in common with another adjoining building or buildings or otherwise connected by a roof to another building or buildings.

Building, Detached: A building ~~with no physical connection to another building~~ that does not meet the definition of Building, Attached.

ARTICLE 26: ADMINISTRATIVE CLARIFICATION

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

ARTICLE 26 ZONING BYLAW AMENDMENT / ADMINISTRATIVE CLARIFICATION

To see if the Town will vote to amend Section 5.4.2.A. R District Yard and Open Space Requirements in the Zoning Bylaw to reference an exception found elsewhere in the Zoning Bylaw; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

DRAFT AMENDMENT

Amend SECTION 5.4.2.A. R District Yard and Open Space Requirements, as follows:

R District Yard and Open Space Requirements (see 5.4.2.~~B~~.B and 5.9.2.B.(1) e) for exceptions).

ARTICLE 27: ADMINISTRATIVE CORRECTION

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

ARTICLE 27 ZONING BYLAW AMENDMENT / ADMINISTRATIVE CORRECTION

To see if the Town will vote to amend Section 5.9.2. Accessory Dwelling Units for clarity to change how subsections are numbered and to remove a subsection that is outdated; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

DRAFT AMENDMENT

Amend Section 5.9.2. Accessory Dwelling Units, Subsection B. (1), to replace bullets with letters as follows:

B. Requirements

(1) In any Residential District or Business District, an accessory dwelling unit is permitted as an accessory use to any single-family dwelling, two-family dwelling, or duplex dwelling, if all of the following conditions are met:

- a) An accessory dwelling unit shall be not larger in floor area than one-half the floor area of the principal dwelling or 900 square feet, whichever is smaller. For the avoidance of doubt, where an accessory dwelling unit is created by converting a portion of an existing principal dwelling to an accessory dwelling unit, the floor area of the resulting accessory dwelling unit shall be measured relative to the floor area of the resulting principal dwelling (as affected by or in connection with the conversion).
- b) Any alteration causing an expansion of or addition to a building in connection with an accessory dwelling unit shall be subject to the provisions of Section 5.4.2.B(6) if and to extent section 5.4.2.B(6) is otherwise applicable to such alteration or addition.
- c) An accessory dwelling unit shall maintain 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 for safe egress.
- d) No more than one (1) accessory dwelling unit is allowed per principal dwelling unit.
- e) An accessory dwelling unit may be located in (i) the same building as the principal dwelling unit or as an expansion to such building; (ii) a building that is attached to the principal dwelling unit; or (iii) an accessory building, which accessory building shall not constitute a principal or main building by the incorporation of the accessory dwelling unit, provided that if such accessory building is located within 6 feet of a lot line then such accessory dwelling unit shall be allowed only if the Board of Appeals, acting pursuant to Section 3.3, grants a special permit upon its finding that the creation of such accessory dwelling unit is not substantially more detrimental to the neighborhood than the use of such accessory building as a private garage or other allowed use.

- f) An accessory dwelling unit shall not be used as a short-term rental, in accordance with Title V, Article 18, Section 3 of the By-Laws of the Town of Arlington.
- g) An accessory dwelling unit shall be subject to all applicable requirements of the State Building Code and State Fire Code (including any such requirements, if and as applicable, which prohibit openings, including windows, in exterior walls of dwellings located within a certain distance from the property line).

Amend Section 5.9.2, Accessory Dwelling Units, Subsection C., to delete subsection (3) and to renumber subsection (4) as subsection (3) as follows:

C. Administration

...

- ~~(3) — This Section 5.9.2 shall be effective as of the date on which it is enacted at Town Meeting in accordance with applicable law, except for clause (iii) of Section 5.9.2.B.(1), fifth bullet, which clause (iii) shall be effective as of the date occurring six (6) months after the date on which this Section 5.9.2 is enacted at Town Meeting.~~
- ~~(4)~~ (3) In the event of any conflict or inconsistency between the provisions of this Section 5.9.2 or Section 8.1.3.E, on the one hand, and any other provisions of this Bylaw, the provisions of this Section 5.9.2 and Section 8.1.3.E shall govern and control.

ARTICLE 28:

DELETE INLAND WETLAND OVERLAY DISTRICT

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

ARTICLE 28 ZONING BYLAW AMENDMENT / DELETE INLAND WETLAND OVERLAY DISTRICT

To see if the Town will vote to delete Section 5.8, Inland Wetland Overlay District, from the Zoning Bylaw and adjust the numbering of subsequent sections; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

DRAFT AMENDMENT

Delete SECTION 5.8, Inland Wetland District, as follows:

~~5.8 INLAND WETLAND DISTRICT~~

~~5.8.1. Purpose~~

The purpose of Section 5.8 is to:

- ~~A. Preserve and protect the streams, water bodies, and other watercourses, including wetlands, in the Town of Arlington.~~
- ~~B. Protect the health and safety of persons and property against the hazards of flooding and contamination.~~
- ~~C. Preserve and maintain the groundwater table for potential water supply purposes.~~
- ~~D. Protect the community against the detrimental use and development of lands adjoining such watercourses.~~
- ~~E. Conserve the watershed areas in Arlington for the health, safety, and welfare of the public.~~

~~5.8.2. Definition~~

The Inland Wetland District is superimposed over any other district established by this Bylaw and includes the following areas:

- ~~A. All lands within the elevations shown on the Wetland and Floodplain Overlay Map of the Zoning Map and designated as wetlands as defined by the Massachusetts Wetlands Protection Act, G.L. c.131 §40, and the implementing regulations, 310 CMR 10.00, as well as the Town of Arlington Bylaw for Wetlands Protection (Title V, Article 8), and the Wetland Protection Regulations (Regulations) promulgated thereunder. These include lakes, ponds and swamps.~~
- ~~B. All land area along all perennial rivers, brooks, and streams as defined by the Massachusetts Wetlands Protection Act, G.L. c.131 §40, and the implementing regulations, 310 CMR 10.00, as well as the Town of Arlington Bylaw for Wetlands Protection (Title V, Article 8), and the Wetland Protection Regulations (Regulations) promulgated thereunder for a horizontal distance of 200 feet from the center line thereof are included in the Inland Wetland District.~~
- ~~C. All lands designated on the zoning map as having a shallow depth to water table. These lands are the poorly and very poorly drained mineral soils, and very poorly drained soils formed in organic deposits. Poorly drained mineral soils have a water table at or near the~~

surface for at least 7 to 9 months during the year. The water table remains at or close to the surface of very poorly drained mineral and organic soils throughout most of the year.

5.8.3. Applicability

Any proposed use to be located within the limits of the Inland Wetland District as determined by the Building Inspector under Section 3.1 of this Bylaw shall be governed by all regulations of this Section as well as all other applicable provisions of this Bylaw.

5.8.4. Permitted Uses

Municipal use, such as waterworks, pumping stations, and parks, is permitted under this section. Land in the Inland Wetland District may be used for any purpose otherwise permitted in the underlying district except that:

- A. No structure intended for human occupancy or use on a permanent basis having water and sewerage facilities and no other building, wall, dam or structure (except flagpoles, signs, and the like) intended for permanent use shall be erected, constructed, altered, enlarged, or otherwise created or moved for any purpose unless a Special Permit from the Board of Appeals or, in cases subject to Environmental Design Review, a Special Permit from the Arlington Redevelopment Board, is issued. However, a structure existing at the time this Bylaw becomes effective may be reconstructed or repaired after a fire or other casualty, as provided in Section 8.1.8 of this Bylaw.
- B. Dumping, filling, excavating, or transferring of any earth material within the district is prohibited unless a Special Permit from the Board of Appeals or, in cases subject to Environmental Design Review, a Special Permit from the Arlington Redevelopment Board, is issued. However, this paragraph does not prohibit ordinary gardening activities in lawn or garden areas which are used for such purposes at the time this Bylaw became effective.
- C. No ponds or pools shall be created or other changes in watercourses, for swimming, fishing, or other recreational uses, agricultural uses, scenic features, or drainage improvements or any other uses unless a Special Permit from the Board of Appeals or, in cases subject to Environmental Design Review, a Special Permit from the Arlington Redevelopment Board, is issued.

5.8.5. Procedures

Applications for a special permit shall be filed in accordance with the rules and regulations of the Special Permit Granting Authority and G.L. c. 40A, as outlined in Section 3. Such conditions shall include, where applicable, approval by the Board of Appeals, Arlington Redevelopment Board, Conservation Commission, the Massachusetts Department of Environmental Protection, and/or the Massachusetts Department of Transportation under Chapter 131 of the General Laws, acts relating to the protection of the inland wetlands of the Commonwealth.

5.8.6. Development Conditions

- A. For the development of land within the Inland Wetland District, the following conditions shall apply:
 - (1) A minimum of six test borings to a minimum depth of eight (8) feet shall be taken; three of which shall be within the area of the proposed structure and three within 25 feet of the outside walls of the structure, but not closer than 10 feet. A report by a soil scientist or qualified engineer shall accompany the test data.
 - (2) The floor level of areas to be occupied by human beings as living or work space shall be four (4) feet above the seasonal high water table and not subject to periodic flooding.

- ~~(3) If the basement floor level is below the seasonal high water table and affords the possibility of human occupancy at some future date, although not originally intended, adequate perimeter drainage and foundation shall be installed to withstand the effect of pressure and seepage. Furnace and utilities are to be protected from the effects of leaching.~~
- ~~(4) Safe and adequate means of vehicular and pedestrian passage shall be provided in the event of flooding of the lot(s) or adjacent lot(s) caused by either the overspill from water bodies or high runoff.~~
- ~~B. The developer shall show that the proposed development will not endanger health and safety, including safety of gas, electricity, fuel, and other utilities from breaking, leaking, short-circuiting, grounding, igniting or electrocuting; shall not obstruct or divert flood flow; substantially reduce natural floodwater storage capacity; destroy valuable habitat for wildlife; adversely affect groundwater resources or increase storm water run-off velocity so that water levels on other land are substantially raised or the danger from flooding increased.~~

Renumber subsequent Sections as appropriate.

ARTICLE 29: REDUCED HEIGHT BUFFER

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

ARTICLE 29

ZONING BYLAW AMENDMENT / REDUCED HEIGHT BUFFER

To see if the Town will vote to amend Section 5.3.19. Reduced Height Buffer Area in the Zoning Bylaw to alter the height buffer requirements; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

DRAFT AMENDMENT

Amend SECTION 5.3.19, Reduced Height Buffer Area, Subsection A, as follows:

- A. When two different maximum height limits are specified for the same zoning district in any Table of Dimensional and Density Regulations in this Section 5, the lower limit shall apply to any lot or part of a lot located in a height buffer area unless the Board of Appeals, or Arlington Redevelopment Board, as applicable, finds that the height given as the upper limit would not be detrimental to it is determined as a specific finding of a special permit that the properties in the adjacent R0, R1, R2, or OS districts, would not be adversely affected due to existing use or topographic condition due to site-specific factors and criteria established in Section 3.3.3 and Section 3.3.4. A height buffer area is defined as a lot or part of a lot which is located at a lesser distance from any land, not within a public way, in an R0, R1, R2 or OS district than the following:

Land in R0, R1, R2, OS is located	Lower height shall apply
Between northwest and northeast	Within 200 <u>100</u> feet
Easterly, between northeast and southeast, or westerly between northwest and southwest	Within 450 <u>75</u> feet
Southerly, between southeast and southwest	Within 400 <u>50</u> feet

ARTICLE 30: SHADED PARKING LOTS

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

ARTICLE 30

ZONING BYLAW AMENDMENT / SHADED PARKING LOTS

To see if the Town will vote to amend Section 6.1.11.D of the Zoning Bylaw to require that trees or other shade be provided in parking lots with more than 25 spaces; or take any action related thereto.

(Inserted at the request of Susan Stamps and 10 registered voters)

DRAFT AMENDMENT (as amended after public hearing on March 4, 2024)

Amend SECTION 6.1.11, Parking and Loading Space Standards, Subsection D, as follows:

- D. All parking and loading areas containing over five spaces which are not inside a structure shall also be subject to the following.
- (6) Parking areas providing more than 25 spaces, including parking areas expanded to provide more than 25 spaces, shall include landscaped areas in at least 8% of the total paved portion of the parking area. Minimum required landscaped setbacks and buffers at the perimeter of the parking area shall not be counted toward the landscaping requirement of this paragraph. Individual strips of landscaping shall be at least four feet wide. In addition, pavement shade in such parking lots shall be provided by one or both of the following methods (for shading requirements in Industrial Districts, see 6.1.11.F.):
- a. Install one shade tree for every eight parking spaces; such trees must be spaced so that some part of each parking space is not more than 32 feet from a tree. Tree planting areas shall be at least six feet in diameter, or in accordance with the USDA Forest Service Tree Owner's Manual standards. New trees shall be at least three inches DBH (diameter at breast height) at the time of planting and shall be selected from a large shade tree list for parking lots under this section prepared by the Tree Warden or the Tree Committee.

To the extent practicable, existing trees shall be retained and used to satisfy this section. New trees shall be maintained, including watering, by the installer or its designee in accordance with the USDA Forest Service Tree Owner's Manual standards, or other standards the Redevelopment Board may designate, for a period of no less than 36 months from the date of planting.

The Redevelopment Board or Board of Appeals, as applicable, may modify this requirement to take into account parking spaces that are currently shaded by off-property trees that are not planned for removal.
 - b. Install solar panels over parking spaces allowing cars to park underneath to increase shade to a minimum of 50% of the parking lot surface. This provision is applicable to parking lots in the residential and business districts.

ARTICLE 31:

ADD 5-7 WINTER STREET TO THE MBTA NEIGHBORHOOD DISTRICT

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

ARTICLE 31 ZONING BYLAW AMENDMENT / ADD 5-7 WINTER TO THE MBTA NEIGHBORHOOD DISTRICT

To see if the Town will vote to add the Address of 5-7 Winter St., to the Neighborhood Multi-Family (NMF) Subdistrict Parcel List. So that the Map/Table listing of all the properties in the Neighborhood Multi-Family (NMF) Subdistrict includes the following property, the additional line will read as follows:

Address	Owner	Existing Use Codes	Existing Use Description	Parcel Acres	Parcel Square Footage
5-7 Winter St.	AML Realty Trust	104	Two Family Residential	0.420	18,306

; or take any action related thereto.

(Inserted at the request of John D. Leone and 10 registered voters)

DRAFT AMENDMENT

Amend the MBTA Communities Overlay District Parcel List for the Neighborhood Multi-Family (NMF) Subdistrict as follows:

- Add a row to the Parcel List table to include the property at 5-7 Winter Street;
so that said row reads as follows:

Address	Owner	Existing Use Codes	Existing Use Description	Parcel Acres	Parcel Square Footage
5-7 Winter St.	AML Realty Trust	104	Two Family Residential	0.42025	18,306

ARTICLE 32: TRAFFIC VISIBILITY

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

ARTICLE 32**ZONING BYLAW AMENDMENT / TRAFFIC VISIBILITY**

To see if the Town will vote to amend Section 5.3.12(A) of the Town's Zoning Bylaws to permit buildings, structures or vegetation across street corners if it can be shown that they will not restrict visibility in such a way as to hinder the safe transit of a vehicle through the subject intersection; or take any action related thereto.

(Inserted at the request of Caitlin Elizabeth Monaghan and 10 registered voters)

DRAFT AMENDMENT (as amended after public hearing on March 4, 2024)

Amend SECTION 5.3.12, Traffic Visibility, Subsection A, as follows:

- A. Across Street Corners. Between the property lines of intersecting streets and a line joining points on the property lines 20 feet distant from their point of intersection or in the case of a rounded corner, the point of intersection of their tangents, no building or structure in any R district may be erected and no vegetation other than shade trees may be maintained between a height of three feet and seven feet above the plane through their curb grades except for fencing up to five feet in height that is transparent enough, when installed and in the future, to not hinder the safe passage of a vehicle through the intersection by restricting visibility.

ARTICLE 33:

REAR YARD SETBACKS IN BUSINESS DISTRICTS

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

ARTICLE 33 ZONING BYLAW AMENDMENT / REAR YARD SETBACKS IN BUSINESS DISTRICTS

To see if the Town will vote to amend the Zoning Bylaw Section 5.5.2, Dimensional and Density Regulations, to adjust the rear yard setback requirement for uses of four or more stories in the Business Districts; or take any action related thereto.

(Inserted at the request of Andrew S. Greenspon and 10 registered voters)

DRAFT AMENDMENT

Amend SECTION 5.5.2, Dimensional and Density Regulations, Subsection A, as follows:

A. Tables of Dimensional and Density Regulations

B District Yard and Open Space Requirements

District Use	Minimum Requirement		
	Front Yard (ft.)	Side Yard (ft.)	Rear Yard (ft.)

...

Note: L is the length of a wall parallel (or within 45 degrees of parallel) to lot line, measured parallel to lot line, subject to the provisions of Section 5.3.15 for buildings of uneven alignment or height. H is the height of that part of the building for which the setback or yard is to be calculated.

* 0 feet when abutting an alley or rear right-of-way of at least 10 feet of width

* 10 feet when abutting a non-residential district

* 20 feet for three or fewer stories when abutting a residential district

*** For buildings of four or more stories: 20 feet for the first three stories and 30 feet for the fourth and higher stories when abutting a residential district**

~~* 30 feet for four and more stories when abutting a residential district~~

* If the rear yard abuts both a residential and non-residential district, the minimum requirement for the residential district shall apply.

ARTICLE 34: RESIDENTIAL USES

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

ARTICLE 34

ZONING BYLAW AMENDMENT / RESIDENTIAL USES

To see if the Town will vote to amend Section 5.4 of the Town's Zoning Bylaws by changing the definitions, regulations and requirements of R0 Large Lot Single-Family Districts, R1 Single-Family Districts and R2 Two-Family Districts to permit the expansion of allowable residential uses in these districts, with the goal of diversifying the Town's housing stock; or take any action related thereto.

(Inserted at the request of John Paul Lewicke and 10 registered voters)

DRAFT AMENDMENT *(as amended after public hearing on March 4, 2024)*

Amend SECTION 5.4.1, Districts and Purposes, Subsection A, as follows:

- A. R0, R1, and R2. The R0, R1, and R2 districts are traditional residential districts. Together, these districts comprise a substantial majority of the residentially zoned land in Arlington.
 - (1) R0: Large Lot ~~Single-Family Residential~~ District. The Large Lot ~~Single-Family Residential~~ District has the lowest residential density of all districts and is generally served by local streets only. The Town discourages intensive land uses, ~~uses that would detract from the single-family residential character of these neighborhoods,~~ and uses that would otherwise interfere with the intent of this Bylaw.
 - (2) R1: ~~Single-Family Residential~~ District. The predominant uses in R1 are single-family, two-family, three-family, and duplex dwellings and public land and buildings. The Town discourages intensive land uses, ~~uses that would detract from the single-family residential character of these neighborhoods,~~ and uses that would otherwise interfere with the intent of this Bylaw.
 - (3) R2: ~~Two-Family Residential~~ District. The predominant use in R2 is a two-family dwelling, three-family dwelling, or duplex. This district is generally served by local streets only and its neighborhoods are largely walkable and well established. It includes areas that are generally within walking distance of the stores and transportation facilities along Massachusetts Avenue and Broadway. The Town discourages uses that consume large amounts of land, uses that would detract from the ~~single-family and two-family or duplex~~ residential character of these neighborhoods, and uses that would otherwise interfere with the intent of this Bylaw.

Amend SECTION 5.4.2, Dimensional and Density Requirements, Subsection A, Tables of Dimensional and Density Regulations, as follows:

- Change the "R District Building Height and Floor Area Ratio Regulations" table; combine the rows relating to R0, R1, and R2 structures such that it includes "Single Family detached dwelling, two-family dwelling, duplex dwelling, three family dwelling" on the first line;

so that said rows read as follows:

District Use	Maximum Allowed		
	Maximum Height (ft.)	Maximum height (stories)	Maximum Floor Area Ratio (FAR)
R0, R1, <u>R2</u>			
Single Family detached dwelling, <u>two-family dwelling, duplex dwelling, three-family dwelling</u>	35	2 ½	-----
Other permitted structure	35	2 ½	0.35
R2—			
Single family detached dwelling, two-family dwelling or duplex dwelling—	35	2 ½	-----
Other permitted structure	35	2 ½	0.35

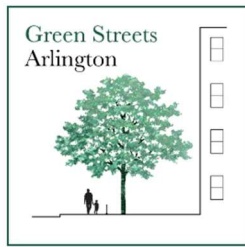
Amend SECTION 5.4.3, Use Regulations for Residential Districts, as follows:

- On line 3 of “Use Regulations for Residential Districts” table, labeled “Two-family dwelling, duplex,” add the letter “Y” under the columns labeled “R0” and “R1”;
- On line 5 of “Use Regulations for Residential Districts” table, labeled “Three-family dwelling,” add the letter “Y” under the columns labeled “R0,” “R1,” and “R2”;

so that said rows read as follows:

Class of Use	R0	R1	R2	R3	R4	R5	R6	R7
Residential								
...								
Two-family dwelling, duplex	<u>Y*</u>	<u>Y*</u>	Y	Y	Y	Y	Y	Y
...								
Three-family dwelling	<u>Y*</u>	<u>Y*</u>	<u>Y*</u>	SP	SP	SP	SP	SP

* Site Plan Review Required



Projects in the last 25 years with 25-space parking lots as of March 2024

Arlington Reservoir, 335 Lowell St, rebuilt 2022

Broadway Plaza, rebuilt 2022

Gibbs School, 41 Foster St, rebuilt 2018

Kickstand Café, 590-600 Mass Ave, rebuilt est. 2014

Arlington 360, Symmes Circle, built 2013

Thompson School, 187 Everett St, built 2013

Alta Brigham, 30-50 Mill St, built 2012

CVS, 833 Mass Ave, built 2011

Dallin School, 185 Florence Ave, rebuilt 2011

American Alarm, 295-297 Broadway, rebuilt est. 2003

Homewood Suites, 19 Mass Ave, built 2002

CVS / Menotomy Grill, 23-25 Mass Ave, rebuilt est. 2001

Sunrise Assisted Living, 1395 Mass Ave, built 2001

The Legacy, 420-440 Mass Ave, built 2000

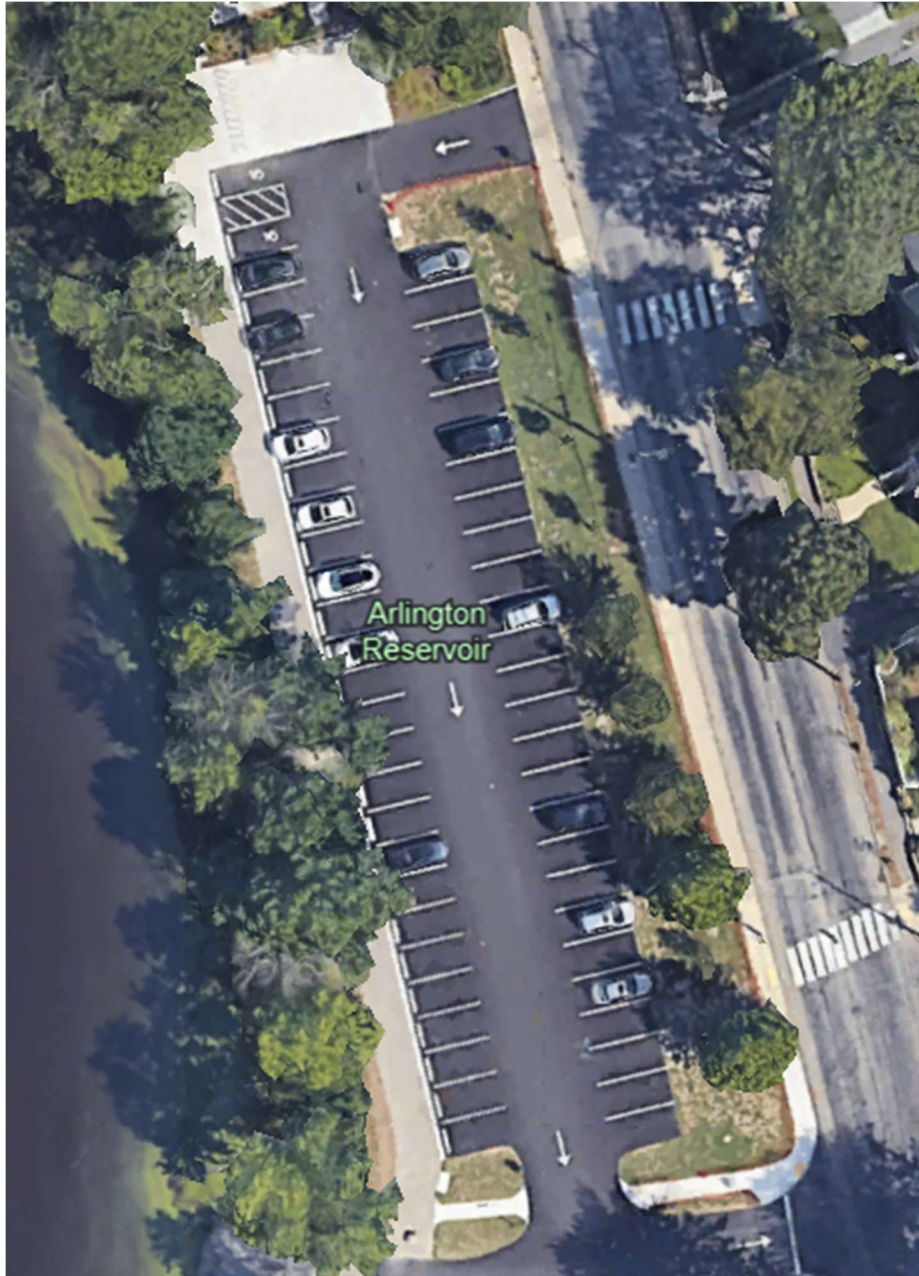
Beth Israel Lahey, 33-37 Broadway, rebuilt date unsure

Current Projects with 25-space parking lots

Arlington High School & Preschool (3 parking lots), current

DPW complex, Grove St, current

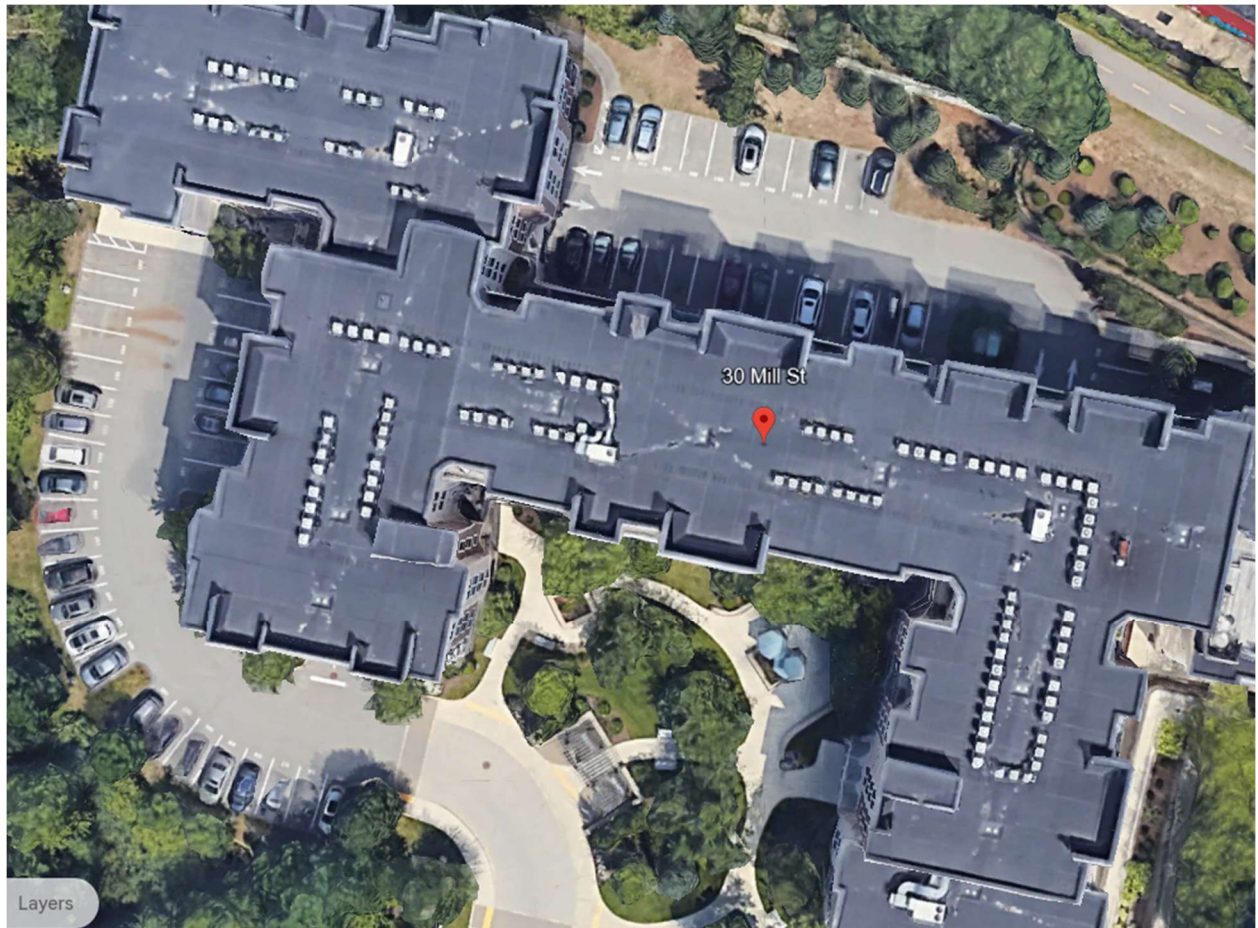
Arlington Reservoir



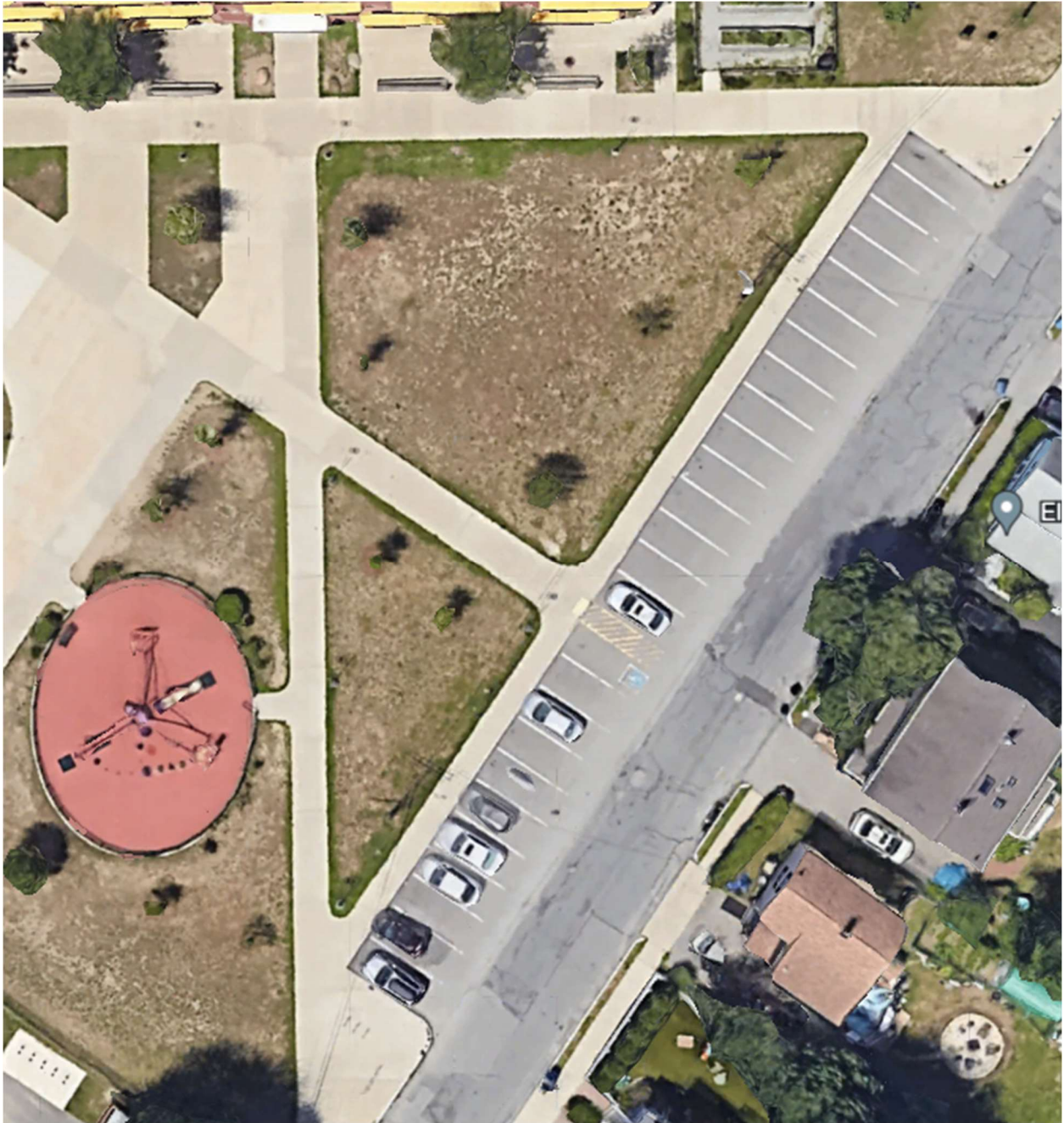
41 Foster Street:



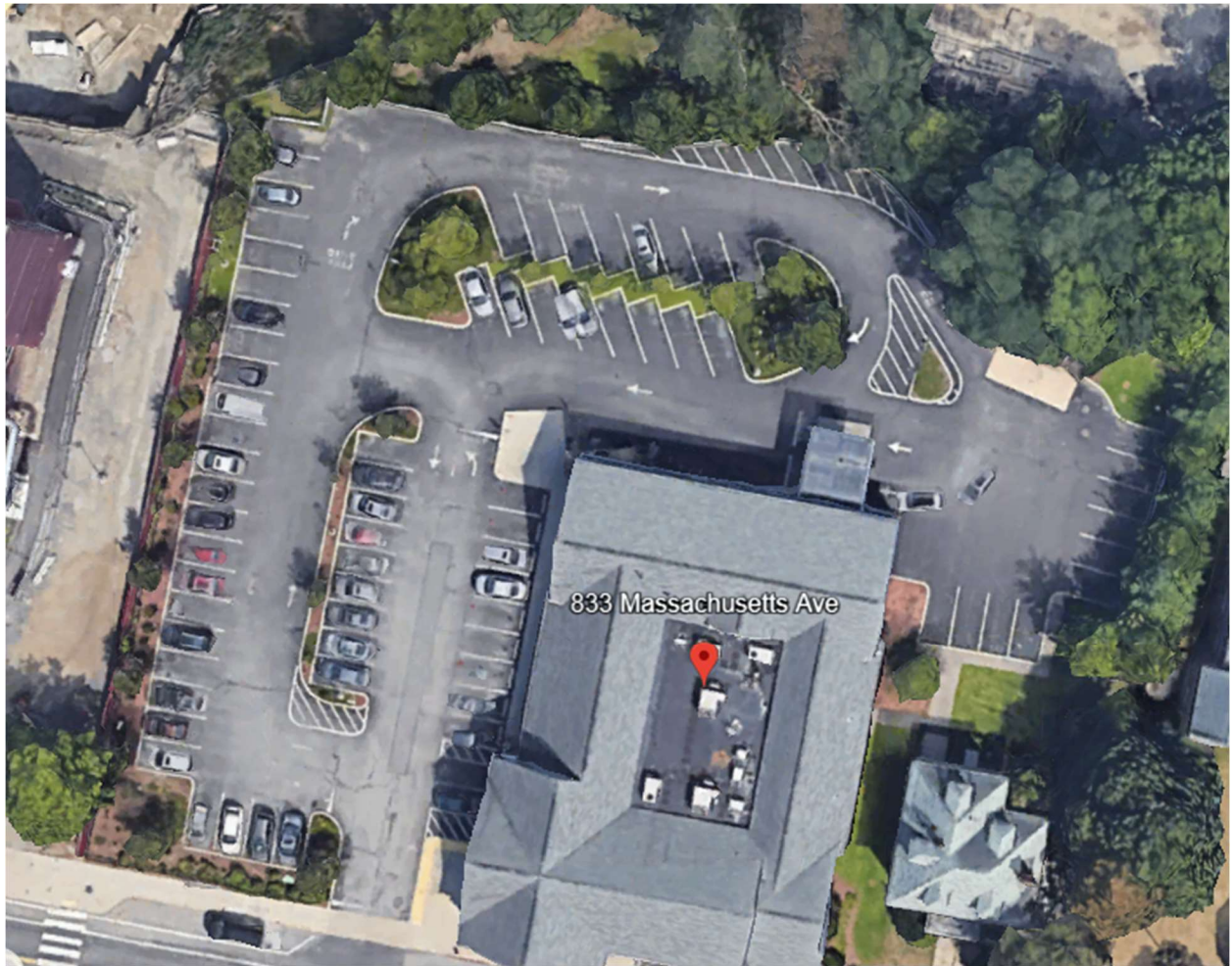
30 Mill street



Thompson School



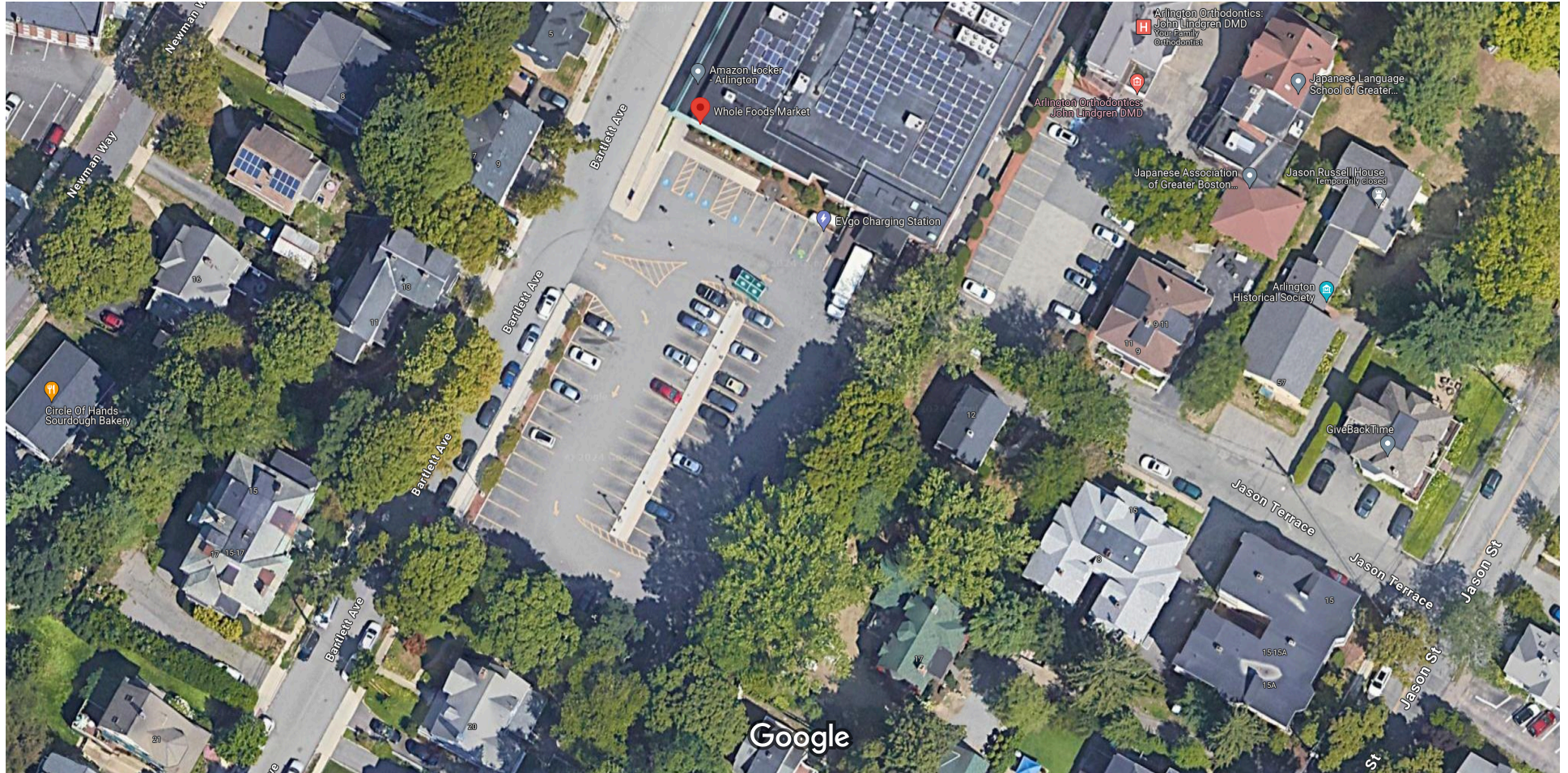
833 Mass Ave



295 Broadway:



Whole Foods Market



Imagery ©2024 Airbus, MassGIS, Commonwealth of Massachusetts EOE, Map data ©2024 Google 20 ft

JOHN D. LEONE

51 IRVING ST.
ARLINGTON, MA 02476
(781) 648-2345

March 12, 2024

RE: 5-7 Winter St.
MBTA Neighborhood Multi-Family (NMF) Subdistrict

Dear Neighbor:

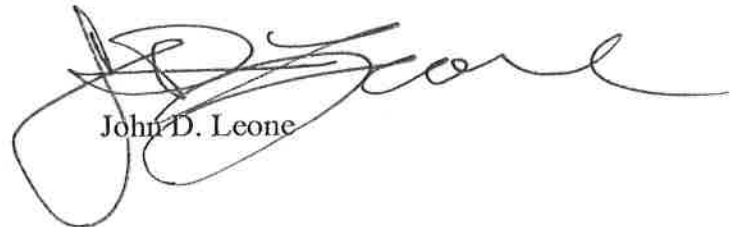
I am writing to you on behalf of my family, we are the owners of 5- 7 Winter St., which has been in our family and a family home since 1957. Last year Arlington's Town Meeting approved the MBTA Neighborhood Multi-Family (NMF) Subdistrict which allows owners of parcels to build multi floor apartment buildings in the district. Our home was left out of the NMF Subdistrict by the Arlington Redevelopment Board (ARB). We wish it to be included.

As you know 5-7 Winter St. is a large 2 family home. It is now contained within the boundaries of the Neighborhood Multi-Family (NMF) Subdistrict, but is an excluded parcel. The parcel is the first one on Winter Street from Massachusetts Avenue and directly abuts the row of commercial buildings on Mass. Ave. and sits directly across Winter St. from the Summit House condominium building. The abutting parcels of 9 Winter St., 11 Winter St., and 13 Winter St., as well as 15 Winter St., which are on same side of the street are all included in the NMF Subdistrict. So too is 14-16 Winter St. which is across and further down Winter Street. The parcel borders and abuts the Fox Library building on Cleveland St. in the rear. Further, 8, 10 and 12 Cleveland St. all of which abut 5-7 Winter St., are included in the NMF Subdistrict.

We are presenting an article to Town Meeting this spring to include the home in the NMF Subdistrict. The ARB is now in favor of its inclusion. Our Town Zoning Bylaws require that we provide this notice to you. Attached please find a copy of the Warrant Article as well as our presentation materials for further explanation.

Thank you. If you have any questions, please feel free to contact me at your first convenience.

VERY TRULY YOURS



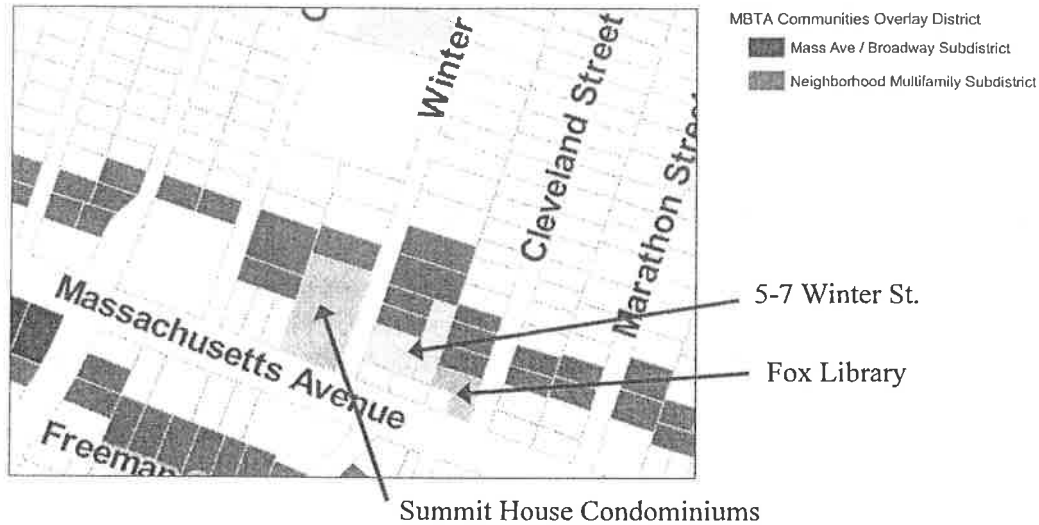
John D. Leone

RRR:

Spring 2024 Annual Town Meeting
ARTICLE NO. 31

**To add the Address of 5-7 Winter St., to the Neighborhood
Multi-Family (NMF) Subdistrict Parcel List/Map.**

As demonstrated below, 5-7 Winter St. is surrounded by NMF parcels, i.e., 9, 11, 13, 15 and 14-16 Winter St., as well as 8, 10 and 12 Cleveland St., the Summit House Condominium building and the Fox Library building and the commercial block on Mass. Ave.



5-7 Winter is a large 2 family home on one of the largest lots in the neighborhood and is contained within the boundaries of the Neighborhood Multi-Family (NMF) Subdistrict, but is an excluded parcel. The parcel is the first one on Winter Street from Massachusetts Avenue and directly abuts the row of commercial buildings on Mass. Ave. and sits directly across Winter St. from the Summit House condominium building. The abutting parcels of 9 Winter St., 11 Winter St., and 13 Winter St., as well as 15 Winter St., which are on same side of the street, are all included in the NMF Subdistrict. So too is 14-16 Winter St. which is across and further down Winter Street. The parcel borders and abuts the Fox Library building on Cleveland St. in the rear. Further, 8, 10 and 12 Cleveland St., all of which abut 5-7 Winter St., are included in the NMF Subdistrict.

If each of the included parcels listed above were to construct a multi-family building to the allowed limit, as the Town is contemplating with the Fox Library parcel, the 5-7 Winter Street parcel would be surrounded by multi floor apartment buildings and would never be able to replace the existing building with a similar structure as would be allowed on all of the surrounding parcels. Further, the owner may someday wish to subdivide the rear portion of the lot for the benefit of allowing abutters to increase their lot size to conform with zoning requirements for larger structures.



RECEIVED BY THE
SELECT BOARD OFFICE
JAN 25 2024 10:03

Warrant Article Submission Form

PETITION OF TEN REGISTERED VOTERS FOR INSERTION OF ARTICLE INTO THE
WARRANT FOR THE ANNUAL (SPECIAL) TOWN MEETING.

File Completed Form with the Office of the Select Board no later than Friday,
January 26, 2024, 12:00/Noon.

We, the undersigned registered voters (10 for Annual, 100 for Special) of the Town of
Arlington, hereby petition the Select Board pursuant to MGL c. 39, § 10 to insert the
following article(s) into the warrant for the Annual (Special) Town Meeting.

ARTICLE : Proposed Title / Subject Matter:

Amending the Zoning Bylaw to add 5-7 Winter St to the
MBTA Neighborhood District.

To see if the Town will vote to add the Address of 5-7 Winter St., to the Neighborhood
Multi-Family (NMF) Subdistrict Parcel List. So that the Map/Table listing all of the
properties in the Neighborhood Multi-Family (NMF) Subdistrict includes the following
property, the additional line will read as follow:

Address	Owner	Existing Use Codes	Existing Use Description	Parcel Acres	Parcel Square Footage
5-7 Winter St,	AML Realty Trust	104	Two Family Residential	0.420	18,306

or take any action related thereto

Requested by: John D. Leone

(Name one person who will be the contact individual for this article and will serve as the
person for upcoming hearings regarding this article.)

Address: 51 Irving St., Arlington, MA. 02476

Telephone: 781-648-2345

Email: John@Leonelaw.com

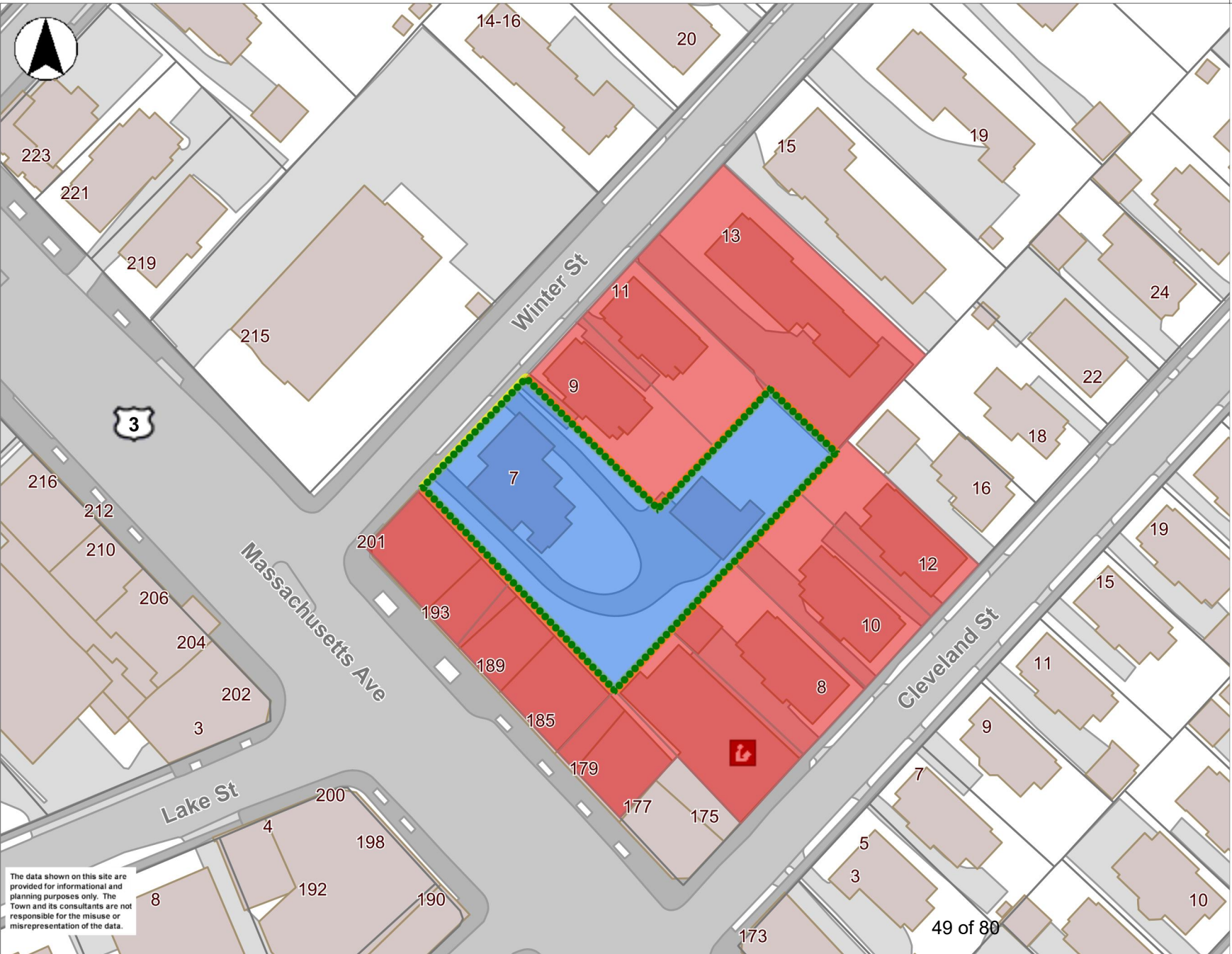
**CERTIFIED ABUTTERS LIST****Date: March 7, 2024****Subject Property Location: 5-7 WINTER ST Arlington, MA****Subject Parcel ID: 28-4-10****Search Distance: Direct Abutters**

Parcel ID	Property Location	Owner 1	Owner 2	Mailing Address	City/Town	State	Zip
28.A-4-8	11 WINTER ST UNIT 1	LICHT ABIGAIL	WILSON JOSHUA	11 WINTER ST #1	ARLINGTON	MA	02474
28.A-4-9	11 WINTER ST UNIT 2	GRADY SHANE G/ TRUSTEE	SHANE G GRADY TRUST- 2023	11 WINTER ST UNIT 2	ARLINGTON	MA	02474
25-1-11	12 CLEVELAND ST	CAMPBELL CYNTHIA A & ERICA L	TRS/WENDY E CAMPBELL IRREVOCAB	12 CLEVELAND ST	ARLINGTON	MA	02474
25-1-12	10 CLEVELAND ST	WEAVER SCOTT/ETAL	MARCEAU CHERYL	10 CLEVELAND ST	ARLINGTON	MA	02474
25-1-13	8 CLEVELAND ST	PINTO MARIA V		8 CLEVELAND ST	ARLINGTON	MA	02474
25-1-14	0-LOT CLEVELAND ST	TOWN OF ARLINGTON LIBRARY	FOX LIBRARY	730 MASS AVE	ARLINGTON	MA	02476
25-1-15.B	177-183 MASS AVE	ROGARIS JOHN P/ TRUSTEE	ROGARIS NOMINEE TRUST	80 RICHMOND RD	BELMONT	MA	02478
28-4-7.B	13 WINTER ST	LAKELAND CAPITAL 13 WINTER ST LLC		5 STAGE HILL ROAD	WENHAM	MA	01984
28-4-9	9 WINTER ST	CLARKE MICHAEL E/ETAL	CLARKE SANDRA D	7 SHERATON PARK	ARLINGTON	MA	02474
28-4-10	5-7 WINTER ST	LEONE LORNA L & MARIE-ETAL	DAVID A TRS	53 IRVING STREET	ARLINGTON	MA	02476
28-4-11.A	193-201 MASS AVE	EPSTEIN SARA B TRUSTEE	EPSTEIN FAMILY TRUST	266 BISHOPS FOREST DR	WALTHAM	MA	02452
28-4-12	185-191 MASS AVE	POULOS NICHOLAS		PO BOX 287	BERLIN	MA	01503

The Board of Assessors certifies the names and address of requested parties in interest, all direct abutters to subject parcel.



**Town of Arlington
Office of the Board of Assessors
730 Massachusetts Ave.
Arlington, MA 02476
phone: 781.316.3050
email: assessors@town.arlington.ma.us**



SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<p>■ Complete Items 1, 2, and 3.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p> <p>1. Article Addressed to:</p> <p>LICHT ABIGAIL WILSON JOSHUA 11 WINTER ST #1 ARLINGTON, MA 02474</p> <p>2. Article Number (Transfer from service label)</p> <p>9589 0710 5270 0902 5144 11</p>	<p>A. Signature</p> <p>X <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) C. Date of Delivery</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery</p>

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<p>■ Complete Items 1, 2, and 3.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p> <p>1. Article Addressed to:</p> <p>GRADY SHANE G/ TRUSTEE SHANE G GRADY TRUST- 11 WINTER ST UNIT 2 ARLINGTON, MA 02474</p> <p>2. Article Number (Transfer from service label)</p> <p>9589 0710 5270 0902 5144 04</p>	<p>A. Signature</p> <p>X <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) C. Date of Delivery</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery <input type="checkbox"/> Insured Mail <input type="checkbox"/> Registered Mail Restricted Delivery (over \$500)</p>

PS Form 3811, July 2015 PSN 7530-02-000-9053 Domestic Return Receipt

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<p>■ Complete Items 1, 2, and 3.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p> <p>CLARKE MICHAEL E/ETAL CLARKE SANDRA D 7 SHERATON PARK ARLINGTON, MA 02474</p> <p>2. Article Number (Transfer from service label)</p> <p>9589 0710 5270 0902 5144 28</p>	<p>A. Signature</p> <p>X <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) C. Date of Delivery</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery</p>

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature X</p> <p>B. Received by (Printed Name) _____ C. Date of Delivery _____</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>LAKELAND CAPITAL 13 5 STAGE HILL ROAD WENHAM, MA 01984</p>	<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery <input type="checkbox"/> Insured Mail <input type="checkbox"/> Restricted Delivery</p>
<p>1. Article Number (Transfer from service label) 9589 0710 5270 0902 5144 35</p>	

PS Form 3811, July 2015 PSN 7530-02-000-9053 Domestic Return Receipt

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<ul style="list-style-type: none"> Complete items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature X</p> <p>B. Received by (Printed Name) _____ C. Date of Delivery _____</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <p>CAMPBELL CYNTHIA A & TRS/WENDY E CAMPBELL 12 CLEVELAND ST ARLINGTON, MA 02474</p>	<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery</p>
<p>2. Article Number (Transfer from service label) 9589 0710 5270 0902 5145 03</p>	<p>Restricted Delivery</p>

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature X</p> <p>B. Received by (Printed Name) _____ C. Date of Delivery _____</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
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<p>2. Article Number (Transfer from service label) 9589 0710 5270 0902 5144 42</p>	<p>Restricted Delivery</p>

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1. Article Addressed to:

ROGARIS JOHN P/ TRUSTEE
ROGARIS NOMINEE TRUST
80 RICHMOND RD
BELMONT, MA 02478



9590 9402 6056 0125 0151 62

2. Article Number (Transfer from service label)

9589 0710 5270 0902 5144 66

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1. Article Addressed to:

EPSTEIN SARA B TRUSTEE
EPSTEIN FAMILY TRUST
266 BISHOPS FOREST DRIVE
WALTHAM, MA 02452



9590 9402 6056 0125 0151 79

2. Article Number (Transfer from service label)

9589 0710 5270 0902 5144 59

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52 of 80 Receipt

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DAVID A TRS
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ARLINGTON, MA 02476

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TRS/WENDY E CAMPBELL
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ARLINGTON, MA 02474

WEAVER SCOTT/ETAL
MARCEAU CHERYL
10 CLEVELAND STREET
ARLINGTON, MA 02474

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EPSTEIN FAMILY TRUST
266 BISHOPS FOREST DRIVE
WALTHAM, MA 02452

POULOS NICHOLAS
PO BOX 287
BERLIN, MA 01503

LAKELAND CAPITAL 13
5 STAGE HILL ROAD
WENHAM, MA 01984

CLARKE MICHAEL E/ETAL
CLARKE SANDRA D
7 SHERATON PARK
ARLINGTON, MA 02474

LICHT ABIGAIL
WILSON JOSHUA
11 WINTER ST #1
ARLINGTON, MA 02474

GRADY SHANE G/ TRUSTEE
SHANE G GRADY TRUST-
11 WINTER ST UNIT 2
ARLINGTON, MA 02474

From: John Paul Lewicke
Sent: Sunday, March 17, 2024 10:48 PM
To: Rachel Zsembery
Cc: Annie LaCourt; Laura Wiener
Subject: Withdrawing Article 34

Hi Rachel,

I've been discussing with Annie and with Laura, and we've collectively decided that we would like to ask the Redevelopment Board to recommend no action for Article 34. We are planning to do some thorough public outreach later this year and file a new warrant article for the 2025 Town Meeting. We very much appreciate the thoughtful comments and suggestions from you and the rest of the Redevelopment Board, and are confident that taking the time to get all the details right and to receive more feedback will make this an even stronger proposal.

I would love to reach back out in the late summer or early fall to discuss next steps. Thanks again for your help and consideration,

JP



Town of Arlington, Massachusetts

Correspondence

Summary:

Inspectional Services Dept - 3/8/24

E. Benson - 3/13/24

C. Chalapatras - 3/18/24

A. Chan Waiy - 3/15/24

J. Cullinane - 3/17/24

A. Ehlert - 3/18/24

P. Fisher - 3/18/24

E. Grigoris - 3/18/24

L. Grigoris - 3/18/24

C. Heigham - 3/11/24

C. Loreti - 3/05/04

M. Marx - 3/15/24

G. Oba - 3/11/24

R. Peterson - 3/8/24

J. Pierce - 3/4/24

J. Pierce - 3/7/24

M. Radochia - 3/17/24

L. Veevy - 3/7/24

ATTACHMENTS:

	Type	File Name	Description
▣	Reference Material	Correspondence_-_ISD_03082024.pdf	Correspondence - ISD 03082024
▣	Reference Material	Correspondence_-_Benson_03132024.pdf	Correspondence - Benson 03132024
▣	Reference Material	Correspondence_-_Chalapatras_03182024.pdf	Correspondence - Chalapatras 03182024
▣	Reference Material	Correspondence_-_Chan_Waiy_03152024.pdf	Correspondence - Chan Waiy 03152024
▣	Reference Material	Correspondence_-_Cullinane_03172024.pdf	Correspondence - Cullinane 03172024
▣	Reference Material	Correspondence_-_Ehlert_03182024.pdf	Correspondence - Ehlert 03182024
▣	Reference Material	Correspondence_-_Fisher_03182024.pdf	Correspondence - Fisher 03182024
▣	Reference Material	Correspondence_-_Grigoris_03182024.pdf	Correspondence - Grigoris, E 03182024
▣	Reference Material	Correspondence_-_Grigoris__L_03182024.pdf	Correspondence - Grigoris, L 03182024
▣	Reference Material	Correspondence_-_Heigham_03112024.pdf	Correspondence - Heigham 03112024
▣	Reference Material	Correspondence_-_Loreti_03052024.pdf	Correspondence - Loreti 03052024

Reference Material	Correspondence_-_Marx_03152024.pdf	Correspondence - Marx 03152024
Reference Material	Correspondence_-_Oba_03112024.pdf	Correspondence - Oba 03112024
Reference Material	Correspondence_-_Peterson_03082024.pdf	Correspondence - Peterson 03082024
Reference Material	Correspondence_-_Pierce_03042024.pdf	Correspondence - Pierce 03042024
Reference Material	Correspondence_-_Pierce_03072024.pdf	Correspondence - Pierce 03072024
Reference Material	Correspondence_-_Radochia_03172024.pdf	Correspondence - Radochia 03172024
Reference Material	Correspondence_-_Veewy_03072024.pdf	Correspondence - Veewy 03072024

From: Michael Ciampa <mciampa@town.arlington.ma.us>
Sent: Friday, March 08, 2024 11:52 AM
To: Eugene Benson <EBenson@town.arlington.ma.us>
Subject: Re: Question re Zoning Bylaw 5.3.12.A.

Good morning Gene,

#1 Inspectional Services interprets the measurements in 5.3.12 A to be taken along the property line. The Zoning Bylaw provides: ***Between the property lines of intersecting streets and a line joining points on the property lines 20 feet distant from their point of intersection or in the case of a rounded corner, the point of intersection of their tangents.*** Previous versions of the Zoning Bylaw provided an illustration that showed the measurements being taken along the curb; however, that diagram is not included in the current Zoning Bylaw and was only used for illustrative purposes in previous versions. The current regulation only speaks to property lines, and except for a few rare situations, the curb is not the property line.

#2 Inspectional Services would not support an amendment lessening the restrictions on traffic visibility. Fences and vegetation may not hinder visibility when installed, but conditions can change over time. Shrubs continue to grow, and translucent fencing may become dirty or have vegetative growth that hinders visibility.

While Inspectional Services would not support this amendment, we would ask that if it moves forward, the following wording be added:

*unless it can be shown that the building, structure, or vegetation will not **now or in the future** restrict visibility in such a way as to hinder the safe transit of a vehicle through the intersection.*

Thanks
Mike

Michael Ciampa
Director of Inspectional Services
Town of Arlington
781-316-3386

Arlington values equity, diversity, and inclusion. We are committed to building a community where everyone is heard, respected, and protected.

From: Eugene Benson <EBenson@town.arlington.ma.us>
Sent: Tuesday, March 5, 2024 6:06 PM
To: Michael Ciampa <mciampa@town.arlington.ma.us>
Subject: Question re Zoning Bylaw 5.3.12.A.

Hi Mike.

At yesterday's ARB meeting re warrant articles regarding zoning, one citizen warrant article proposes to amend ZBL 5.3.12.A. There were questions about how Inspectional Services interprets that section of the ZBL as well as how the section might be amended. I volunteered to ask you about that.

The person filing the warrant article, Article 32, lives on a corner lot and wants to have a fence of more than 3 feet in height along her property line. She believes that would violate 5.3.12.A. I have attached the presentation she made yesterday to the ARB.

First question:

How does ISD currently interpret where the fence on a corner lot is implicated by 5.3.12.A.? If you look at the third and fourth slides on the attached presentation, there is a yellow triangle where the person understands she cannot construct the fence higher than three feet. During the public comment period, Chris Lorette said yellow triangle is in the wrong place on the photo. He later emailed a diagram from the 2008 ZBL to support his contention that the triangle should not follow the property line but instead should follow the curb. Please see the attachment. Chris wrote, "the 20' sides of the triangle where the height limitation applies are measured based on the intersection of the curb line, that is, where the curb meets the street ("property lines of intersecting streets") not the corner of the homeowner's lot as the proponent indicated.

Does ISD interpret 5.3.12.A. as Chris Lorette contends, as the person filing the warrant article believes, or in some other way?

Second question:

If you look at the presentation, you will see that the person would like to add this clause to the end of 5.3.12.A.: unless it can be shown that the building, structure, or vegetation will not restrict visibility in such a way as to hinder the safe transit of a vehicle through the intersection.

Can ISD work with that? Or would you prefer the amendment to be: except for a fence that is transparent enough so that it does not restrict visibility in such a way as to hinder the safe transit of a vehicle through the intersection.

Thanks!

Best,
Gene

Eugene B. Benson
Arlington Redevelopment Board Member

From: Eugene Benson
Sent: Wednesday, March 13, 2024 4:28 PM
To: Claire Ricker
Cc: Rachel Zsembery
Subject: Feb 26, 2024 ARB meeting

Hi Claire,

Please include this email with the materials for the March 18, 2024, ARB meeting.

I was absent from the February 26, 2024, ARB meeting due to illness. I watched the entire ARB meeting of February 26, 2024, on ACMI video.

Thank you.

Best,

Gene

Eugene B. Benson
Arlington Redevelopment Board Member

From: Christina Chalapatias

Sent: Monday, March 18, 2024 11:45 AM

To: Eugene Benson; Kin Lau; Stephen Revilak; Rachel Zsembery; Shaina Korman-Houston

Subject: Article 34

Good morning!

I am a lifelong member of Arlington and have been following the discussions in our town about the points offered in Article 34 concerning town zoning.

Please include my thoughts as part of the correspondence and information in Article 34.

I would like to ask the board to consider a holistic approach to the zoning matters addressed in Article 34.

The board has already suggested in their recent public meeting that consideration of Article 34 may be too soon after the work done to comply with the MBTA Act.

I would like to add that there are many initiatives in Arlington, i.e. Master Plan update, etc. that must be considered as part of the town's development process to ensure the best outcome for the town.

Arlington's residents/town government workers have historically taken the time to follow a process to obtain information and debate costs and opportunities on all town development and initiatives. This process has involved all stakeholders alongside the formal strategic and operational requirements in managing the town of Arlington.

There are many considerations in the current debate for Article 34 which need more information (real analysis) including:

Effect on an already dense town footprint (45,000 residents in 6 square miles) -

- 1) Schools - absorption of more students and additional resources and cost of services
- 2) Services - police, fire, (fire codes), trash, maintenance - additional costs and burdens on these services
- 3) Traffic - effect of additional traffic on roads, environment and quality of life
- 4) Parking - where will additional cars be parked

5) Effect of expanded zoning on tax burden (at the recent meeting, a casual response of no information available from town offices was offered to answer this question and to casually check it off the list)

6) Environmental impacts and costs along with lost open space

7) Real contribution to housing and helping families afford a home in Arlington. Recent developments include \$1 million plus housing, either luxury condos or 5000 square foot homes. Under \$1 million homes are lacking and sell immediately upon hitting the market.

8) Effect on quality of life in Arlington - the current vision in place promotes families, schools, open space, clean environment.

I would like to obtain more information on the above considerations in order to evaluate the proposals in Article 34 as well as other initiatives.

There very well can be a negative, costly impact on the quality of life in Arlington without the proper reflection in setting a vision for the future.

I appreciate the recent outreach and public meetings from the Arlington Redevelopment Board and look forward to continued engagement on the issues that affect our town.

Best regards,
Christina Chalapatras

From: Annem Chan Waiy

Sent: Friday, March 15, 2024 12:06 PM

To: Rachel Zsebery; Stephen Revilak; Kin Lau; Eugene Benson; Shaina Korman-Houston; Claire Ricker

Subject: Warrant Article 34 and 31

Dear ARB board members,

We are in opposition of Article 34: Residential Uses and Article 29: Reduced height buffer.

The combination of the proposed Article 34 (residential uses), Article 25 (building definition: building, attached) and Article 26 (open space requirements with the exception of accessory building) will allow for up to three family houses in neighborhood of single houses and the numbers of new possible units that the proponents of Article 34 are suggesting will be a lot more. They mentioned that it wouldn't be considered "intensive" since all the Dimensional Regulation aren't changing but, that is exactly the problem. The current R dimensional table does not call for a Minimum Lot area per Unit, nor for a Maximum Lot Coverage on R3. All these regulations will allow developers to convert single families into two-families and then add an accessory building in the back with on 6 ft setback and up to 2 ½ maximum height (stories). And having those as by-right projects will not give the opportunity to neighbors or the board to analysis each case in detail. That will increase the paved areas for parking, walkways, patios, etc. The Dimensional Regulations call only for 10% landscape area and 30% Usable open space and in both zoning definitions there is no distinction into permeable open space. There will be an increase of water runoff and none of that has been considerer while proposing this article revision. Currently we see that even on R1 Single Family neighborhoods when a developer builds a mega mansion and all the front is cover with a paved driveway, entry and walkways and big patios in the backyard.

We think this proposal should not the approved. Any project that is more than two-family should include a Civil Site Plan review. Also, with the recently approved MBTA Communities zoning approval we will start to see the increase in housing immediately. In the future, with a better analysis and other changes in the Zoning Bylaw regarding permeable area, Site Plan review and setbacks, converting Single-family into Two-family will be more realistic in increasing the housing market demand while keeping our green areas and the look of or neighborhoods. And we are not mentioning the increase use in our school system, social service and traffic.

Regarding the proposed Article 29 we are in opposition of the proposed distance reduction numbers as it will affect R districts. The proposed 50, 35, and 25 distance is too much and will allow almost all projects to go for the taller buildings. As an example, in B district the front set back is 20ft. and in I district is 10ft., a typical street width is 40-45ft. With that any residence on the other side of the street could end up with a up to a 5-story building in front of them. It should be review case by case where the Board can assess the effects on residential neighborhood, it should not be by right and a shadow study can be part of the requirements.

Thank you for listening us and to represent us.

Sincerely,
Annem Chan Waiy
19 Hancock St.
Arlington MA 02474

From: Joanne Cullinane

Sent: Sunday, March 17, 2024 12:09 PM

To: Shaina Korman-Houston; Claire Ricker; Eugene Benson; Kin Lau; Stephen Revilak; Rachel Zsembery

Subject: VOTE NO on Article 34

Dear members of the Redevelopment Board and Planning Department,

I'm writing to urge you to vote against putting Article 34 before Town Meeting. The process by which the town's response to the MBTA-C act unfolded, with limited public participation and a small non-representative working group, and a first draft that could have doubled the population of Arlington, was unnecessarily chaotic and contentious. The damage to our community and sense of trust in fair process is still raw.

Now we have a proposal that is even more rash. Article 34 seems designed to accomplish what the mbta overlay was unable to do due to public opposition - open up huge swaths of town land to developers for for-profit speculation and possibly double the population within an uncertain time frame. This Article is too big, too broad, too unstudied. It appears before you despite zero attempts at public outreach. It is disheartening that anyone would think such a sweeping change should be voted on by a small group of residents while the larger public remains unaware of its details.

Article 34 would lead to more tree loss with the associated environmental impact that brings to our town, in exchange for more expensive units and more cars as it does not even ask for growth to be near what little mbta service the Town has. It would put enormous pressure upon our infrastructure, police, fire department, and schools. This would promote none of the commercial growth we'd need to offset increased costs to the Town.

Nor does it ask for any of the new units to be affordable. Unlike with the mbta act, when proponents *suggested* that development would help residents of Arlington who need rent relief, the proponents of this article stated at your last meeting that 'even if the units are not affordable they would help free up more affordable units elsewhere.'

The idea that more high end units in Arlington would open up less expensive housing *where lower income workers need them* is far from certain. Furthermore, it belies a lack of concern for *our town as a community*: a community needs a healthy diversity of ages, classes, and occupations to thrive and we have a duty to try to preserve that to whatever extent we can.

While new market rate units might put slight downward pressure on rents for comparable luxury buildings (of which we have quite a few in Arlington), such development has been shown to *increase* rents in nearby lower-priced housing by over 6.7% -

<https://newrepublic.com/maz/article/179147/case-against-yimbyism-yimbytown-2024>. This would make Arlington more of an exclusive enclave for the rich and *price even more residents out of a town* they may have grown up in or spent many years of their life contributing to.

I sympathize with those who see huge single families go up on large lots in certain areas of town. That has, however, never been the case for most of Arlington, a very dense town where most lots are small and most house sizes modest.

The MBTA overlay represented a decision to concentrate development near the one bus route we have in town rather than in areas where McMansions are sprouting up. Now it behooves us to see how that decision plays out even if some people wish that we had spread the overlay out to include areas that are a bit less dense and where the McMansions sprout. That decision has been made and the Town must see how it plays out. The MBTA overlay could easily cause more fiscal and environmental harm than anticipated and it would be folly to allow an even larger overlay because some wish the first one had been written differently.

Thank you,
Joanne Cullinane
69 Newland Rd

From: Anne Ehlert
Sent: Monday, March 18, 2024 2:57 PM
To: Claire Ricker
Subject: Public Comment on Zoning Article 33 and 34

Subject: Article 33 and Process for Zoning Articles

I understand the proponents have requested a No Action Vote on Article 34, and I agree with that decision. I believe zoning changes on the magnitude of the MBTA overlay and Article 34 should not be approved by ARB and Town Meeting without the approval of the town residents, who should also be provided with detailed information on the proposals and information on the consequences of proposed changes, including expected financial consequences. The MBTA overlay changes were better publicized than others in the past, but many residents were unaware of the proposed changes, and very few knew the details, as they kept changing as more feedback was received. Many residents didn't even know their property was in the Zone.

Please consider revising the process to provide detailed article language well in advance of Town Meeting, and more direct outreach to residents with relevant details and consequences of the proposals, projected fairly by unbiased sources. Mr. Fosskett estimated the MBTA overlay zoning change would increase taxes for existing residents, and that makes sense to me as most of our expenses do increase along with the census, some in big jumps as more infrastructure is needed. Less informed advocates have stated the effects are positive or unknown.

I have found much of the relevant information on the consequences of proposed zoning articles has been provided by knowledgeable Town Meeting Members, and I request that ARB acknowledge and consider the impact of zoning changes on green space and open space, water runoff, our infrastructure, and taxes, as well as the actual impact on affordability. The consequences of Article 34 could have been severe over time.

Most residents I talk to are concerned about increasing density in ways that are determined by developers and not planned and studied. Most I speak to do not like the newer, taller buildings with small setbacks that are replacing older more interesting buildings. There has been a lot of change already, and I agree we need to absorb the MBTA act changes and understand their impact before we make more changes. If a proposed article hasn't been adequately communicated and resident feedback incorporated, such as Article 34, please vote No Action.

Please also vote "NO" on Article 33, as the impact is more significant than portrayed by the proponents' drawing, and as Mr. Loreti pointed out, the buildings could abut a side yard with a 5 foot setback.

Anne Ehlert
Precinct 21 Town Meeting Member

From: Pi Fisher

Sent: Monday, March 18, 2024 9:02 AM

To: Eugene Benson; Kin Lau; Stephen Revilak; Rachel Zsebery; Shaina Korman-Houston

Subject: Article 34: 3-family housing by right

I write to you as a resident of Arlington to express my support for article 34. I understand you'll shortly be voting on whether to recommend action to Town Meeting.

Massachusetts, particularly the Greater Boston metro area, has a severe housing shortage, and every little bit we can do helps. This really is just a little bit: properties will be rebuilt only as they get sold to developers, and the most impactful changes to density are those that affect higher-density buildings, such as 846 Mass Ave, which this does not address.

As a small change, I think the complaints about public outreach are overblown. Of the 66 articles in the Town Meeting Warrant, the only public outreach that's reached me has been for articles 1 and 34 (town election on April 6, and 3-family by right development). I've heard claims that this article should go before the entire town, and I absolutely reject that notion: we elect a town legislature so that we don't need 30k+ people to all research and form opinions on 50+ issues.

Thank you for all your hard work, and please vote to recommend positive action on Article 34.

From: eugeniagrigroris

Sent: Monday, March 18, 2024 11:44 AM

To: Eugene Benson; Kin Lau; Stephen Revilak; Rachel Zsembery; Shaina Korman-Houston

Subject: Article 34

To the members of the Arlington Redevelopment Board

I am writing in reference to the proposal to be voted upon this evening concerning Article 34, which, if voted upon favorably, will see the revision of "RO Large Lot Single-Family Districts, R1 Single-Family Districts and R2 Two-Family Districts to permit the expansion of allowable residential uses in these districts". I urge you to vote NO on this proposal.

The Town of Arlington does not need this radical change of allowing 3 families by right throughout an already dense town. This proposal is far too close to the upcoming Annual Town Meeting for Town Meeting members to make any informed decisions. A transformation of this magnitude of Arlington to be decided upon only by the Town Meeting and not the residents/voters themselves is unacceptable.

Please vote NO on this proposal.

Thank you.

Eugenia Grigroris
Precinct 7

From: LYGIAGRIGORIS

Sent: Monday, March 18, 2024 11:54 AM

To: Rachel Zsembery; Stephen Revilak

Subject: Please vote no on Article 34

Dear Members of the Arlington Redevelopment Board,

I am writing to urge you to vote against Article 34 - allowing 3 family, by right, throughout the town.

We already are a very dense town and enacting such a truly radical change will mean the destruction of many more more affordable single and two family units. Open space will be lost and unit prices will most assuredly go up.

A home is the largest investment individuals and families make. A change of this magnitude should not be voted in by a mere 250 residents. There has not been nearly enough outreach to all Arlington residents to enact such a change. Most are completely unaware of the article and what it entails.

If enacted without a town-wide vote, such an action, with its lack of open and informative communication, would be both reckless and irresponsible. You must see that voting on Article 34 without a town-wide vote is truly an affront to tax-paying citizens of Arlington that deserve a voice in something that alters their town, their immediate surroundings, and ultimately their individual property values.

Thank you for your careful consideration of this very important issue.

Sincerely,

Lygia Grigoris

Precinct 12

From: C. Heigham

Sent: Monday, March 11, 2024 9:05 AM

To: Rachel Zsembery; Kin Lau; Eugene Benson; Stephen Revilak; Shaina Korman-Houston

Subject: Article 34 Hearing – followup

I watched the recording of your hearing on Article 34, and I have a few follow-ups.

First, while speaking for only myself, as a Finance Committee member I must push back on Mr. Vellanki's blithe assertion that this article will help town finances. His myopic analysis considers the revenues but not the costs; even the article's proponents assert that the article's financial effects are uncertain.

Second, Mr. Moore's observations were very wise; Arlington needs to catch its collective breath after the year-long labor required for its compliance with MBTA-C.

Finally, the proponents' hinging of the article's advance on the quantum of vote smells worse and worse to me. As I wrote the ARB about MBTA-C last Fall, "If this article squeaks through TM with only 50%+, it will be very bad for the town going forward. Aim for 80% or more." MBTA-C showed that such a vote IS possible.

Thanks for all the time you devote to our town.

Respectfully,

Topher Heigham, TMM P15

From: Chris Loreti

Sent: Tuesday, March 5, 2024 12:27 PM

To: Rachel Zsebery; Kin Lau; Stephen Revilak; Eugene Benson; Shaina Korman-Houston

Cc: Claire Ricker; Michael Ciampa; Christian Klein

Subject: Article 32: Traffic Visibility Around Corners Interpretation

Dear ARB Chair Zsebery and ARB Members:

At last night's public hearing on Article 32 to amend the Zoning Bylaw provision related to traffic visibility around corners, I expressed the opinion that the article's proponent was misrepresenting how the bylaw has been applied in practice. To support my comments, I am providing the attached documents.

Attached to this email is a page from the 2008 printing of the Zoning Bylaw that illustrates what was then Section 6.22. The same language is now Section 5.3.12(A). Unfortunately, the town did not bother to include this illustration in the recodified zoning bylaw.

This illustration clearly shows that the 20' sides of the triangle where the height limitation applies are measured based on the intersection of the curb line, that is, where the curb meets the street ("property lines of intersecting streets") not the corner of the homeowner's lot as the proponent indicated. I believe the bylaw has been interpreted that way since at least 1975, as the 2008 edition indicates no amendments were made since then (also unfortunately, the annotations showing amendments have also been dropped from the bylaw). I do not believe any amendments have been made to this provision since 2008.

The figures below show how this section of the bylaw has been applied in practice. During the public hearing for ZBA Special Permit 3601, I asked that a hedge/chain link fence that violated this bylaw provision be remedied as part of the renovation of 210-212 Broadway--the white house in the figures. A new plastic fence approved by the Building Inspector was installed.

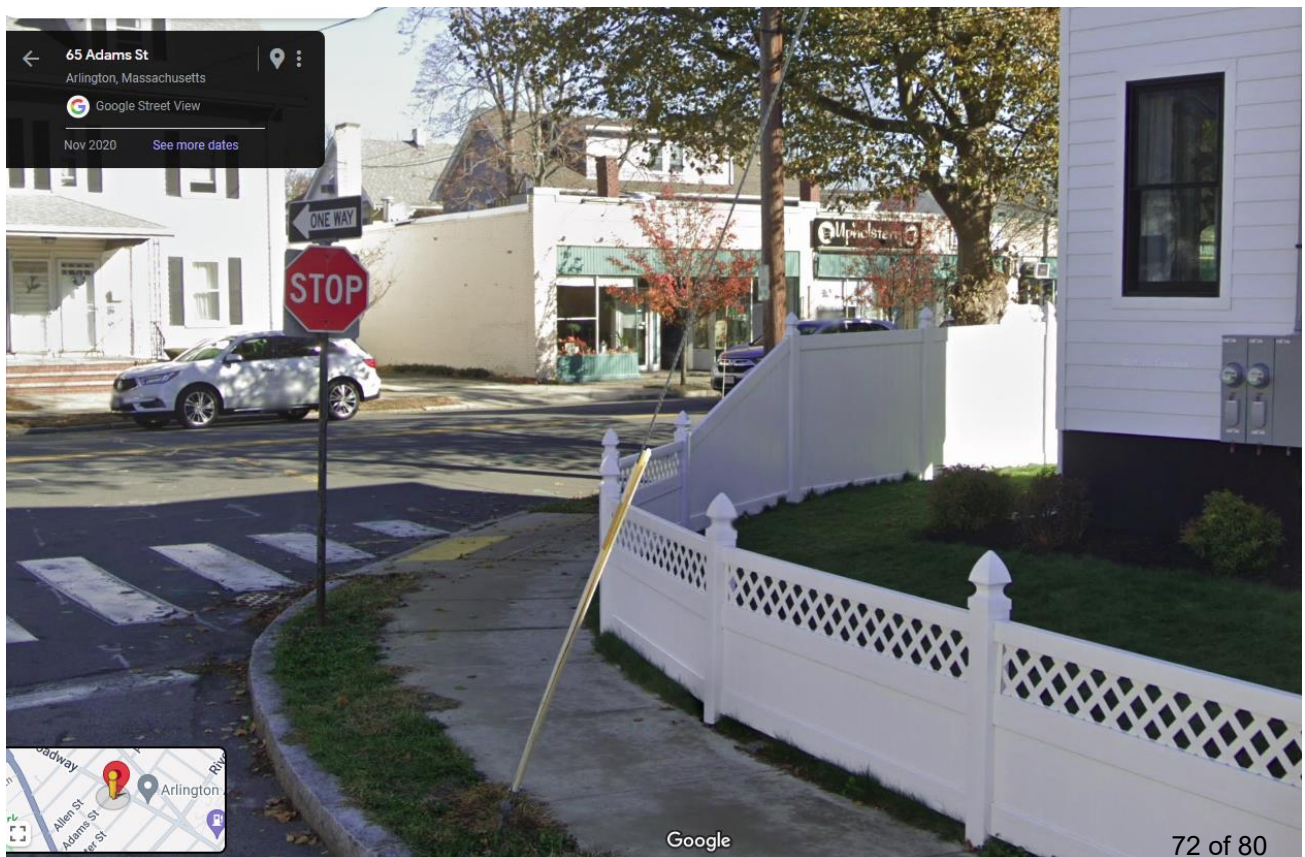
The front, right corner of this house is within 15 feet of the property line along Adams St. It is clear from the first photo that the higher portion of the fence (that above 3 feet) is well within 20' of the projection of this lot line. That is because it was the projected curb line, not the projection of the home's front lot lines that was used to determine compliance, just as the bylaw formerly illustrated.

Since there is typically about 8 feet between the curb line and the lot line, that means the size of the triangle shown by the proponent is much smaller--only about 72 square feet vs. 200 square feet. In short, this bylaw provision imposes a very modest burden on property owners to protect pedestrian safety.

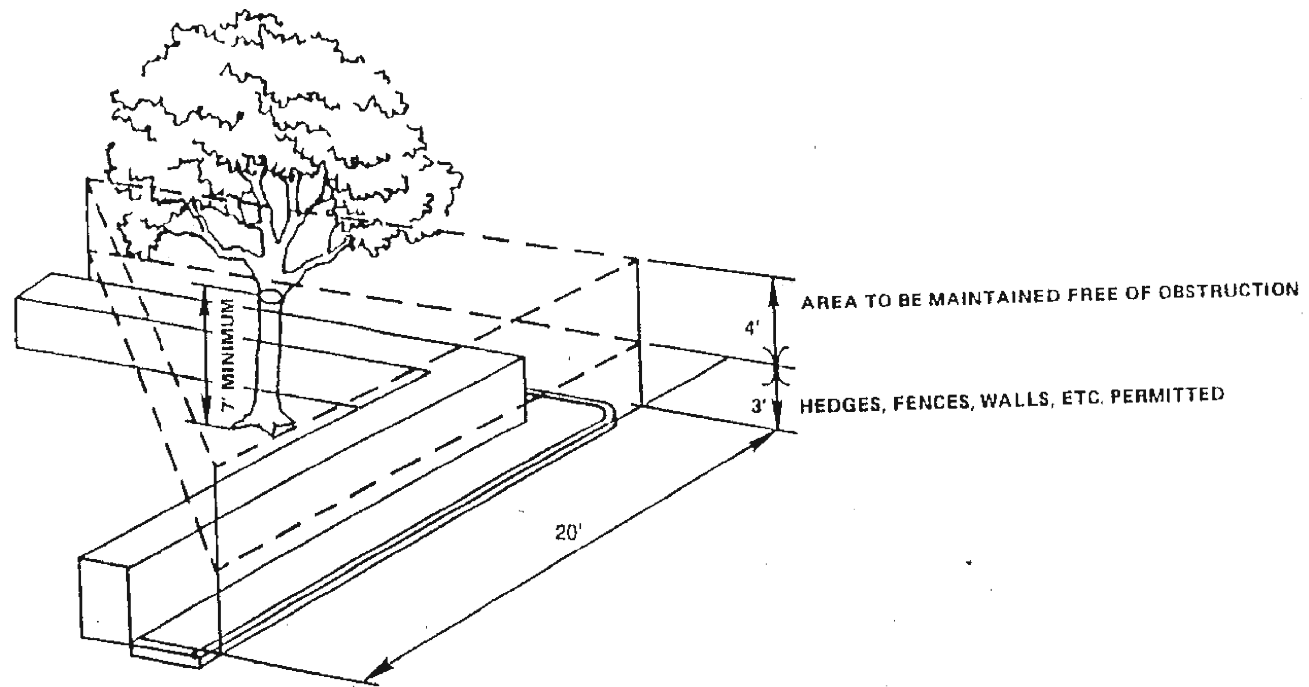
Finally, I wanted to comment on the statements made about requiring some level of transparency for applicable fences taller than 3 feet. Transparency is usually considered when viewed at a right angle. But those approaching an intersection will be looking through the fence at an acute angle. And they may be looking through two fences, one along each property line. As the second photo shows, the transparency of the lattice decreases significantly at more acute angles. Should the proposed amendment be changed in this way, far greater than 50% transparency is needed.

Thank you for considering these comments.

Chris Loreti
56 Adams St.



TRAFFIC VISIBILITY ACROSS CORNERS, SECTION 6.22



"This diagram is included for illustrative purposes only.
It is not part of the Arlington Zoning Bylaw."

From: Mellela Marx

Sent: Friday, March 15, 2024 3:00 PM

To: Rachel Zsembery; Stephen Revilak; Kin Lau; Eugene Benson; Shaina Korman-Houston; Claire Ricker

Subject: VOTE NO to Draft amendment to the zoning law Section 5.9.2 Accessory Dwelling Units, Subsection B.

Dear Town Meeting Member,

I am writing to express my concern about the draft amendment to the zoning law Article 27: Section 5.9.2 Accessory Dwelling Units, Subsection B.

Permitting additional dwelling units by right added on to existing dwelling units without regard to current FAR requirements and allowing up to additional 900 SF seems excessive. In effect, it seems that this could allow some one to have free reign to add an entire floor or put a large addition to their property without meeting FAR or setback restrictions or without getting special permissions from the neighbors.

This amendment would open up opportunity for developers and landlords to cram in more units into already very tight lot sizes and would not necessarily meet the goal of providing more affordable housing. Furthermore, with no additional parking requirements, it would lead to more congestion and parking problems on streets and further tax our already strained public schools and public works departments. In addition, it would change the character of the neighborhoods in Arlington that are mostly small, residential, single or two family lots.

Currently, there is no law saying you can't add another dwelling unit to your property if you are meeting the FAR, egress and parking requirements to do so. If you don't meet the requirements, then you can apply for a variance and get your neighbors approval. There is no reason to make this type of development allowable by right without neighborhood approval.

Please vote NO to this amendment.

I was also alarmed to see you are proposing deleting the wetlands overlay protection in Article 28. Why are we proposing removing wetlands protections? Please do not delete this section and keep the wetlands protections in place.

Thanks for your consideration.

Sincerely,

Mellela Marx

13 Pine Ridge Road

Arlington, MA 02476

Town of Arlington property owner and resident for 20 years

From: Genevieve

Sent: Monday, March 11, 2024 8:43 PM

To: Rachel Zsebery; Stephen Revilak; Kin Lau; Eugene Benson; Shaina Korman-Houston; Claire Ricker

Subject: Comment on the ARB

Dear Members of the Arlington Redevelopment Board, Zoning Authority and to the Director of Planning,

I write with you to express my concern about the proposed article to allow by-right conversion of single families to 2- or 3-families everywhere in town. Our schools, roads, and public services are already strained, and the potential impact of this Article could make it even worse. I also fear that a select group of landlords who own multiple properties throughout Arlington would take advantage of this article to create more housing and buy up single family homes and convert them to multi-family homes, changing the look and feel of entire neighborhoods. Some of these same landlords go more or less unchecked when it comes to building codes and permits--I've seen it time after time in our community, while individual homeowners are held to a much stricter standard.

This is also on the heels of the MBTA-C Act, and we don't yet know what sort of impact that will have on our town. I think it would be wise to at least wait some time, so we can make a more informed decision about whether or not this article makes sense or is wise for our community.

Sincerely,

Genevieve Oba
42 Summit St
Arlington MA

From: Rebecca Peterson

Sent: Friday, March 8, 2024 5:38 PM

To: Eugene Benson; Shaina Korman-Houston; Kin Lau; Stephen Revilak; Rachel Zsembery; Claire Ricker

Subject: please vote No Action on articles 33 & 34

Dear Members of the ARB -

I'm writing to ask that you vote "No Action" on articles 33 and 34.

Article 33 asks for taller business/commercial structures right next to residential zones – why, when we just allowed more and larger buildings in October with the MBTA Communities Act? These changes are too much, too soon - we don't even know how Arlington's over-compliant MBTA plan will play out yet!

Article 34 seeks to eliminate single-family zoning, which was attempted (and failed) less than 2 years ago. Why ask Town Meeting to entertain the same tired proposal again? I attended every single meeting when this was discussed in 2022 and the majority of public comments were against eliminating single-family zoning.

Per usual, there have been zero studies as to the effect on school enrollment, traffic, parking, etc. Most of us live in Arlington because we don't want to live somewhere as dense as Cambridge or Somerville, while a small vet vocal minority pushes for radical density. The ARB should approve proposals that improve our quality of life and disallow those that degrade it. Voting for more luxury condos and towering commercial buildings is not the way to go.

Sincerely,
Rebecca Peterson
31 Florence Ave.
(Precinct 16)

Message submitted from the <Town of Arlington> website.

Site Visitor Name: Judson Pierce

Site Visitor Email: jpierce@ppnlaw.com

please do not favorably report out articles that would enlarge multi family zoning in R0 and R1 districts. this is not good for the Town. Thank you.

Jud Pierce (TMM 11)

Message submitted from the <Town of Arlington> website.

Site Visitor Name: Judson Pierce

Site Visitor Email: jpierce@ppnlaw.com

Given what is happening in Milton and now in other communities, the Commonwealth really needs to halt their unilateral mandate on cities and towns. we've done enough last TM on increasing residency. Please do not increase it as much as the proponents are asking for!

thank you.

Jud Pierce (TMM 11)

From: Town of Arlington, MA
Sent: Thursday, March 7, 2024 12:24 PM
To: Rachel Zsembery
Subject: Please vote NO on 33 and 34 at your 3/18 meeting

Site Visitor Name: Judson Pierce
Site Visitor Email: jpierce@ppnlaw.com

Hello Rachel,

I just wanted to re-iterate my strong opposition to both Articles 33 and especially 34 in advance of your March 18th final vote. We just had a major vote take place at town meeting last year on the issue of density and housing and we should see how that goes first before we do something as drastic as both of these articles would do. Also, this is much too large a change to do in this way just weeks before next Town Meeting, most of my constituents didn't know this was happening and are like me very skeptical of it and many are quite opposed as I am.

Please also push for a way for folks to participate in your meetings from home as the Selectboard allows.

Thank you very much for your consideration and your service to the Town.

Best,

Jud Pierce (TM11)

From: Michael Radochia
Sent: Sunday, March 17, 2024 3:36 PM
To: Rachel Zsembery
Cc: Eugene Benson; Kin Lau; Stephen Revilak; Shaina Korman-Houston
Subject: Article 34

Dear Ms. Zsembery:

I know redevelopment is a fact of life. But I am deeply concerned about Article 34 as it is written.

If Article 34 in its current form passes, it will change Arlington in ways that will negatively impact the town and its residents, such as:

- more density
- higher taxes
- less affordability
- the town becoming more renter-oriented than family-oriented
- more loss of open space
- less affordable housing (if any)

Furthermore, if the article passes, where will it end? Will Arlington become a "no single-family house" town? If Arlington is to validate and retain its image as a pro-inclusive, pro-equality, pro-diversity town, it needs to retain a balance between single-family houses and multi-family ones.

If what I heard is true, even some members of the Arlington Redevelopment Board have acknowledged Article 34 as too much, too soon.

I urge the town vote against Article 34 as written.

Thank you for your attention and consideration.

Sincerely,
Michael Radochia

From: lah-rah veevy

Sent: Thursday, March 7, 2024 8:52 AM

To: Eugene Benson; Stephen Revilak; Kin Lau; Rachel Zsembery; Shaina Korman-Houston

Cc: Eric Helmuth

Subject: Article 34 Hearing – followup

Dear Members of the ARB:

I am writing to respectfully ask you not to support Articles 33 and 34. These two articles would directly lead to a loss of Town green space and housing choice. Also, these 2 articles are coming up too soon after the MBTA Density Overlay changes and the articles are proposing too much radical change to the Town without involving residents enough or through our own vote. Please do not support these two articles when you vote on Monday, March 18, 2024.

Thank you!

--Resident and Arlington Homeowner