



Arlington Zoning Board of Appeals

Date: Tuesday, December 9, 2025
Time: 7:30 PM
Location: Conducted by Remote Participation
Additional Details:

Agenda Items

Administrative Items

1. **Conducted by Remote Participation**

Register in advance for this meeting: <https://town-arlington-ma-us.zoom.us/meeting/register/TLUHBgFTTA2Hor8TjRbpOg>

After registering, you will receive a confirmation email containing information about joining the meeting.

Per Board Rules and Regulations, public comments will be accepted during the public comment period during each public hearing. Written comments should be sent by email to ZBA@town.arlington.ma.us prior to the start of the meeting.

Notice to the Public on meeting privacy In the interests of preventing abuse of video conferencing technology, all participants, including members of the public, wishing to engage via the Zoom App must register for each meeting and will need to follow multi-step authentication protocols. Please allow additional time to join the meeting. Further, members of the public who wish to participate without providing their name may still do so by telephone using the dial-in information provided above.

Hearings

2. **Docket #3865 29 Hemlock St (continued)**

OpenGov link: <https://arlingtonma.portal.opengov.com/records/209637>

Meeting Adjourn



Town of Arlington, Massachusetts

Conducted by Remote Participation

Summary:

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Town of Arlington, Massachusetts

Docket #3865 29 Hemlock St (continued)

Summary:

OpenGov link: <https://arlingtonma.portal.opengov.com/records/209637>

ATTACHMENTS:

Type	File Name	Description
Reference Material	3965_29_Hemlock_St_legal_ad.pdf	3965 29 Hemlock St legal ad
Reference Material	3865_29_Hemlock_abutters_list_and_map.pdf	3865 29 Hemlock abutters list and map
Reference Material	3865_29_Hemlock_St_Application_V-25-6.pdf	3865 29 Hemlock St Application V-25-6
Reference Material	3865_29_Hemlock_St_Variance_Application_-_Correspondence_to_ZBA.pdf	3865 29 Hemlock St Variance Application - Correspondence to ZBA
Reference Material	3865_29_Hemlock_St_Plan_of_Land_-_Proposed_Transfer_-_Lot_2B.pdf	3865 29 Hemlock St Plan of Land - Proposed Transfer - Lot 2B
Reference Material	3865_29_Hemlock_St_Rober_Staking_Plan_10-6-2021.pdf	3865 29 Hemlock St Rober Staking Plan 10-6-2021
Reference Material	3865_29_Hemlock_St_signed_mylar_plan.pdf	3865 29 Hemlock St signed mylar plan
Reference Material	3865_29_Hemlock_Photos.pdf	3865 29 Hemlock Photos
Reference Material	3865_-_29_Hemlock_St_-_Request_for_Continuance_of_Hearing.pdf	3865 - 29 Hemlock St. - Request for Continuance of Hearing

ORDER DETAILS

Order Number:
LNEO0351275
External Order #:
11573634
Order Status:
Approved
Classification:
Public Notices
Package:
General Package
1 Affidavit:
5.00
Total payment:
214.28
Payment Type:
Account Billed
User ID:
L0023538
External User ID:
670931

ACCOUNT INFORMATION

Arlington Board Of Appeals
51 Grove St
Arlington, MA 02476-4602
781-316-3396
cralston@town.arlington.ma.us
Arlington Board Of Appeals
Contract ID:

TRANSACTION REPORT

Date
August 12, 2025 11:03:40 AM EDT
Amount:
214.28

ADDITIONAL OPTIONS

1 Affidavit

SCHEDULE FOR AD NUMBER LNEO03512750

August 21, 2025
The Advocate & Star (Arlington - Winchester)
August 28, 2025
The Advocate & Star (Arlington - Winchester)

PREVIEW FOR AD NUMBER LNEO03512750

29 Hemlock St, Arlington

Notice is herewith given in accordance with the provisions of Section 3.2.2 of the Zoning Bylaws that there has been filed, by Kathryn Bender, on May 12, 2025, a petition seeking to alter their property located at 29 Hemlock St - Block Plan 089.0-0003-0018.0. The said petition would require a Variance under bylaw 8.1.6.A of the Zoning Bylaw for the Town of Arlington.

A hearing regarding the petition will be conducted remotely via "Zoom", on Tuesday, September 9, 2025, at 7:30 P.M. as soon thereafter as the petitioner may be heard. To attend the meeting, please go to <https://www.arlingtonma.gov/connect/calendar>, choose the date of the meeting you wish to attend and register in the Zoom link.

For documentation relating to this petition, visit the ZBA website 48 hours before the hearing at <https://www.arlingtonma.gov/town-governance/boards-and-committees/zoning-board-of-appeals/agendas-minutes>. Please direct any questions to: ZBA@town.arlington.ma.us

Christian Klein, RA, Chair,
Zoning Board of Appeals
August 21, 28 2025
LNEO0351275

**CERTIFIED ABUTTERS LIST**

Date: July 02, 2025

Subject Property Addresses: 29 HEMLOCK ST, ARLINGTON, MA

Subject Property ID: 89-3-18

Search Distance: 300 Feet - Zoning

Parcel ID:	Property Location	Owner 1	Owner 2	MAILING ADDRESS				
				Mailing Address 1	Mailing Address 2	Town	State	Zip
89.A-5-5	18 PINE ST UNIT 18	WOLF JULIE FRANCES		503 MATHEWS ST	APT 2	FORT COLLINS	CO	80524
89.A-5-6	18 PINE ST UNIT 20	LACH SANDRA C/ TRUSTEE	SANDRA C LACH TRUST	20 PINE ST		ARLINGTON	MA	02474
89.A-5-2	2 HEMLOCK ST UNIT 2	KALAMATIANOS JOHN & KATHARINA		2 HEMLOCK ST		ARLINGTON	MA	02474
89.A-5-1	90 BRATTLE ST UNIT 1	LINGWOOD DANIEL DK &	THOMPSON SARAH A	90 BRATTLE ST		ARLINGTON	MA	02474
89.A-1-54	54 HEMLOCK ST UNIT 54	LIPTAK CARY THOMAS	ALLSWEDE DANA MARIE	54 HEMLOCK ST		ARLINGTON	MA	02474
89.A-1-56	56 HEMLOCK ST UNIT 56	CARTER NATHAN C	CARTER LYDIA M	56 HEMLOCK ST		ARLINGTON	MA	02474
89.A-1-1	25--27 PINE ST UNIT 1	LANE ERIN	RUDZINSKI CHRISTOPHER	27 PINE ST	UNIT 1	ARLINGTON	MA	02474
89.A-1-2	25--27 PINE ST UNIT 2	DESHPANDE MUGDHA RAVINDRA	BANERJEE AREEN	25 PINE ST		ARLINGTON	MA	02474
89.A-1-50	50 HEMLOCK ST UNIT 50	VOGES ROBERT		50 HEMLOCK STREET		ARLINGTON	MA	02474
89.A-1-52	52 HEMLOCK ST UNIT 52	DIEHL NICHOLAS B & STACEY R		52 HEMLOCK ST		ARLINGTON	MA	02474
88.A-1-2001	2001 SYMMES CIR	LEE HOYOUNG	PARK CHAEKYEONG	2001 SYMMES CIR		ARLINGTON	MA	02474
88.A-1-2002	2002 SYMMES CIR	FORTESCUE DARREN	CONNELLY KELLIE	2002 SYMMES CIR		ARLINGTON	MA	02474
88.A-1-2003	2003 SYMMES CIR	BHARGAVA ADITYA	JAIN MAITREYEE	2003 SYMMES CIR		ARLINGTON	MA	02474
88.A-1-2004	2004 SYMMES CIR	QIN KE &	CHEN HONG	12 ROBINSON PARK		WINCHESTER	MA	01890
88.A-1-2005	2005 SYMMES CIR	ZHAO SONGPING		2005 SYMMES CIRCLE		ARLINGTON	MA	02474
88.A-1-2006	2006 SYMMES CIR	ZHANG YUN & DING RU &	LEE VICTORIA	2006 SYMMES CIRCLE		ARLINGTON	MA	02474
88.A-1-2007	2007 SYMMES CIR	CHUNG JANET &	CHEN PENG	2007 SYMMES CIRCLE		ARLINGTON	MA	02474
88.A-1-2008	2008 SYMMES CIR	TESLENKO IRYNA/ TRUSTEE	SETARYA TRUST	2008 SYMMES CIR		ARLINGTON	MA	02474
88.A-1-2009	2009 SYMMES CIR	LONKAR AJINKYA	KULKARNI PRACHEE	2009 SYMMES CIR		ARLINGTON	MA	02474
88.A-1-2010	2010 SYMMES CIR	DABU FERDINAND		2010 SYMMES CIR		ARLINGTON	MA	02474
88.A-1-2011	2011 SYMMES CIR	BOYCHENKO SERGEY &	FENG LILI	2011 SYMMES CIRCLE		ARLINGTON	MA	02474
88.A-1-2012	2012 SYMMES CIR	DHAMANKAR HIMANSHU HEMANT	PATNAIK SOMANI	66 BOND ST	APT 202	WATERTOWN	MA	02472
89.A-1-30	30--32 HEMLOCK ST UNIT 30	DAS SANCHITA ANIT	DAS ANIT	30 HEMLOCK ST		ARLINGTON	MA	02474
89.A-1-32	30--32 HEMLOCK ST UNIT 32	HE LEON JIE		32 HEMLOCK ST		ARLINGTON	MA	02474
89.A-5-14	14--16 PINE ST UNIT 14	PERKINS PETYA LEE		14 PINE ST		ARLINGTON	MA	02474
89.A-5-16	14--16 PINE ST UNIT 16	SHI CHENXI		16 PINE ST		ARLINGTON	MA	02474
88-1-13	4105 SYMMES CIR	FHF 1 ARLINGTON 360 LLC		4105 SYMMES CIR		ARLINGTON	MA	02474
89-1-12	48 HEMLOCK ST	KEENAN JAMES M & LEIGH H		48 HEMLOCK STREET		ARLINGTON	MA	02474
89-1-13	42--44 HEMLOCK ST	SHERMAN CRAIG W		42 HEMLOCK ST		ARLINGTON	MA	02474
89-1-14	36--38 HEMLOCK ST	XIONG WENNAN	LU JUN	390 MARRETT RD		LEXINGTON	MA	02421
89-1-16	9--11 PINE ST	GARDINER PAUL C		11 PINE STREET		ARLINGTON	MA	02474
89-1-17	15--17 PINE ST	TOBIN ANN P		17 PINE ST		ARLINGTON	MA	02474
89-1-18	19--21 PINE ST	OBRIEN JOHN F		19 PINE STREET		ARLINGTON	MA	02474
89-1-19	23--23A PINE ST	MARLIN NICHOLAS		23 PINE ST		ARLINGTON	MA	02474

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Date: July 02, 2025

Subject Property Addresses: 29 HEMLOCK ST, ARLINGTON, MA

Subject Property ID: 89-3-18

Search Distance: 300 Feet - Zoning

Parcel ID:	Property Location	Owner 1	Owner 2	MAILING ADDRESS				
				Mailing Address 1	Mailing Address 2	Town	State	Zip
89-1-21	29--31 PINE ST	RADOCHIA JOANNE K		31 PINE ST		ARLINGTON	MA	02474
89-1-22.A	33 PINE ST	PILLEMER STEPHEN J J ETAL/ TRS	PILLEMER-RASMUSSEN FAMILY 2010	33R PINE STREET		ARLINGTON	MA	02474
89-2-3	8 LANSDOWNE RD	BERKSON RANDOLPH F--ETAL	BERKSON DONNA K	8 LANSDOWNE ROAD		ARLINGTON	MA	02474
89-3-3	0-LOT ROCKLAND AVE	BAYNES WILLIAM P-MAUD		148 BRATTLE ST		ARLINGTON	MA	02474
89-3-4	5 ROCKLAND AVE	ZHANG PINGGAO	YANG JENNY ZHI	5 ROCKLAND AVE		ARLINGTON	MA	02474
89-3-10	15 LANSDOWNE RD	SMOKOVICH RICK S/ETAL	KOLESAR MARY K	15 LANSDOWNE RD		ARLINGTON	MA	02474
89-3-11	11 LANSDOWNE RD	AVERY JOHN K/ TRUSTEE	JOHN K AVERY TRUST OF 2022	11 LANSDOWNE RD		ARLINGTON	MA	02474
89-3-12.A	7 LANSDOWNE RD	GENDRON ZACHARY & STEPHANIE		7 LANSDOWNE ROAD		ARLINGTON	MA	02474
89-3-14	45 HEMLOCK ST	LIU ZHONGJIE		45 HEMLOCK ST		ARLINGTON	MA	02474
89-3-15	41 HEMLOCK ST	SWEENEY RICHARD A & MARY S		41 HEMLOCK STREET		ARLINGTON	MA	02474
89-3-16	37 HEMLOCK ST	CHEN DEBORA		37 HEMLOCK STREET		ARLINGTON	MA	02474
89-3-17	33 HEMLOCK ST	MARTIN DAVID P & BETH A		33 HEMLOCK STREET		ARLINGTON	MA	02474
89-3-18	29 HEMLOCK ST	BENDER KATHRYN M		29 HEMLOCK ST		ARLINGTON	MA	02474
89-3-19	25 HEMLOCK ST	DIX JOVONNA		PO BOX 3492		JOLIET	IL	60434
89-3-20	17 HEMLOCK ST	FARCAS COREY & MEGAN		17 HEMLOCK ST		ARLINGTON	MA	02474
89-3-21	0-LOT HEMLOCK ST	TOWN OF ARLINGTON	CONSERVATION COMMISSION	730 MASS AVE		ARLINGTON	MA	02476
89-3-22	5 HEMLOCK ST	MILSTEIN STUART & THERESA/ TRS	STUART MILSTEIN TRUST	5 HEMLOCK ST		ARLINGTON	MA	02474
89-3-23	100 BRATTLE ST	LUCAS DEBORAH L & JEFFREY H/ TRS	DEBORAH L LUCAS REVOCABLE TRUS	100 BRATTLE ST		ARLINGTON	MA	02474
89-3-25	108 BRATTLE ST	LEE SAMUEL	ZHANG ZHITONG	108 BRATTLE ST		ARLINGTON	MA	02474
89-3-27	126 BRATTLE ST	KIM YOON & WON		126 BRATTLE ST		ARLINGTON	MA	02474
89-3-30	134 BRATTLE ST	QUATTRINI ANDRIA & JUSTIN		134 BRATTLE ST		ARLINGTON	MA	02474
89-3-31	140 BRATTLE ST	NETO AMIR SAMARY GONCALVES	SAMARY MAIRA REJANE MARQUES	140 BRATTLE ST		ARLINGTON	MA	02474
89-3-33	144 BRATTLE ST	DIPERNA CHRISTOPHER J	KADERIAN MAIDA	144 BRATTLE ST		ARLINGTON	MA	02474
89-3-34	146 BRATTLE ST	ROLLFS MARK	STRAUGHN BRITTANY	146 BRATTLE ST		ARLINGTON	MA	02474
89-3-35	148 BRATTLE ST	BAYNES WILLIAM P JR-MAUDE		148 BRATTLE ST		ARLINGTON	MA	02474
89-4-7	145 BRATTLE ST	COPITHORNE ARTHUR W		145 BRATTLE ST		ARLINGTON	MA	02474
89-4-9	137 BRATTLE ST	VASIC ALEKSANDAR & JELENA		137 BRATTLE ST		ARLINGTON	MA	02474
89-4-10	133 BRATTLE ST	TSOMO NAWANG		39 MONTROSE ST	APT #1	SOMERVILLE	MA	02143
89-4-13.A	127 BRATTLE ST	FORD POLLY & AARON		127 BRATTLE ST		ARLINGTON	MA	02474
89-4-14	125 BRATTLE ST	PETZOLD KATHRIN ETAL/ TRUSTEES	KASSATLY-PETZOLD REVOCABLE TR	170 CENTRE STREET		MILTON	MA	02186
89-4-15	121 BRATTLE ST	DRISCOLL SUSAN L		121 BRATTLE STREET		ARLINGTON	MA	02474
89-4-16	117 BRATTLE ST	MACDONALD RONALD F JR		117 BRATTLE ST		ARLINGTON	MA	02474
89-4-17	0-LOT BRATTLE ST	MACDONALD RONALD F JR		117 BRATTLE ST		ARLINGTON	MA	02474
89-4-18.B	0-LOT BRATTLE ST	QIROLLARI DENIS & ELSA		219 SUMMER ST		ARLINGTON	MA	02474

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Subject Property ID: 89-3-18

Search Distance: 300 Feet - Zoning

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				Mailing Address 1	Mailing Address 2	Town	State	Zip
89-5-1.A	249 SUMMER ST	KELLY NOEL & BARBARA		247 SUMMER STREET		ARLINGTON	MA	02474
89-5-1.C	243 SUMMER ST	243-245 SUMMER STREET LLC		441 PLEASANT ST		BELMONT	MA	02478
89-5-1.D	4--6R PINE ST	JOKISCH VIRGINIA U		4 PINE ST		ARLINGTON	MA	02474
89-5-1.E	8--10 PINE ST	O'ROURKE DEBORAH M		31 MONTROSE STREET		NEWTON	MA	02458
89-5-1.F	4 PINE AVE	JOHNSON MARY T ETAL / TRS	HUNT ARLINGTON IRREVOCABLE TR	8 CURVE STREET		LEXINGTON	MA	02420
89-5-1.G	8--10 PINE AVE	FINOCHETTI JOHN		55R DUDLEY ST		ARLINGTON	MA	02476
89-5-3	15--15A PINE AVE	GIOGAS CHRISTOS & VALERIE		1 BUCKMAN DR		BURLINGTON	MA	01803
89-5-6	26 PINE ST	JONES LARRY I	LURIE CAROL A	26 PINE STREET		ARLINGTON	MA	02474

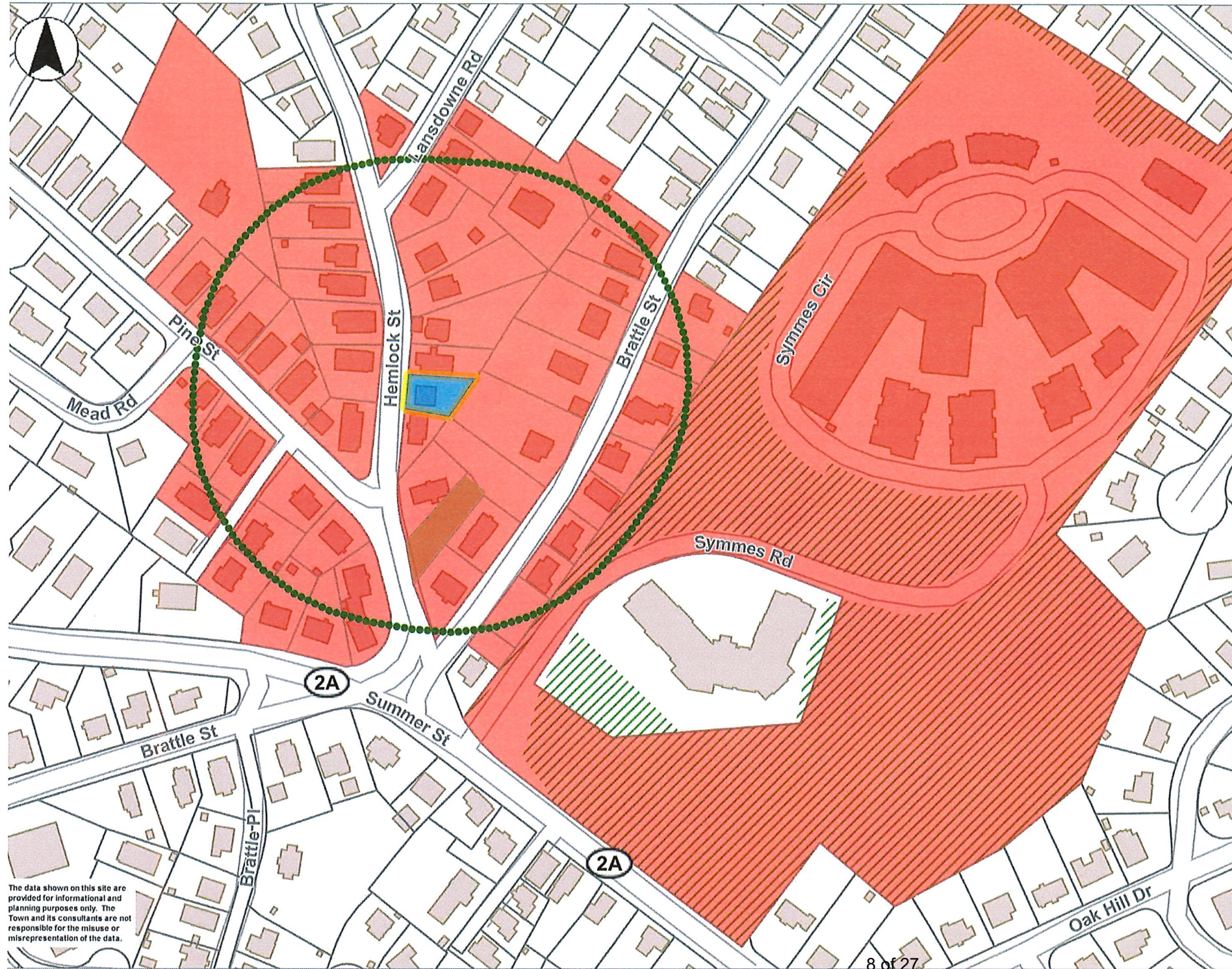


The Board of Assessors certifies the names and addresses of requested parties in interest, all abutters to a single parcel within 300 feet.

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



- Places by Category
 - Police Station
 - Fire Station
 - School
 - Library
 - Public Works
- Recreation - Facilities
 - Recreation - Fields Cc
 - Recreation - Fields Cc
- Open Space - Conserv
- Open Space - Minuter
- Open Space - Labels
- Open Space
 - Town, State, or
 - Other Town Ow
- MA Highways
 - Interstate
 - US Highway
 - Numbered Rout
- Abutting Towns
- Town Boundary
- Parcels
- Buildings
- Cemetery - Roads
 - Road1
 - Road2
 - Road3
 - Road4
- Pavement Markings
- Impervious Surface - f
 - Street
 - Sidewalk
 - Street Island
 - Driveway
 - Parking Lot
 - Bike Path
- Roads - For Large Sc
 - Major Road
 - Local Road
- Roads - For Small Sc
 - Major Road
 - Local Road
- Master Plan Base Maj
- Water Line
- Water Body



The data shown on this site are provided for informational and planning purposes only. The Town and its consultants are not responsible for the misuse or misrepresentation of the data.



V-25-6

Variance Permit

Application (ZBA)

Status: Active

Submitted On: 5/12/2025

Primary Location

29 HEMLOCK ST

Arlington, MA 02474

Owner

BENDER KATHRYN M

HEMLOCK ST 29 ARLINGTON,

MA 02474

Applicant

 Suzanne Leone

 781-648-2345

 sue@leonelaw.com

 637 Mass. Ave.

Arlington, MA 02476

Variance Permit Criteria

Describe the circumstances relating to the soil conditions, shape, or topography especially affecting such land or structures but not affecting generally the Zoning District in which it is located that would substantiate the granting of a Variance.*

The Petitioner is not changing any existing conditions, including soil, shape, or topography of the overall land. The Petitioner is seeking to transfer a strip of land, as described as Lot 2B in Plan of Land dated October 17, 2022, to the adjacent property owners (33 Hemlock St.), to bring into conformity the legal boundary lines of these adjacent lots, with the actual use of both lots by the current and former property owners.

Describe how a literal enforcement of the provisions of the Zoning Bylaw, specifically relating to the circumstances affecting the land or structure noted above, would involve substantial hardship, financial or otherwise, to the Petitioner or Appellant.*

The Petitioner has agreed to sell the subject strip of land to the owners of 33 Hemlock St. so that both parties may avoid costly and complicated litigation to resolve the discrepancy between the property boundaries as stated in the relevant deeds, and the current and previous use of the land and properties. Both parties are in agreement that a legal transfer for consideration paid is the most efficient and effective manner in which to bring the legal ownership of the parcels into conformity with its current use. The cooperation between the Petitioner and the owners of 33 Hemlock will further serve to avoid future title issues and costly, prolonged litigation regarding the property boundaries if either owner seeks to sell their property or secure mortgages. This application does not seek to change the existing conditions of the two subject properties.

Describe how desirable relief may be granted without substantial detriment to the public good.*

The requested relief will not cause substantial, or any, detriment to the public good as said relief will not change the existing conditions, shape or usage of the land and parcel in question. The requested relief will result in no visible change to the current use of the properties involved. In fact, the failure to grant the requested relief will result in detrimental visible and substantial changes to the subject parcels

Describe how desirable relief may be granted without nullifying or substantially derogating from the intent or purpose of the Zoning Bylaw of the Town of Arlington, Massachusetts.*

The subject parcels are both grandfathered, nonconforming lots under the current Zoning Bylaw of the Town of Arlington, Massachusetts. Petitioner's lot is currently 4,075 sq feet per plan of land dated 10/17/2022, and 33 Hemlock is currently 4,299 sq feet. The strip of land running the length of the boundary between the two properties that the property owners wish to transfer is 307 sq. feet. The transfer will result in Petitioner's lot being 3,768 square feet, and 33 Hemlock being 4,606 square feet. Thus, the relief requested will simply result in one lot becoming more conforming, and one a bit more non-conforming. However, nothing will change visually with how the land is currently used. Therefore, the intent and purpose of the Zoning Bylaw to maintain the character of the neighborhood and town is preserved. (Please note that the current application for Variance Permit contains numerous fields that are not applicable to the requested relief in this circumstance)

State Law (MGL Chapter 40a, Section 10) requires that the Zoning Board of Appeals must find that all four (4) criteria are met in order to be authorized to grant a Variance. If any one of the standards is not met, the Board must deny the Variance.

Dimensional and Parking Information

Present Use/Occupancy *

Residential/Single-family

Proposed Use/Occupancy *

no change

Existing Number of Dwelling Units*

1

Proposed Number of Dwelling Units*

1

Existing Gross Floor Area (Sq. Ft.)*

1888

Proposed Gross Floor Area (Sq. Ft.)*

2129

Existing Lot Size (Sq. Ft.)*

4075

Proposed Lot Size (Sq. Ft.)* 

3768

Minimum Lot Size required by Zoning*

6000

Existing Frontage (ft.)*

50

Proposed Frontage (ft.)*

50

Minimum Frontage required by Zoning*

60

Existing Floor Area Ratio*

0

Proposed Floor Area Ratio*

0

Max. Floor Area Ratio required by Zoning*

0

Existing Lot Coverage (%)*

16.1

Proposed Lot Coverage (%)*

16.1

Max. Lot Coverage required by Zoning*

35

Existing Lot Area per Dwelling Unit (Sq. Ft.)*

4075

Proposed Lot Area per Dwelling Unit (Sq. Ft.)*

3768

Minimum Lot Area per Dwelling Unit required by Zoning*

0

Existing Front Yard Depth (ft.)*

0

Proposed Front Yard Depth (ft.)*

0

Minimum Front Yard Depth required by Zoning*

0

Existing Left Side Yard Depth (ft.)*

16.3

Proposed Left Side Yard Depth (ft.)*

13.7

Minimum Left Side Yard Depth required by Zoning*

10

Existing Right Side Yard Depth (ft.)*

7.2

Proposed Right Side Yard Depth (ft.)*

7.2

Minimum Right Side Yard Depth required by Zoning*

0

Existing Rear Yard Depth (ft.)*

26.6

Proposed Rear Yard Depth (ft.)*

26.6

Minimum Rear Yard Depth required by Zoning*

0

Existing Height (stories)

0

Proposed Height (stories)*

0

Maximum Height (stories) required by Zoning*

0

Existing Height (ft.)*

0

Proposed Height (ft.)*

0

Maximum Height (ft.) required by Zoning*

0

For additional information on the Open Space requirements, please refer to Section 2 of the Zoning Bylaw.

Existing Landscaped Open Space (Sq. Ft.)*

2826

Proposed Landscaped Open Space (Sq. Ft.)*

2826

Existing Landscaped Open Space (% of GFA)*

75

Proposed Landscaped Open Space (% of GFA)*

75

Minimum Landscaped Open Space (% of GFA)
required by Zoning*

10

Existing Usable Open Space (Sq. Ft.)*

2980

Proposed Usable Open Space (Sq. Ft.)*

2961

Existing Usable Open Space (% of GFA)*

79

Proposed Usable Open Space (% of GFA)*

78.5

Minimum Usable Open Space required by Zoning*

30

Existing Number of Parking Spaces*

0

Proposed Number of Parking Spaces*

0

Minimum Number of Parking Spaces required by
Zoning*

0

Existing Parking area setbacks

0

Proposed Parking area setbacks *

0

Minimum Parking Area Setbacks required by
Zoning*

0

Existing Number of Loading Spaces

0

Proposed Number of Loading Spaces*

0

Minimum Number of Loading Spaces required by Zoning*

0

Existing Slope of proposed roof(s) (in. per ft.)*

0

Proposed Slope of proposed roof(s) (in. per ft.)*

0

Minimum Slope of Proposed Roof(s) required by Zoning*

0

Existing type of construction*

wood frame

Proposed type of construction*

wood frame

Open Space Information

Existing Total Lot Area*

4075

Proposed Total Lot Area*

3768

Existing Open Space, Usable*

79

Proposed Open Space, Usable*

78.5

Existing Open Space, Landscaped*

75

Proposed Open Space, Landscaped*

75

Gross Floor Area Information

Accessory Building, Existing Gross Floor Area

0

Accessory Building, Proposed Gross Floor Area

0

Basement or Cellar, Existing Gross Floor Area ?

0

Basement or Cellar, Proposed Gross Floor Area

0

1st Floor, Existing Gross Floor Area

0

1st Floor, Proposed Gross Floor Area

0

2nd Floor, Existing Gross Floor Area

0

2nd Floor, Proposed Gross Floor Area

0

3rd Floor, Existing Gross Floor Area

0

3rd Floor, Proposed Gross Floor Area

0

4th Floor, Existing Gross Floor Area

0

4th Floor, Proposed Gross Floor Area

0

5th Floor, Existing Gross Floor Area

0

5th Floor, Proposed Gross Floor Area

0

Attic, Existing Gross Floor Area ?

0

Attic, Proposed Gross Floor Area

0

Parking Garages, Existing Gross Floor Area ?

0

Parking Garages, Proposed Gross Floor Area

0

All weather habitable porches and balconies,
Existing Gross Floor Area

0

All weather habitable porches and balconies,
Proposed Gross Floor Area

0

Total Existing Gross Floor Area

0

+

×

÷

=

Total Proposed Gross Floor Area

0

+

×

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APPLICANT DECLARATION (Arlington Residential Design Guidelines)

By entering my name below, I hereby attest that I have reviewed the following:

- Arlington Residential Design Guidelines

and under the pains and penalties of perjury that all of the information contained in this application is true and accurate to the best of my knowledge and understanding.

I do hereby certify under the pains and penalties of perjury that the information provided above is true and correct, and that clicking this checkbox and typing my name in the field below will act as my signature.*



Applicant's Signature*



Suzanne M. Leone

Apr 16, 2025

LEONE & LEONE

ATTORNEYS AT LAW
637 MASSACHUSETTS AVENUE
ARLINGTON, MA 02476

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May7, 2025

Zoning Board of Appeals
51 Grove St.
Arlington, MA 02476

Re: Variance Permit Application – 29 Hemlock St. / 33 Hemlock St.

Dear Members of the Zoning Board of Appeals:

I am submitting this correspondence in conjunction with the Variance Permit Application regarding the properties located at 29 Hemlock St. (owner: Kathryn M. Bender) and 33 Hemlock St. (owners: Beth A. Martin and David P. Martin). This correspondence is being attached and uploaded as the required "Supporting Documentation [worksheet and drawings]", where the subject application for variance is not the usual format as assumed by the online application portal. The surveyed boundary line between the two properties runs through the middle of 33 Hemlock's concrete walkway, which runs the length of the house located thereon, up through the rear yard of the property, and which is on the opposite side of a long-existing stockade fence between the two properties. The two homeowners have mutually agreed to a sale of the strip of land located on the 33 Hemlock side of the existing fence, as well as a small triangular area at the front of the two properties which has been maintained and planted by the Martins since their purchase of the property in 1997. The strip of land in question is 307 sq. feet, and is shown as Lot 2B on Plan of Land in Arlington, MA (Middlesex County), dated October 17, 2022, by Rober Survey of Arlington, MA.

A variance is required in this instance as both lots are nonconforming in total square footage. 33 Hemlock is currently 4,299 sq feet and 29 Hemlock, according to surveyed plans, is 4,075 sq feet. Under Section 8.1.6 A of the Zoning By-Law: "Any lot, or open space on a lot, including yards . . . shall not be reduced or changed in area or shape so that the lot . . . is made . . . more nonconforming unless a special permit has been granted under Section 8.1.3." Further, the lender holding an outstanding mortgage on 29 Hemlock requires "a copy of the resolution from the appropriate town planning or building commission certifying that the proposal doesn't violate zoning codes and won't affect the ability to transfer the property."

As noted in the corresponding variance application, the transfer of this strip of land will simply bring the deeds of the respective properties into conformity with how the land has been used for decades, and during the course of the ownerships of the two parcels. The transfer of the strip will work to formalize the property boundary lines and will avoid any present and future litigation regarding property boundary issues. The land transfer is in reality making one of the lots a bit more conforming, and the other a bit less conforming in regard to total square footage. With the land transfer, the left-side setback of 29 Hemlock will reduce from 16.3 feet to 13.7 feet, which is still withing zoning guidelines. Meanwhile, the right-side setback of 33 Hemlock, which is currently nonconforming, will be increased. The land swap further does not change the character or integrity of the neighborhood, as there will be no visible change whatsoever. The purpose is to keep the status quo.

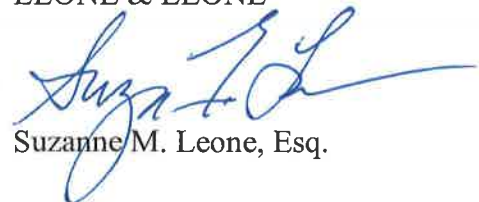
Submitted along with this correspondence in support of the application for variance is the following documentation:

- PDF of signed mylar of plan of land dated 10/17/2022 showing the strip intended to be transferred (Lot 2B);
- PDF of plan of land dated 10/17/2022 highlighting strip intended to be transferred (Lot 2B);
- Staking plan dated 10/6/2021 showing current property boundary line and location of the existing stockade fence;
- Photo showing approximate current property boundary line through walkway of 33 Hemlock in relation to existing fence;
- Photo showing approximate current property boundary line through back yard area of 33 Hemlock in relation to existing fence;
- Photo showing approximate current property boundary line at entry gate of 33 Hemlock and view toward front of the properties; and
- Photo showing staked area of proposed transfer of triangular section of area at front of properties maintained by 33 Hemlock.

This application is being submitted under the name of Kathryn Bender as the seller of Lot 2B. Kathryn Bender is separately represented by Jacquelyn Bumbaca, Esq., One Cranberry Hill, Lexington, MA, 02421.

Thank you for your consideration of this matter.

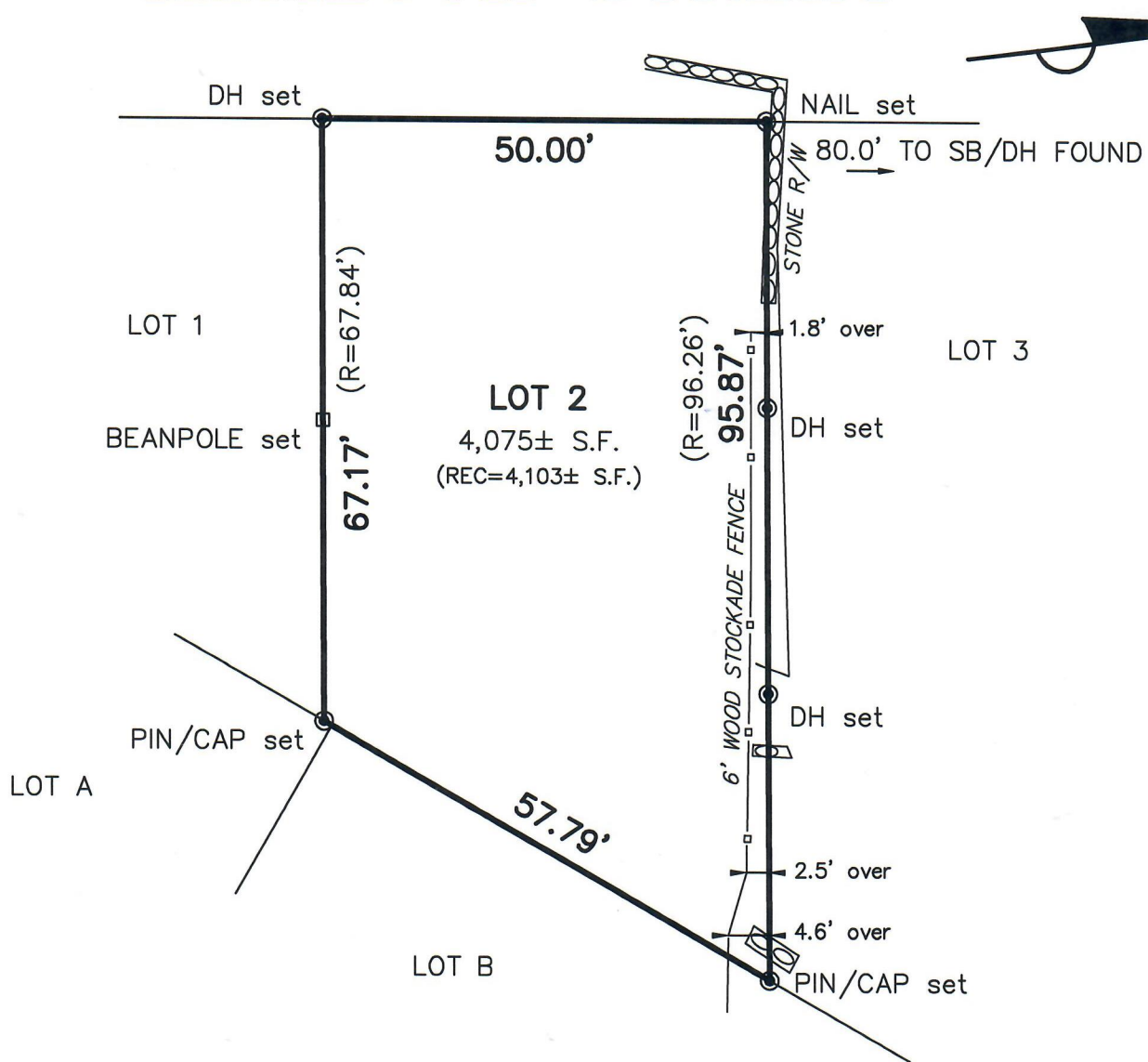
Very truly yours,
LEONE & LEONE



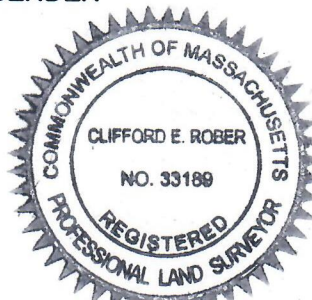
Suzanne M. Leone, Esq.

cc. Jacquelyn Bumbaca, Esq.

HEMLOCK STREET



OWNER: KATHRYN BENDER



STAKING PLAN
#29 HEMLOCK STREET
IN
ARLINGTON, MA
(MIDDLESEX COUNTY)

SCALE: 1" = 20' DATE: 10/6/2021



ROBER SURVEY

1072A MASSACHUSETTS AVENUE
ARLINGTON, MA 02476
(781) 648-5533

6454S011.DWG

CLIFFORD E. ROBER, PLS DATE

THIS PLAN MAY HAVE BEEN ALTERED IF
THE SIGNATURE IS NOT SIGNED IN BLUE.

HEMLOCK STREET

(PUBLIC - VARIABLE WIDTH)

1902 HEMLOCK STREET LAYOUT

DRILLHOLE SET N 07°28'00" E 50.00' 43.59' NAIL SET 6.41' 40.00' 40.00' SB/DH FOUND

LOT 1
N/F
JOVONNA DIX
55885/456

N 82°50'50" W
67.17' (R=67.84')

#29
2 STORY
DECK

LOT 2A
3,768± S.F.

LOT 2B
307± S.F.

LOT 3

LOT 4
N/F
DEBRA CHEN
65545/382

118.84' (REC-118.99')
S 82°50'45" E

REFERENCES

MIDDLESEX COUNTY REGISTRY OF DEEDS
DEED BOOK 56614 PAGE 80 (LOCUS DEED)
PLAN BOOK 130 PLAN 32
PLAN BOOK 138 PLAN 15 (LOCUS PLAN)
PLAN 841 OF 1983
PLAN 303 OF 2020

TOWN OF ARLINGTON ENGINEERING
1902 HEMLOCK STREET LAYOUT

NOTES

LOT 2 AS SHOWN IN PLAN BOOK 138 PLAN 15
IS TO BE DIVIDED INTO LOTS 2A & 2B.

LOT 2B IS NOT TO BE CONSIDERED A SEPARATE
BUILDING LOT BUT IS TO BE COMBINED WITH
LOT 3 TO FORM ONE LOT.

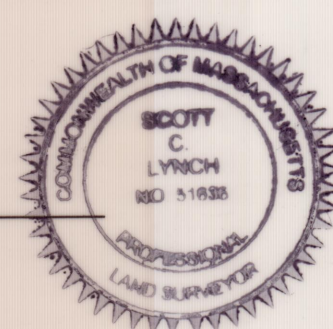
OWNER: KATHRYN BENDER

I HEREBY CERTIFY THAT:

THIS PLAN HAS BEEN PREPARED IN CONFORMITY WITH
THE RULES AND REGULATIONS OF THE REGISTERS OF
DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

SCOTT LYNCH

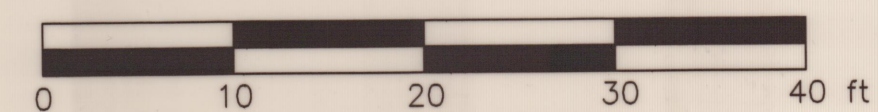
10/17/2022
DATE



LOTS 10 & 11
N/F
ANDRIA & JUSTIN QUATTRINI
72823/422

PLAN OF LAND
IN
ARLINGTON, MA
(MIDDLESEX COUNTY)

SCALE: 1"= 10' DATE: OCTOBER 17, 2022



ROBER SURVEY
1072A MASSACHUSETTS AVENUE
ARLINGTON, MA 02476
(781) 648-5533
6454PL1.DWG









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October 7, 2025

Zoning Board of Appeals
Town of Arlington
51 Grove St.
Arlington, MA 02476

Re: Docket #3865 - 29 Hemlock St.
Variance Permit Application – V-25-6
Owner: Bender, Kathryn M

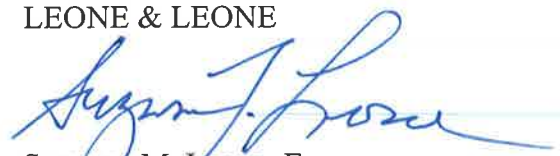
Dear Board:

Please accept this correspondence as formal request of the applicant to continue the hearing on this matter, currently scheduled for October 14, 2025, to the requested date of December 9, 2025.

The applicant agrees to an extension of the Board's review period for this hearing as needed.

Thank you for your assistance with this matter.

Very truly yours,
LEONE & LEONE



Suzanne M. Leone, Esq.