



## **Town of Arlington, MA Redevelopment Board**

### **Agenda & Meeting Notice February 5, 2018**

The Arlington Redevelopment Board will meet Monday, February 5, 2018 at 7:30 PM in the **Town Hall Annex, Second Floor Conference Room, 730 Massachusetts Avenue Arlington, MA. 02474**

- 1. Continued Public Hearing Re-open Special Permit Docket #2890 for 30 Park Avenue in accordance with the provisions of MGL Chapter 40A Section 11, and the Town of Arlington Zoning Bylaw Section's 5.04-4.10 Health Club, 801(a) Parking Reduction in an Industrial Zone and 11.06 Environmental Design Review. The request is to allow an expansion of Health Club Use and continuation of the existing Auto Body Repair, Warehouse/Storage and Distribution Warehouse use.**

7:30-8:00p.m.

- *Applicant will be provided 10 minutes for an introductory presentation.*
- *DPCD staff will be provided 5 minutes for an overview of their feedback and comments as provided in the Public Hearing Memorandum.*
- *Members of the public will be provided time to comment.*
- *Board members will ask additional questions and vote.*

- 2. Public Hearing Special Permit Docket #3557 for 167A Massachusetts Ave in accordance with the provisions of MGL Chapter 40A Section 11 and the Town of Arlington Zoning Bylaw Section 11.06 Environmental Design Review to allow the applicant to construct new and replace the existing signage under Section 7 Signs.**

8:00-8:30p.m.

- *Applicant will be provided 10 minutes for an introductory presentation.*
- *DPCD staff will be provided 5 minutes for an overview of their feedback and comments as provided in the Public Hearing Memorandum and updates since previous meeting.*
- *Members of the public will be provided time to comment.*
- *Board members will ask additional questions and vote.*

- 3. Report to Town Meeting for Zoning Bylaw Amendment / Recodification**

8:30-8:50 p.m.

- *Board members will review report, comment, and vote.*

- 4. Discussion about Removing Administrative Rules and Regulations from the Zoning Bylaw to Board Rules**

8:50-9:10 p.m.

- *Board members will discuss the rules and processes being*

*considered for removal and the process for adopting Board Rules.*

**5. Approval of Meeting Minutes from January 8, 2018**

9:10-9:20 p.m.



## Town of Arlington, Massachusetts

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**Continued Public Hearing Re-open Special Permit Docket #2890 for 30 Park Avenue in accordance with the provisions of MGL Chapter 40A Section 11, and the Town of Arlington Zoning Bylaw Section's 5.04-4.10 Health Club, 801(a) Parking Reduction in an Industrial Zone and 11.06 Environmental Design Review. The request is to allow an expansion of Health Club Use and continuation of the existing Auto Body Repair, Warehouse/Storage and Distribution Warehouse use.**

### Summary:

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### ATTACHMENTS:

Type	File Name	Description
▢ Reference Material	Application_30_Park_Ave.pdf	Application-30 Park Ave
▢ Reference Material	Deed-30_Park_Ave.pdf	Deed-30 Park Ave
▢ Reference Material	EDR_Docket_2890_06281993.pdf	1993 Docket 2890-30 Park Ave
▢ Reference Material	Conditions-Special_Conditions_30_Park_Ave..pdf	Conditions-30 Park Ave.
▢ Reference Material	Description_of_Conformance-30_Park_Ave.pdf	Conformance Description-30 Park Ave.
▢ Reference Material	2002_Decision-30_Park_Ave.pdf	2002 Decision-30 Park Ave
▢ Reference Material	Plot_Plan-30_Park_Ave.pdf	Plot Plan - 30 Park Ave.
▢ Reference Material	Letter_Arlington_Coal_and_Lumber-30_Park_Ave.pdf	Letter from Arlington Coal and Lumber - 30 Park Ave.
▢ Reference Material	Interior_Photos-30_Park_Ave.pdf	Interior Photos-30 Park Ave.
▢ Reference Material	EDR_Public_Hearing_Memo_30_Park_Ave_Final.pdf	EDR Public Hearing Memo - 30 Park Ave.
▢ Reference Material	Letters_of_Support_for_30_Park_Ave..pdf	Correspondence
▢ Reference Material	01302018_Supplemental_Information_30_Park_Ave..pdf	01302018 Supplemental Information -30 Park Ave.



Town of Arlington Redevelopment Board  
Application for Special Permit in accordance with  
Environmental Design Review (Section 11.06)

Required Submittals Checklist

File each in triplicate except for model  
References are to Arlington Zoning Bylaw

- X Dimensional and Parking Information Form
- X Site plan of proposal (Section 10.11(c)) - See Site Plan filed with Docket No. 2890
- N/A Model, if required (Section 11.06(d)(1))
- X Drawing of existing conditions (Section 11.06(d)(3)) - See Plans filed with Docket No. 2890
- N/A Drawing of proposed structure (Section (d)(3))
- N/A Proposed landscaping. May be incorporated into site plan (Section 11.06(d)(3))
- X Photographs (Section 11.06(d)(4))
- X Impact statement (Section 11.06(d)(6))
- N/A Application and plans for sign permits (Section 11.06(d)(6))

FOR OFFICE USE ONLY

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





TOWN OF ARLINGTON

REDEVELOPMENT BOARD

\*\*AMENDMENT TO

Application for Special Permit In Accordance with Environmental Design Review Procedures (Section 11.06 of the Zoning Bylaw)

1. Property Address 30 Park Avenue, Arlington, Massachusetts Docket No. 2890  
Name of Record Owner(s) 30 Park Avenue Associates, LLC Phone c/o 781-860-9500  
Address of Owner \_\_\_\_\_, \_\_\_\_\_  
Street City, State, Zip
2. Name of Applicant(s) (if different than above) \_\_\_\_\_  
Address \_\_\_\_\_ Phone \_\_\_\_\_  
Status Relative to Property (occupant, purchaser, etc.) \_\_\_\_\_
3. Location of Property Block Plan No. 59, Block A, Parcels 12, 13, 14, 16, 17 and 18  
Assessor's Block Plan, Block, Lot No.
4. Deed recorded in the Registry of deeds, Book \_\_\_\_\_, Page \_\_\_\_\_;  
-or- registered in Land Registration Office, Cert. No. 233817, in Book 1300, Page 63.
5. Present Use of Property (include # of dwelling units, if any) Health Club, Warehouse/Storage, Auto Body Repair, Distribution Warehouse
6. Proposed Use of Property (include # of dwelling units, if any) Expansion of Health Club Use and continuation of existing Auto Body Repair, Warehouse/Storage and Distribution Warehouse uses.
7. Permit applied for in accordance with Art. 5 Sec. 5.04-4.10 Health Club  
the following Zoning Bylaw section(s) Art. 8 Sec. 801(a) Parking Reduction in Industrial Zone  
Art. 11 Sec. 11.06 Environmental Design Review  
section(s) title(s)
8. Please attach a statement that describes your project and provide any additional information that may aid the ARB in understanding the permits you request. Include any reasons that you feel you should be granted the requested permission.

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

The applicant states that it is the owner ~~XXXXXX XXXXXXXX XXXXXXXX XXXXXXXX~~ of the property in Arlington located at 30 Park Avenue, Arlington, MA which is the subject of this application; and that unfavorable action -or- no unfavorable action has been taken by the Zoning Board of Appeals on a similar application regarding this property within the last two years. The applicant expressly agrees to comply with any and all conditions and qualifications imposed upon this permission, either by the Zoning Bylaw or by the Redevelopment Board, should the permit be granted.

Signature of Applicant(s) by its Attorneys  
Carl K. Toumayan

Kajko, Weisman & Colasanti, LLP  
Address 430 Bedford Street, Lexington, MA 02420

781-860-9500

Phone

7/08

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

Docket No. \_\_\_\_\_

Property Location 30 Park Avenue, Arlington, MA

Zoning District Industrial (I)

Owner: 30 Park Avenue Associates, LLC Address: 792 Massachusetts Avenue, Unit 2, Arlington, MA 02476

Present Use/Occupancy: No. of Dwelling Units: \_\_\_\_\_

Uses and their gross square feet: \_\_\_\_\_

Proposed Use/Occupancy: No. of Dwelling Units: \_\_\_\_\_

Uses and their gross square feet: \_\_\_\_\_

	Present Conditions	Proposed Conditions	Min. or Max. Required by Zoning for Proposed Use
Lot Size	128,457	128,457	min. N/A
Frontage	322.87	322.87	min. N/A
Floor Area Ratio	.587	.587	max. 1.5
Lot Coverage (%) (where applicable)	N/A	N/A	max. N/A
Lot Area per Dwelling Unit (square feet)	N/A	N/A	min. N/A
Front Yard Depth (Ft.)	52' +/-	52' +/-	min. 10'
Side Yard Width (Ft.)	Variable width but > 10'	Variable width but > 10'	min. 10'
	right side	left side	min. 10'
Rear Yard Depth (Ft.)	95' +/-	95' +/-	min. 10'
Height			min.
Stories	2	2	stories 3
Feet	24'	24'	feet 39'
Open Space (% of G.F.A.)			min.
Landscaped (s.f.)	N/A	N/A	(s.f.) N/A
Usable (s.f.)	N/A	N/A	(s.f.) N/A
Parking Spaces (No.)	122	122*	min. 133**
Parking Area Setbacks (Ft.) (where applicable)	See site plan	submitted with Docket No. 2890	min.
Loading Spaces (No.)	N/A	N/A	min. N/A
Type of Construction	Interior Construction		
Distance to Nearest Building	N/A	N/A	min. N/A

\*\*total mixed use requirement

5 \*for total mixed use requirement pursuant to special permit Sec. 8.01(a) 1. & 2.



**IN RE: 30 PARK AVENUE ASSOCIATES, LLC  
PETITION TO AMEND SPECIAL PERMIT NO. 2890**

**LOCUS: 30 PARK AVENUE, ARLINGTON, MASSACHUSETTS**

30 Park Avenue Associates, LLC is the owner of 30 Park Avenue, Arlington, Massachusetts. See copy of deed attached hereto as Exhibit 1.

In support of its application to amend Special Permit Docket No. 2890, as previously amended by Amendment to Special Permit Docket No. 3189, 30 Park Avenue Associates, LLC states as follows:

Incorporated herein by reference is the Site Plan filed with Special Permit Docket No. 2890. Applicant represents that there will be no exterior changes to the existing building or site.

Attached hereto as "Exhibit 2" and incorporated herein by reference is a copy of the Decision of the Arlington Redevelopment Board granting Special Permit Docket No. 2890. The findings of fact made by the Board and the information contained therein are still applicable and relevant to this application.

Attached hereto as "Exhibit 3" and "Exhibit 4" respectively and incorporated herein by reference are the "Review of Conditions for the Granting of the Special Permit" and the "Description of Conformance with Environmental Design Review Standard" submitted with Docket No. 2890. The representations and arguments set forth therein remain true today.

Attached hereto as "Exhibit 5" and incorporated herein by reference is a copy of the Decision of the Arlington Redevelopment Board granting an Amendment to Special Permit Docket No. 3189. The findings of fact made by the Board and the information contained therein are still applicable and relevant to this application.

Applicant further states upon information and belief, that its tenant, Parkway Fitness, Inc. d/b/a Gold's Gym (hereinafter "Gold's Gym") has been operating its current facility since 1993 without any notice of complaints from abutters or the Town. Gold's Gym has become a valuable asset to the Arlington Heights Business Community.

Applicant has leased additional floor space of approximately 8,000 square feet to Gold's Gym, and Gold's Gym will as a result occupy a total of 35,025 square feet in the building located at 30 Park Avenue, Arlington, Massachusetts. Gold's Gym will use the additional space for offices and expansion of the existing gym in accordance with the Floor plans filed herewith.

The proposed expansion of the facility by Gold's Gym is intended to:

- a. Provide additional gym space; and

- b. A baseball/softball training facility offering individual and small group lessons, clinics, and camps to youth and high school players (it is not a club based program). It is intended to help grow the game at the youth level in surrounding areas, and supplement town based programs with an indoor facility dedicated to providing individual or group lessons for fielding, hitting, pitching and other baseball and softball skills.

The proposed gym expansion will have no real increase in traffic or parking based on the occupants of the building. The occupancy of the 30 Park Avenue site will be as follows:

<u>Occupant</u>	<u>Use:</u>	<u>Floor Area</u>	<u>Parking Required</u>
a) Davidson Management	Storage	4,000 sq. ft.	4
b) Alpha Autobody	Auto Body	4,000 sq. ft.	4
c) Auto Parts International	Warehousing	8,375 sq. ft.	8
d) Gold's Gym	Health Club	35,025 sq. ft.	<u>117</u>
Total Mixed-Use Parking:			133

The hours of operation and number of on-site employees for the respective uses is and will be as follows:

- a) Davidson Management – storage is accessed periodically. There are no on-site employees;
- b) Alpha Autobody – Hours of Operation, Monday - Saturday 7:30 a.m. to 5:00 p.m., Two on-site employees;
- c) Auto Parts International – Hours of Operation, Monday -Saturday, 7:30 a.m. to 5:30 p.m., Two on-site employees;
- d) Gold's Gym:
  1. Gym Operation – Hours of Operation, Monday – Thursday, 5:00 a.m. to 10:00 p.m.; Friday, 5:00 a.m. to 9:00 p.m.; Saturday and Sunday, 7:00 a.m. to 7:00 p.m. – three full time employees and two part time employees, not all working same shifts;
  2. Baseball Operation – Hours of Operation:
    - a. November – March – Monday through Friday, 3:00 p.m. to 10:00 p.m.; Saturday and Sunday, 8:00 a.m. to 6:00 p.m.;
    - b. April – September – most baseball instruction and practice is held outside at local ball fields.
    - c. Number of on-site employees three.

Applicant's parking lot is a pre-existing parking lot, and the Town has held in the past that the parking spaces are grandfathered. Attached hereto as Exhibit 6 is a parking plan, which was also provided to the previous Boards hearing the Special Permit and the Amendment to



Special Permit. The Parking Plan shows 122 parking spaces available for the occupants of 30 Park Avenue.

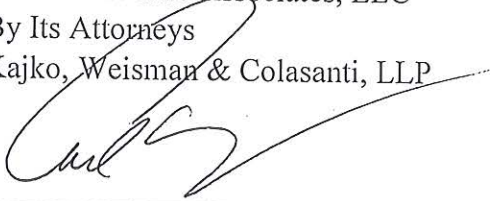
Based on the above cited uses and their respective hours of operation, the Applicant contends that the Board can grant a special permit reducing the required parking spaces from 133 to 122 spaces under either:

1. Article 8, Section 8.01 (a) permitting a 25% reduction in the required off street parking as a result of existing spaces being adequate for the buildings uses; or
2. Article 8, Section 8.01 (a) 1. – shared parking as the uses are non-competing. Davidson Management does not use parking. Its employees pull into the storage space area, load their vehicle with whatever building inventory or equipment is needed and leave; Alpha Auto Body's two employees use just two parking spaces; Auto Parts International's employee's use just two parking spaces, and are out delivering parts to customers throughout the day; Gold's Gym's peak hours are 6:00 a.m. to 7:30 a.m. and 7:00 p.m. to 10:00 p.m., which are at times when the other building occupants are not operating or making demands upon the parking; and
3. Article 8, Section 8.01 (a) 2. allows the use of off-site parking. Attached hereto as Exhibit 7 is a letter from Arlington Coal and Lumber confirming the availability of parking spaces in their lot located at 41 Park Avenue, which is within 600 feet of the subject property, at night and on weekends for Gold's Gym's customers.

In conclusion, the expansion of Gold's Gym will have no detrimental effect on existing conditions at the site in particular, or the Heights in general. As a result of the foregoing, Applicant respectfully requests that the Board grant the Application to Amend Special Permit Docket No. 2890 and allow the expansion of Gold's Gym.

November 30, 2017

Respectfully Submitted,  
30 Park Avenue Associates, LLC  
By Its Attorneys  
Kajko, Weisman & Colasanti, LLP



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Carl K. Toumayan  
Kajko, Weisman & Colasanti, LLP  
430 Bedford Street, Suite 190  
Lexington, Massachusetts 02420

3

Total Pages



## QUITCLAIM DEED

30 Park Avenue Associates LLP

OF

60 Lowell Street, Arlington, MA 02476

### IN CONSIDERATION OF

For Nominal Consideration

*Handwritten initials and a checkmark*

### GRANT TO

30 Park Avenue Associates LLC, a Delaware Limited Liability Company

OF

60 Lowell Street, Arlington, MA 02476

### WITH QUITCLAIM COVENANTS

### THE FOLLOWING DESCRIBED PREMISES:

That certain parcel of land situate in Arlington in the County of Middlesex and said Commonwealth, bounded and described as follows:

NORTHWESTERLY by the southeasterly line of Park Avenue, three hundred twenty-two and 87/100 feet;  
NORTHEASTERLY fifty-four and 89/100 feet;  
NORTHWESTERLY fourteen and 54/100 feet;  
NORTHEASTERLY three hundred four and 02/100 feet;  
SOUTHEASTERLY nine feet; and  
NORTHEASTERLY thirty-four and 11/100 feet by land now or formerly of the Boston and Maine Railroad;  
NORTHEASTERLY by the southwesterly line of Lowell Street one hundred eighty-four and 91/100 feet;  
SOUTHEASTERLY  
& SOUTHWESTERLY by lands of sundry adjoining owners as shown on plan hereinafter mentioned, six hundred seventy-nine and 24/100 feet; and  
SOUTHEASTERLY by land now or formerly of John W. Burt et al one hundred fifty-two and 50/100 feet.

All of said boundaries are determined by the Court to be located as shown on a plan, as modified and approved by the Court, filed in the Land Registration Office, a copy of a portion

KESHIAN & REYNOLDS, PC  
1040 MASSACHUSETTS AVENUE  
ARLINGTON, MA 02476

*Handwritten number: 2004/06/05*

Property Address

30 Park Ave.  
Arlington, MA



of which is filed in the Registry of Deeds for the South Registry District of Middlesex County in Registration Book 597, Page 34, with Certificate 93384. (Pl No 271054)

So much of the above described land as is included within the limits of the way, approximately shown on said plan, is subject to restrictions, and to rights reserved for the benefit of said John W. Burt et al land as set forth in a deed given by Samuel P. Hebard to the Boston and Maine Railroad, dated December 3, 1900, duly recorded in Book 2863, Page 201.

A portion of the above described land is subject to restrictions and rights reserved in a deed given by The Pierce and Winn Company to said Boston and Maine Railroad, dated January 7, 1901, duly recorded in Book 2870, Page 542.

The above described land is subject to restrictions as set forth in a deed given by the Boston and Maine Railroad to Lilly L. Benson, dated September 20, 1955, duly recorded in Book 8629, Page 469.

So much of the above described land as is included within the area marked "Sewer Easement (10.00 - feet wide)" approximately shown on said plan, is subject to a sewer easement as set forth in a taking by The Commonwealth of Massachusetts, dated April 2, 1898, duly recorded in Book 2645, Page 348.

So much of the above described land as is included within the area marked "Sewer (15.00 - feet wide) Easement" approximately shown on said plan, is subject to a sewer easement as set forth in a taking by said Commonwealth of Massachusetts, duly recorded on December 18, 1931, in Book 5616, Page 570, and in a release given by the Boston and Maine Railroad to The Commonwealth of Massachusetts, dated March 14, 1932, duly recorded in Book 5631, Page 340.

The above described land is subject to any easement contained in a taking by the Town of Arlington, dated July 7, 1898, duly recorded in Book 2751, Page 86.

The above described land is subject to rights reserved and to restrictions and agreements contained in a deed given by the Boston and Maine Railroad to Lilly L. Benson, dated September 20, 1955, duly recorded in Book 8629, Page 469.

The above described land is also subject to the flow of a natural water course running through the same and shown on said plan as Mill Brook.

Subject to and with the benefit of any and all easements and restrictions of record insofar as the same are now in force and applicable.

See death certificate for Henry E. Davidson filed herewith

For title, see Certificate of Title Number 02007160, in Registration Book 1133, Page 166.

In Witness Whereof the said 30 Park Avenue Associates LLP has caused its corporate seal to be hereto affixed and these presents to be signed, in its name and behalf by Henry E. Davidson, Jr., Its Real Estate Partner, hereto duly authorized this 29<sup>th</sup> day of December 2004.

30 Park Avenue Associates LLP

By: Henry E. Davidson, Jr.  
Henry E. Davidson, Jr., Real Estate Partner

**COMMONWEALTH OF MASSACHUSETTS**

Middlesex, ss.

On this 29<sup>th</sup> day of December 2004, before me, the undersigned notary public, personally appeared Henry E. Davidson, Jr., proved to me through satisfactory evidence of identification, which were

*Check acknowledgment form:*

☐ *current document issued by federal or state government agency bearing photographic image of face of document signer*

☒ *document signer is personally known to the notary*  
to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she/they signed it voluntarily for its stated purpose.

Notary Public Carl K. Toumayan  
My Commission Expires: 11/17/06



CARL K. TOUMAYAN  
Notary Public  
Commonwealth of Massachusetts  
My Commission Expires  
November 17, 2006

**ADDRESS OF PREMISES:**

30 Park Avenue  
Arlington, MA 02476

**FROM THE OFFICE OF:**

**KESHIAN & REYNOLDS, P.C.**  
1040 Massachusetts Avenue  
Arlington, Massachusetts 02476  
Telephone: 781-646-0600



DOCUMENT 01373480

Southern Middlesex LAND COURT

REGISTRY DISTRICT

RECEIVED FOR REGISTRATION

On: May 12, 2005 at 10:50A

Document Fee: 125.00  
Receipt Total: \$200.00

CERT: 233817 BK: 01300 PG: 63

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ARLINGTON REDEVELOPMENT BOARD

Arlington, Massachusetts

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

JUL 27 9 56 AM '93

FILED  
CLERK OF COURT

DOCKET NO. 2890

REQUEST FOR SPECIAL PERMIT

Subject to

ENVIRONMENTAL DESIGN REVIEW

Petitioner Henry E. Davidson

Date of Hearing June 28, 1993

Date of Decision July 27, 1993

Members Present:

Approved

Denied

William J. Davis  
Edward T. H. Davis  
Barry Paulson  
Louis M. Crennen  
John A. Fitzmaurice

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Town Clerk's Certification

I hereby certify this to be a True Copy of the Decision of the Arlington Redevelopment Board as filed in the Office of the Town Clerk of the Town of Arlington, Massachusetts on July 27, 1993, and that 20 days have elapsed after the Decision and no Appeal has been filed.

Date of Issue: August 17, 1993

ATTEST:  
[Signature]  
Town Clerk

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OPINION OF THE BOARD

This is a petition of Henry E. Davidson, operating as Davidson Management Company, owner of the property at 30 Park Avenue. The petitioner seeks Special Permits from the Redevelopment Board to lease 17,500 square feet of an industrial building for a fitness center (Use 4.10 - Health Club). The petitioner has entered into an agreement with Mr. Fran Shea and Mr. Joe Travia of 71 Lansdowne Street, Boston, who have been issued a franchise to operate a Gold's Gym at this location. In addition, he seeks Special Permits under Section 7.09 - Special Permits relating to signs - and Section 8.12(n) Parking and Loading Space Standards.

An earlier petition (No. 2880) filed on March 1, 1993, was scheduled for a public hearing on March 29, 1993, and was continued by mutual consent to April 12, 1993. On April 5, 1993, the petitioner requested leave to withdraw without prejudice, which was voted by the Board on April 12, 1993.

The subject property is one of three buildings in an industrial complex that has been used for office, manufacturing and warehouse purposes. The property is located in the Industrial (I) District between Park Avenue and Lowell Street. On its southern boundary are multi-family residential uses and commercial uses fronting on Massachusetts Avenue. A portion of its northerly boundary abuts the Minuteman Bikeway.

The Building Inspector has determined that this petition should come before the Redevelopment Board for Special Permits under Environmental Design Review. Section 11.06 b. 1 states as follows: "In any instance where a new structure, or a new outdoor use, or an exterior addition or a change in use a) requires a building permit, b) is subject to a special permit in accordance with Section 5.04, Table of Use Regulations, and c) is one of the uses included in subparagraphs (a), (b), (c), (d), (e), (f), or (g) below, the aforementioned special permit shall be acted upon by the Arlington Redevelopment Board in accordance with the environmental design review procedures and standards hereinafter specified." In addition, this use requires more than 20 parking spaces and is a nonresidential use in excess of 10,000 square feet.

The petition is evaluated by the Board in accordance with Sections 10.11a and 11.06 of the Zoning Bylaw.

**Section 10.11a-1** The uses requested are listed in the Table of Use Regulations as a Special Permit in the district for which application is made or is so designated elsewhere in this Bylaw.

The property at 30 Park Avenue is located in an Industrial (I)



Zoning District. Section 5.04 (Table of Use Regulations) of the Zoning Bylaw under Use 4.10 - Enclosed entertainment and recreation facilities including a bowling alley, health club, skating rink or other recreational activity conducted for a profit - allows a health club to exist in the I District by Special Permit. The Board has determined that the requested use is listed in the Table of Use Regulations as a Special Permit use in the I Zoning District and that the Board has the right to hear and act on the petition in accordance with the provisions of the Zoning Bylaw. In addition, the Board is empowered to act on the requests for permits under Section 7.09 and 8.42(n).

**Section 10.11a-2 - The requested use is essential or desirable to the public convenience or welfare.**

The petitioner in his submission has indicated that the use is essential and/or desirable to the public convenience or welfare because this facility is the only full service health club located in Arlington west of Arlington Center. In addition, the petitioner believes that this use is essential or desirable because it will result in the revitalization of one of the few remaining industrial sites within the Town. The petitioner also states that the replacement of the vacant industrial space with a health club will result in an improvement to the environment. The petitioner also believes that there will be a positive impact on the business community in Arlington Heights because of a new customer market that will be brought to the area by the health facility. The Board agrees with these findings, and, therefore, the Board finds that the petitioner has submitted sufficient evidence to satisfy Section 10.11a-2.

**Section 10.11a-3 - The requested use will not create undue traffic congestion, or unduly impair pedestrian safety.**

The petitioner had prepared and submitted a Traffic Impact Assessment dated May, 1993, prepared by Carlson Consulting Associates, 14 Van Brunt Avenue, Dedham, MA 02026. The study examined existing conditions including traffic operations, levels of service, accident history, trip generations and distribution and traffic impacts. The report concluded by recommending a number of recommendations ranging from restriping to the installation of a new traffic signal installation at the Park Avenue, Massachusetts Avenue intersection. The Board requested The BSC Group, Consultants, to the Board to evaluate the petitioner's submission. BSC found that the assessment had been prepared in accordance with the accepted standards of transportation engineering. The consultants noted that there was no evaluation of the mid-day peak hour operations on Saturday which is a critical time period.

The consultants also suggest that some of the deficiencies noted by the petitioner could be corrected as part of the project. These include the addition of signing, the restriping of roadways, and the upgrading the major intersection. The consultants also suggest

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interior access drives should be marked to achieve better flow and for pedestrian safety.

In conclusion, the Board finds that the requested use will not create undue traffic congestion or unduly impair pedestrian safety. However, the Board reserves the right to monitor traffic and parking operations.

**Section 10.11a-4 -** The requested use will not overload any public water drainage or sewer system or any other municipal system to such an extent that the requested use or any developed use in the immediate area or in any other area of the Town will be unduly subjected to hazards affecting health, safety, or the general welfare.

The petitioner has indicated that the building is serviced by a two inch (2") waterline and a six inch (6") sanitary sewer line which is tied directly to a thirty-six inch (36") MWRA sewer line which passes along the south side of the building. The petitioner states, and the Board finds, that the proposed use will not overload in this system. Historically the surface water drainage sheeted across the parking lot in a northerly direction to a drainage ditch on the north side of the railroad tracks. The construction of the Minuteman Bikeway caused three twelve inch (12") RCP drain pipes to be installed from the property line of 30 Park Avenue to the drainage ditch. Observations over the last year have shown the parking lot to properly drain with this new system.

Therefore, the Board finds that the proposal satisfies the finding required under Section 10.11a-4.

**Section 10.11a-5** Any special regulations for the use, set forth in Article 11, are fulfilled.

In order to satisfy the Board in granting a Special Permit subject to Environmental Design Review, the petitioner must satisfy the eleven Environmental Design Review Standards which are intended to provide guidelines in reviewing each specific development. Each of these standards is reviewed and evaluated by the Board as follows:

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

The petitioner has indicated that there will be no new site construction taking place other than the proposed exterior stairs for the second means of egress, and the existing landscaping will not be disturbed. Some landscaping currently exists on the site as



shown on the Site Plan and Parking Plan dated May 3, 1993. The petitioner indicates that no regrading will be required since existing drainage serves the present development. The survey plan submitted with the application provides information about existing utilities which is a requirement of Section 10.11c of the Zoning Bylaw. Based on evaluation of the material submitted, the Board finds that the petitioner satisfies the standard of EDR-1.

EDR-2      Relation of the Building to the Environment: Proposed development shall be related harmoniously to the terrain and to the use, scale and architecture of the existing buildings in the vicinity that have functional or visible relationship to the proposed buildings. The Arlington Redevelopment Board may require a modification in massing so as to reduce the effect of shadows on the abutting property in an R-1 or R-2 district or on public open space.

The proposed use will be placed in an existing industrial building and no changes are contemplated to the outside of the building which was constructed in 1959 other than the proposed exterior stairs. Since the building already exists and there are no changes contemplated to its exterior, the Board finds that the proposal satisfies the standard of EDR-2.

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

There is currently no open space developed on the site. The petitioner proposes no changes and, therefore, concludes that this standard is not applicable. The Board concurs.

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

This standard is addressed in Section 10.11a-3.

JUL 27 9 50 AM '93

EDR-5      Surface Water Drainage: Special attention shall be given to proper site surface drainage so that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Storm water shall be removed from all roofs, canopies and paved areas carried away in an underground drainage system. Surface water in all paved areas shall be collected in intervals so that it will not obstruct the flow of vehicular or pedestrian traffic and will not create puddles in the paved areas.

The standard was reviewed under Section 10.11a-4 above.

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

The petitioner indicates that the proposed use will utilize existing utility services which are underground as shown on the site plan. The method of sanitary sewage disposal is discussed in Section 10.11a-4 above and meets this standard. Therefore, the Board finds that the proposal meets the standards of EDR-7.

EDR-7      Advertising Features: The size, location, design, color, texture, lighting and materials of all permanent signs and outdoor advertising structures or features shall not detract from the use and enjoyment of proposed buildings and structures and the surrounding properties.

The petitioner has submitted plans (attached) showing two proposed signs, one for the main entrance at 30 Park Avenue, and one for the west entrance which faces the Minuteman Bikeway. The sign proposed at the main entrance will be two feet high and 14 feet long, lit by existing wall bracketed fluorescent sign lighting which will be relocated from elsewhere on the facade. The awning sign, 3 feet by 32 feet, will be lit from behind. The signage meets the standards for EDR-7, and Board so finds subject to review and approved final colors and lighting.

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

The site currently contains outside storage areas and piles of apparently discarded materials. Since the building will be in multiple use, the Board requires a clean-up of the 30 Park Avenue



section of the property. The site plan shows a dumpster located in the parking lot adjacent to the Bikeway. This standard and the regulations promulgated under Town Bylaw Article 30 requires appropriate screening of dumpsters. It is recommended that the dumpster be moved away from the Bikeway and be appropriately screened in a less visible location. The Board is also concerned that the property is not handicapped accessible; and since this is a change in use which will involve alterations, there may be a requirement that it be fully handicapped accessible under the American Disabilities Act. The Board finds that the proposal meets the standards of "EDR-8 subject" to approval of the Building Inspector.

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

The Board finds the petitioner meets the standards of EDR-9 subject to the Building Inspector reviewing and approving the final plans.

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

There are no historic buildings on this site or within the immediate vicinity; and, therefore, it is the opinion of the Board that this standard is not applicable in this case.

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

There is a statement indicating that there will be no adverse impact on microclimate and satisfactory evidence was submitted at this hearing; therefore, the Board finds the petitioner meets EDR-11.

**Section 10.11a-6**      The requested use will not impair the



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integrity or character of the district or adjoining districts, nor be detrimental to the health, morals, or welfare.

The petitioner concludes that the use of this industrial building by a health club will not impair the integrity or character of the district. The Board concurs with this finding.

Section 10.11a-7 The requested use will not, by its addition to a neighborhood, cause an excess of that particular use that could be detrimental to the character of said neighborhood.

The petitioner points out correctly that this is the only full service health club west of Arlington Center; and, therefore, it is the opinion of the petitioner and also the Board that this will not create an excess of this particular use that could be detrimental to the character of this neighborhood.

#### DECISION

At the hearing and in his submission, the petitioner requested the Board to consider a reduction in the number of parking spaces required due to the proximity of the site to the Minuteman Bikeway. The Board voted not to permit the requested reduction at this time. Accordingly, the Board votes to grant the requested Special Permits under Section 7.09, 10.11a-1 through 7 and 11.06 as set forth above subject to the following conditions:

1. All existing utilities serving the site and any new ones shall be located underground.
2. Final landscaping plans and specifications including the connection to the Minuteman Bikeway shall be subject to the review and approval of the Board. All plant materials shall thereafter be properly maintained. The Board shall specifically approve final design of fences, signs, and exterior lighting including type of materials, fixtures, location, height and intensity.
3. Final plans and specifications for the building shall be subject to the approval of the Board. The Board will maintain its jurisdiction of final plans and specifications by approving them at design development, 50% working drawings and 100% working drawings.
4. Final plans and specifications as approved by the Redevelopment Board shall be the final plans and specifications submitted to the Building Inspector of the Town of Arlington in connection with applications for building permits for the project. There shall be no deviation during

8-10

construction from the approved plans and specifications without the express written approval of the Board except in cases where said changes are made to the interior of the building in such a way that there will be no change to the exterior portions of the property.

5. All snowplowing of the parking area and adjoining sidewalks shall be the responsibility of the petitioner and shall be accomplished in accordance with Article 9, Section 21, of the Bylaws of the Town of Arlington. Plowing of the parking lot shall be completed within twenty-four hours of the end of the precipitation in a manner that ensures that all parking spaces are available for their intended use.
6. All trash and solid waste generated at the site shall be disposed of by private contract unless modified in writing by the Board. The petitioner is required to ensure that the site is kept clear of blowing trash, paper and other refuse. Outside storage in dumpsters is specifically prohibited without the specific approval of the Arlington Redevelopment Board.
7. The Board reserves the right to review parking and circulation at, to, and from the site and to institute additional controls and/or physical reconstruction of the parking lot and access/egress drives, if necessary, including but not limited to the hiring of traffic control officers by the owner and if necessary the restriction of the hours of operation of the facility. Said restriction(s) or modification(s) if any shall be instituted only after a public hearing convened by the Board to receive testimony and evidence on the need for these additional controls. The petitioner shall be responsible for providing all required traffic signs to ensure safety.

JUL 27 3 50 AM '93  
 BOSTON, MA 02114

DOCUMENT 960625

SO. MIDDLESEX LAND COURT  
REGISTRY DISTRICT  
RECEIVED FOR REGISTRATION

ON 10/17/94 AT 03:19:29 20.00 SQL

NOTED ON:  
DEPT 010055 BK 635 PG 5

10-10



IN RE:       DAVIDSON MANAGEMENT COMPANY

LOCUS:      30 PARK AVENUE  
              ARLINGTON, MASSACHUSETTS

REVIEW OF THE CONDITIONS FOR THE GRANTING  
OF THE SPECIAL PERMIT

Article 10, Section 10.11 of the Arlington Bylaws requires the petitioner to establish the following seven conditions prior to the granting of an application for a Special Permit by the Arlington Redevelopment Board:

Section 10.11.a.1. The use requested is listed in the Table of Use Regulations as a Special Permit in the district for which application is made or is so designated elsewhere in the Bylaw:

The proposed development is subject to environmental design review permit procedure under Chapter 11, Section 11.06.b.1.(a) of the Arlington Zoning Bylaw, as a result of the change in use: requiring a building permit; being subject to a Special Permit in accordance with Article 5, Section 4.10 of the Table of Use Regulations; and its being a non-residential use in a non-residential district with more than 10,000 square feet of gross floor area and more than 20 parking spaces. Further, a Special Permit is required pursuant to Section 8.12 (n) for parking reduction.

Section 10.11.a.2. The use requested is essential or desirable to the public convenience or welfare:

Davidson Management Company's proposal will be a revitalization of one of the few remaining industrial zones within the Town of Arlington. It will remove from the community an environmentally intensive use and replace it with a more environmentally sound use. It will provide the business community in the Heights district of the Town with a new customer market, and will allow the Town of Arlington to maintain its commercial tax base and avoid the trend of having to rely on residential taxes for the funding of community services. Unquestionably, the Davidson Management Company proposal will not only be an economic boost for the petitioner but for the Town of Arlington as well.

Section 10.11.a.3. The requested use will not create undue traffic congestion or unduly impair pedestrian safety:

The impact on pedestrian safety will be minimized by the implementation and use of the existing two curb cuts for providing a means of access and egress to the site. The site is serviced by an existing curb cut on Lowell Street, approximately 35 feet in width and a second, existing curb cut on Park Avenue. Furthermore, the proposed use intends to encourage its customers to use the Minuteman Trail for access to the facility as depicted on the plans submitted. It is the petitioner's opinion that a great number of the customers of the proposed facility will utilize the trail when coming to and leaving the facility since the use of the trail is complementary to the proposed use. The proposal will not create undue traffic congestion due to the fact that ingress and egress from the premises will be in accordance with the flow of traffic down the adjoining streets, as well as adequate parking for the facility. The proposed project will have a minimum parking capacity of 48 vehicles. Utilization of the Minuteman Trail should alleviate traffic congestion to the premises. Clearly, the proposed use of the premises will lessen the traffic of heavy commercial trucks which once serviced the manufacturing facility. See Exhibit A - Use Data, attached hereto and incorporated herein by reference. See also petitioner's traffic study filed herewith.

Section 10.11.a.4. A finding must be made that the requested use will not overload any public water, drainage or sewer system:

This standard contemplates an intensification of use on any particular site. The building is presently serviced by a two-inch (2.00") water line and a six-inch (6.00") sewer pipe which is tied into a thirty-six-inch (36.00") MWRA sewer line located on the property. The petitioner expects that these services will be sufficient to accommodate the purposed use. There will be no increase in the amount of floor space on the present site and the proposed use is such that the consumption of water and waste generated probably would be more than that generated when the premises was utilized for manufacturing and office space, but surely not enough to overload the existing systems. See Exhibit B - Water Use, attached hereto and incorporated herein by reference. Furthermore, drainage will be similar to that which presently exists as depicted on the site plan submitted for the existing site.



Section 10.11.a.5. Special regulations set forth in Article 11 are fulfilled:

It does not appear that any special regulations other than environmental design review are required for this project as contained in Article 11.

Section 10.11.a.6. A finding is required that the requested use will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the health, morals or welfare:

Since the requested use will be contained in an existing manufacturing facility, surrounded by numerous other manufacturing facilities and warehouses, with no residential uses within a few block radius, it does not seem probable that the requested use will impair the integrity or character of the district, but truly improve the environmental quality of same. Furthermore, the petitioner intends to use the existing structure and facade with no changes, other than the construction of additional exits and outdoor stairway as shown on the plans submitted, so as not to alter the appearance of the industrial zone. It is obvious that the proposed use contemplated by Davidson Management Company will not be detrimental to the health, morals or welfare, but rather should enhance the same.

The proposed use is situated on a lot of land and bounded several feet below street level at Park Avenue which provides an adequate screening of the existing structures from adjoining properties and roadways. Furthermore, there exists on the premises natural fauna and foliage which acts as a natural screen from existing roadways. The existing fauna and foliage along with the difference in elevations between the site and roadways should effectively screen the parking area from any adjacent homes and provide an effective noise and visual buffer.

Any overhead lighting used for the parking area will be properly screened so as to avoid any resulting glare on adjacent properties.

Section 10.11.a.7. The requested use will not cause an excess of that particular use that could be detrimental to the character of the said neighborhood:

The Town of Arlington often divides the municipality up into different districts for purposes of establishing school and voting districts. Likewise, there are several similar uses throughout each of these districts. It is not uncommon to find several food establishments, grocery stores, restaurants, general merchants and gas stations within the same district. Within the Heights district, there is no full-service health facility. The proposed

EXHIBIT "A"

GOLD'S GYM OF BOSTON  
USE DATA FOR  
TUESDAY, MARCH 23, 1993

6:00 a.m.	-	8:00 a.m.	50 people
8:00 a.m.	-	10:00 a.m.	20 people
10:00 a.m.	-	12:00 p.m.	30 people
12:00 p.m.	-	2:00 p.m.	60 people
2:00 p.m.	-	5:00 p.m.	90 people
5:00 p.m.	-	8:00 p.m.	220 people
8:00 p.m.	-	10:00 p.m.	30 people

Average workout time approximately 1 hour.

Gold's Gym of Boston has a total membership built up after three years of approximately 2,200 members. Monday and Tuesday are Gold's Gym's busiest days.

We anticipate a total membership after one year of approximately 1,000 members.

EXHIBIT "B"

DAVIDSON MANAGEMENT CO.  
TOWN OF ARLINGTON  
WATER CHARGES FOR 30 PARK AVENUE

<u>Month/Year</u>	<u>Previous</u>	<u>Cu. Ft. Present</u>	<u>Consumed</u>	
03/86	673100	643400	29,700	
09/86	643400	712100	68,700	98,400
03/87	712100	736900	24,800	
09/87	736900	764400	27,500	52,300
03/88	764400	791200	26,800	
09/88	791200	818700	27,500	54,300
03/89	818700	842300	23,600	
09/89	842300	873900	31,600	55,200
03/90	873900	900500	26,600	
09/90	900500	918300	17,800	44,400
03/91	918300	938800	20,500	
09/91	5000	28000	23,000	43,500
03/92	28000	76000	48,000	
09/92	76000	104000	28,000	76,000

ANTICIPATED USE  
BASED UPON BOSTON GOLD'S FACILITY

Number of Members: 2,200

Water usage for entire building: February - March, 1993

Cask & Flaggon Bar	10,000 square feet
Boston Gold's Gym	15,000 square feet

13,000 cubic feet

Estimated 50% Gym Use: 6,500 cubic feet

X 12 months = 78,000 cubic feet



GOLD'S GYM FITNESS AND AEROBICS CENTER  
ARLINGTON, MA

PROGRAM MENU

HI/LO AEROBICS  
STEP AEROBICS  
LOW IMPACT AEROBICS  
OVER 50 AEROBICS  
SELECTORIZED EQUIPMENT (NAUTILUS AND CYBEX)  
FREEWEIGHTS  
LIFECYCLES  
STAIRMASTERS  
TREADMILLS  
ROWING MACHINES  
TWO "SUSPENDED HARDWOOD" AEROBIC STUDIO  
BASKETBALL COURT/VOLLEYBALL COURT  
PERSONAL TRAINING  
BODYFAT TESTING/CHOLESTEROL SCREENING  
BLOOD PRESSURE SCREENING  
NUTRITIONAL CONSULTATION  
SPORT CONDITIONING AND THERAPY  
CERTIFIED INSTRUCTORS  
BEGINNER INSTRUCTION CLASSES  
REFRESHMENT CENTER (WATER, FRUIT DRINKS, SPORTS DRINKS)  
SEPARATE MEN'S AND WOMEN'S LOCKER FACILITIES  
HANDICAP LOCKER FACILITIES  
TOWEL SERVICE  
BABY SITTING  
DIRECT ACCESS TO MINUTEMAN BIKE PATH  
FREE PARKING  
AIR CONDITIONING  
GOLD'S GYM SPORTSWEAR  
GOLD'S GYM MEMBERSHIP HONORED WORLDWIDE  
SENIOR CITIZENS PROGRAM

DAILY ACTIVITIES CALENDAR  
GOLDS GYM FITNESS AND AEROBICS CENTER

6:00 A.M.	EARLY BIRD AEROBICS
(9:00 A.M.-2:00 P.M.)	BABY SITTING
9:00 A.M.	LOW IMPACT AEROBICS
9:30 A.M.	BLOOD PRESSURE AND CHOLESTEROL SCREENING (EVERY TUESDAY)
10:00 A.M.	SENIOR CITIZEN STRETCH AND TONE
11:00 A.M.	SENIOR CITIZEN 2 MILE WALK AND MINUTEMAN TRAIL
12:00 (NOON)	LUNCH TIME AEROBICS
12:30 P.M.	NUTRITIONAL WORKSHOP & CONSULTATION (EVERY WEDNESDAY)
3:00 P.M.	BEGINNERS CIRCUIT TRAINING PROGRAM
5:30 P.M.	HIGH IMPACT AEROBICS
6:30 P.M.	STEP CLASS
7:30 P.M.	LOW-IMPACT AEROBICS
8:00-10:00 P.M.	OVER 30 BASKETBALL LEAGUE (M-W-F-) (CO- ED)
8:00-10:00 P.M.	OVER 30 VOLLEYBALL LEAGUE (TUES/THURS) (CO-ED)

development is intended to be a full-service health facility serving the entire town, but primarily that portion of the community west of Mill Street. See Exhibits C and D attached hereto and incorporated herein by reference, for services to be provided by proposed use. As a result and due to the fact that the proposed use will be located in an existing industrial zone, and that the proposed use will be more environmentally sound, it is obvious that the proposed use would not be detrimental to the character of this industrial zone or constitute an excessive use.

*at1/rte/davicond.d03*



IN RE:       DAVIDSON MANAGEMENT COMPANY  
LOCUS:       30 PARK AVENUE  
              ARLINGTON, MASSACHUSETTS

## DESCRIPTION OF CONFORMANCE WITH ENVIRONMENTAL DESIGN REVIEW STANDARD

Article 11, Section 11.06, requires an environmental design review which sets forth the following requirements:

### Section 11.06.f.1. Preservation of Landscape:

The existing landscape shall be preserved in its natural state. There is no new construction which will take place on the site, other than new exits and stairway as shown on the plans submitted, and therefore, the existing natural landscaping along the bike path, front of building and the abutting roadway shall not be disturbed. The property has adequate parking available, and as a result, no bushes or shrubbery would need to be removed. Furthermore, no change in grading will be required as a result of the existing drainage, as shown on the site plan of the premises, being adequate to service the existing structures thereon.

### Section 11.06.f.2. Relation of Buildings to Environment:

The proposed use will exist in an existing building which is similar in scale and architecture to that of other buildings existing within the industrial zone.

### Section 11.06.f.3. Open Space:

The proposed use will not be altering any of the existing structures but merely adding exits and stairway as shown on the plans submitted. The proposed use intends to encourage the use of one of the Town's more important open space amenities, namely, the Minuteman Trail, for purposes of accessing the proposed use. The petitioner will remove one section of fence and provide bike racks. A pole will be installed at the bike path entrance to prohibit vehicular access and petitioner will provide a bench. The proposed use gives a new public presence and focus for the Arlington Heights retail area.

#### Section 11.06.f.4. Circulation:

The proposed use will utilize the current flow of traffic by having all traffic utilizing the existing entrances and exits. Interference with pedestrian traffic will be minimized by allowing ingress and egress of vehicular traffic to and from the facility at the existing two curb cuts, which are familiar to pedestrians. The proposed use will have facilities available to accommodate a minimum of 48 vehicles for parking.

Traffic flow will utilize existing traffic controls and those recommended by the traffic study performed by the petitioner's consultants. Vehicular traffic will be further reduced by that number of patrons utilizing the facility who will access the same by the Minuteman Trail. Vehicular and pedestrian traffic will cross only at curb cuts. All pedestrians will be directed to the front of the building because there will be no pedestrian access into the building directly from the parking areas. See petitioner's traffic study submitted herewith and incorporated herein.

#### Section 11.06.f.5. Surface Water Drainage:

See site plan filed herewith for drainage flow. The existing topography will not be altered by the proposed use. The existing topography has been sufficient in years past to adequately disperse surface water without adversely affecting adjoining properties. The site utilizes its natural pitch and those drain pipes installed and constructed by the Massachusetts Department of Public Works during the construction of the Minuteman Trail and existing catch basins.

#### Section 11.06.f.6. Utilities Services:

See Exhibit A attached hereto and incorporated herein by reference. The proposed use will be utilizing existing utility services. Any new utility services installed will be underground pursuant to this section.

#### Section 11.06.f.7. Advertising Features:

All advertising features will be in accordance with the plans submitted with this application. The building sign may be illuminated with direct lighting from ground level spotlights; there will be no back light of signs or internally illuminated signs. There may be the placement of additional signs at the points of entry to the property of which the facility is a part.



Section 11.06.f.8. Special Features:

The premises will be adequately designed to meet handicap access and use requirements.

Section 11.06.f.9. Safety:

The existing buildings and the proposed internal floor plans have been designed to facilitate building evacuation and accessibility by fire, police and ambulance personnel and equipment. The proposal is in conformity with this standard.

Section 11.06.f.10. Heritage:

There are no historic buildings on or near the site and petitioner believes this standard is not applicable.

Section 11.06.f.11. Microclimate:

There will be no alteration to the existing hard surface ground coverage, and there is no known aquifer or underground water supply on this site. There will be minimal external construction and, as a result, there should be minimal noise and airborne dust. The existing structure will not be altered and, therefore, will not cause any additional wind or shadow on adjacent properties, and there will be no machinery which will adversely affect the immediate environment. All dumpsters will be located as shown on the site plan filed herewith. The dumpster location near the bike path will be screened with adequate fencing.

**EXHIBIT A**  
**UTILITIES SERVICING**  
**30 PARK AVENUE**  
**ARLINGTON, MASSACHUSETTS 02174**

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All presently existing utilities are underground running from Park Avenue. The site is serviced by:

- a) Telephone;
- b) Gas;
- c) Electricity; and
- d) 2" Water Line.

The property is tied into a 36" MWRA sewer line located on the property and the building itself is serviced by a 6" waste pipe.

Future utility services, if necessary, will also be located underground.



## ARLINGTON REDEVELOPMENT BOARD

TOWN HALL ARLINGTON, MASSACHUSETTS 02476

TELEPHONE 781-316-3090

December 3, 2002

### NOTIFICATION OF FILING DECISION

Notice is herewith given that acting on the petition of  
KESHIAN & REYNOLDS, P.C., ATTORNEY FOR GOLD'S GYM, 30 PARK  
AVENUE, ARLINGTON, MASSACHUSETTS, (ASSESSOR'S BLOCK PLAN 59,  
Block A, Lot 12) to amend Special Permit No. 2890 to allow for the addition of 10,000  
square feet of floor area to be converted from the former manufacturing use to Health  
Club use (Health Club Sec. 5.04, Use 4.10) the Arlington Redevelopment Board granted  
said permits.

The decision was filed with the Town Clerk, Robbins Memorial Town Hall, Arlington,  
Massachusetts, on December 3, 2002. Appeals, if any, must be filed in accordance with  
the provisions of Chapter 40A, Section 17, within twenty days of the date of filing.

ARLINGTON REDEVELOPMENT BOARD  
ROLAND CHAPUT, CHAIRMAN

Doc. 3189



TOWN CLERK'S OFFICE  
ARLINGTON, MA 02150 ARLINGTON REDEVELOPMENT BOARD

02 DEC -3 PM 2:43 Arlington, Massachusetts

COMMONWEALTH OF MASSACHUSETTS

RECEIVED

Middlesex, ss.

DOCKET NO. 3189

REQUEST FOR SPECIAL PERMIT

Subject to

ENVIRONMENTAL DESIGN REVIEW

Keshian & Reynolds, P.C.  
Petitioner for 30 Park Avenue Associates, LLP



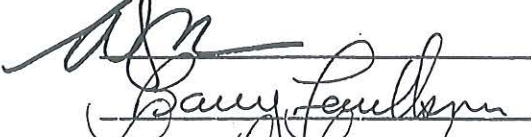

(Gold's Gym)  
Date of Hearing 12/2/02 (Amendment)

Date of Decision 12/3/02 (Amendment)

Members Present:

Approved

Denied

	_____
	_____
	_____
	_____

Town Clerk's Certification

TOWN CLERK'S OFFICE  
ARLINGTON, VA 22204

02 DEC -3 PM 2:43

RECEIVED

This is a petition to amend the original decision filed under EDR Docket Number 2890, dated July 27, 1993. In said decision, the Board allowed the petitioner to use approximately 17,500 square feet of industrially zoned property at 30 Park Avenue for a Gold's Gym. The business has operated at the locus for approximately nine years. The petitioner now wishes to add 10,000 square feet of interior space that has recently been vacated. The purpose of the new space will be to allow the petitioner to better utilize cardiovascular equipment which is used by seventy percent of his customers

The petitioner has indicated that there is more than adequate parking on the site, and there will be no changes made to the exterior of the building.

The Board reviewed the existing special permit and concluded that all conditions should remain in effect.

Following a duly posted public hearing convened on November 18, 2002, Docket Number 3189, the Redevelopment Board determined that the changes were minimal and voted unanimously to amend Docket Number 2890 to permit the increase in square footage of 10,000 square feet.





# Arlington Coal & Lumber Company

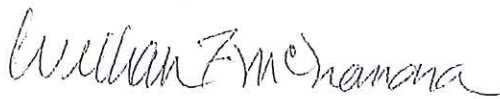
September 29, 2017

Gold's Gym  
30 Park Avenue  
Arlington, MA 02476

To Whom It May Concern:

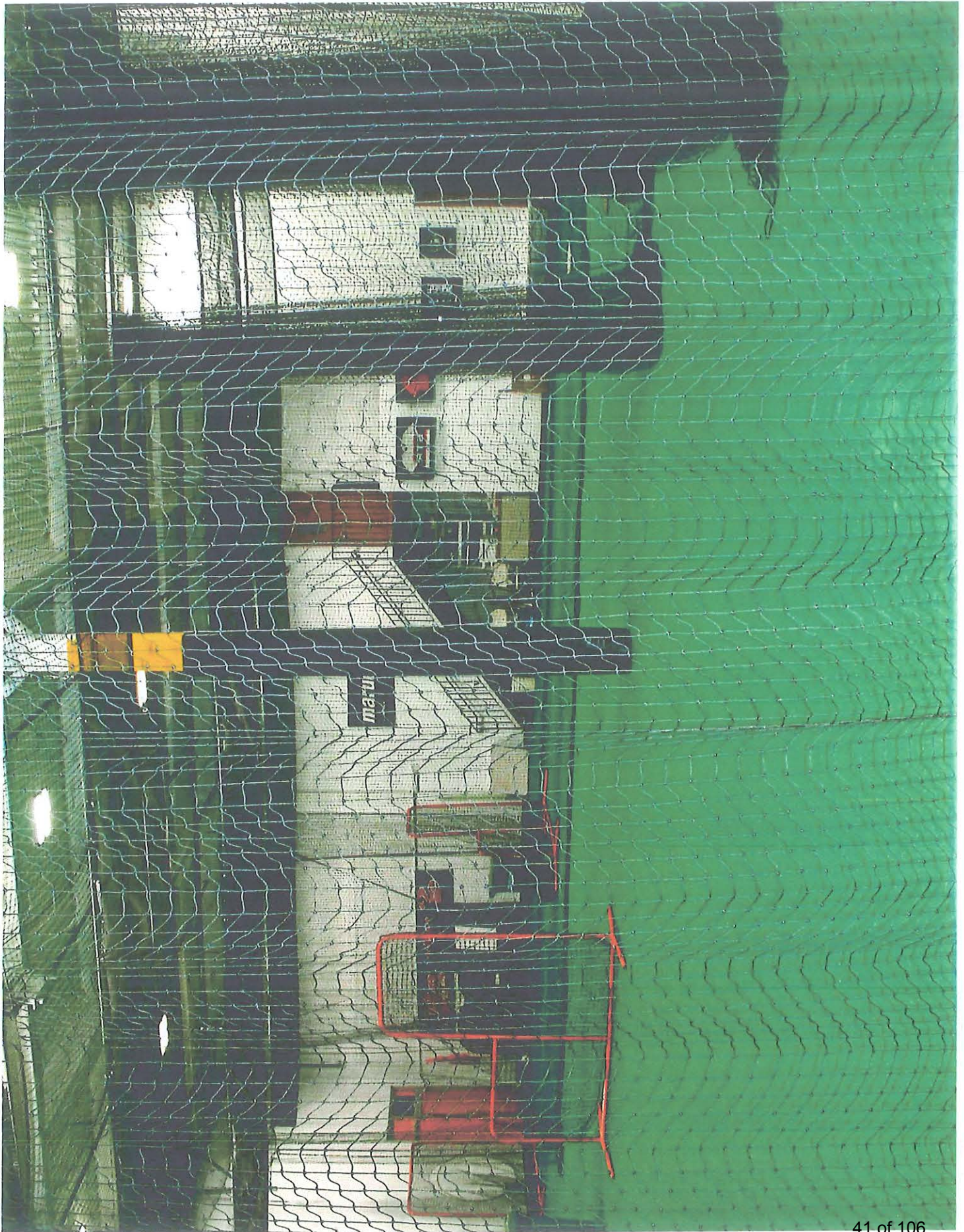
This is to confirm our agreement that patrons of Gold's Gym are permitted to park on our property located at 41 Park Avenue nights and week-ends while visiting your facility.

Sincerely,



William F. McNamara  
Senior Vice President

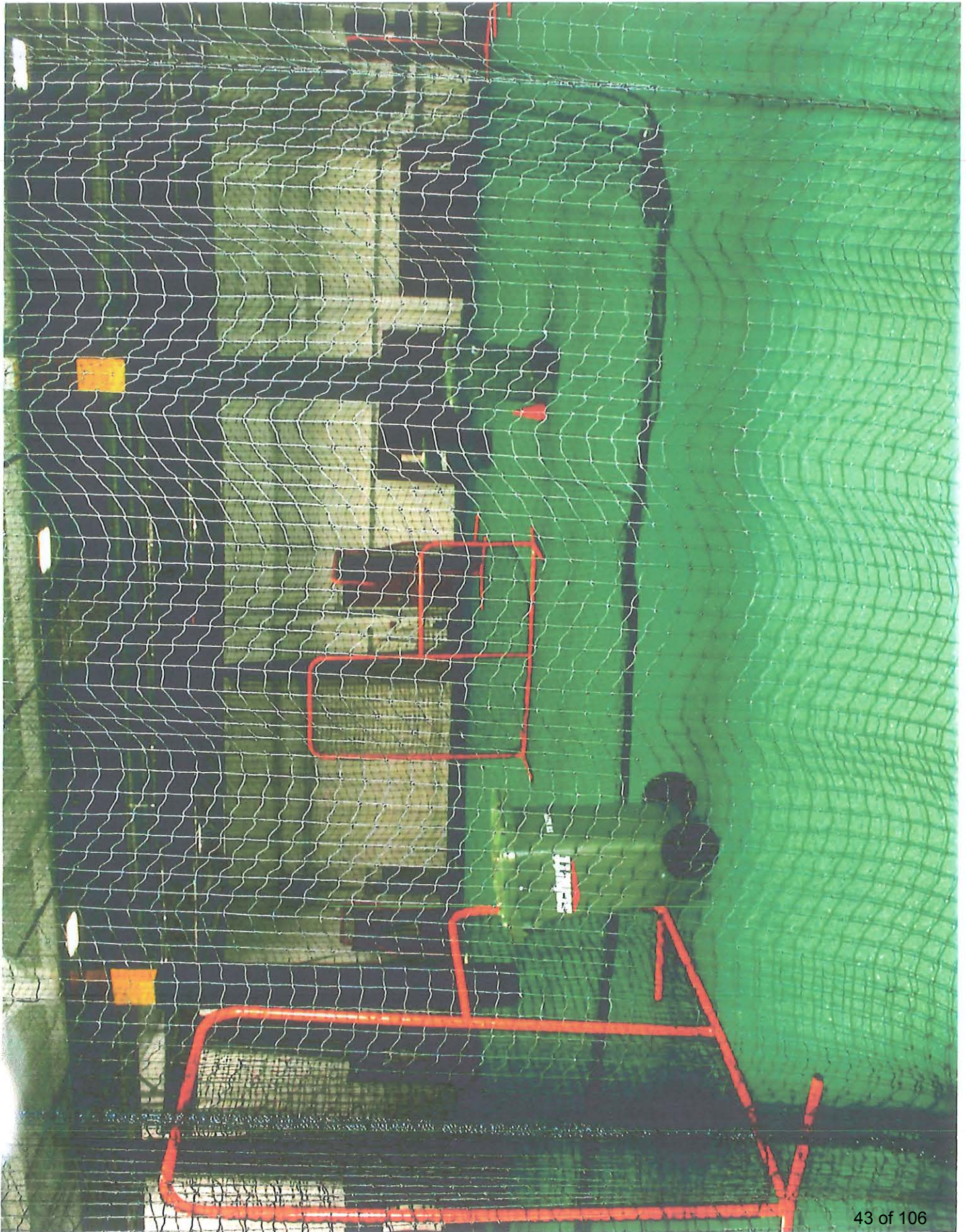












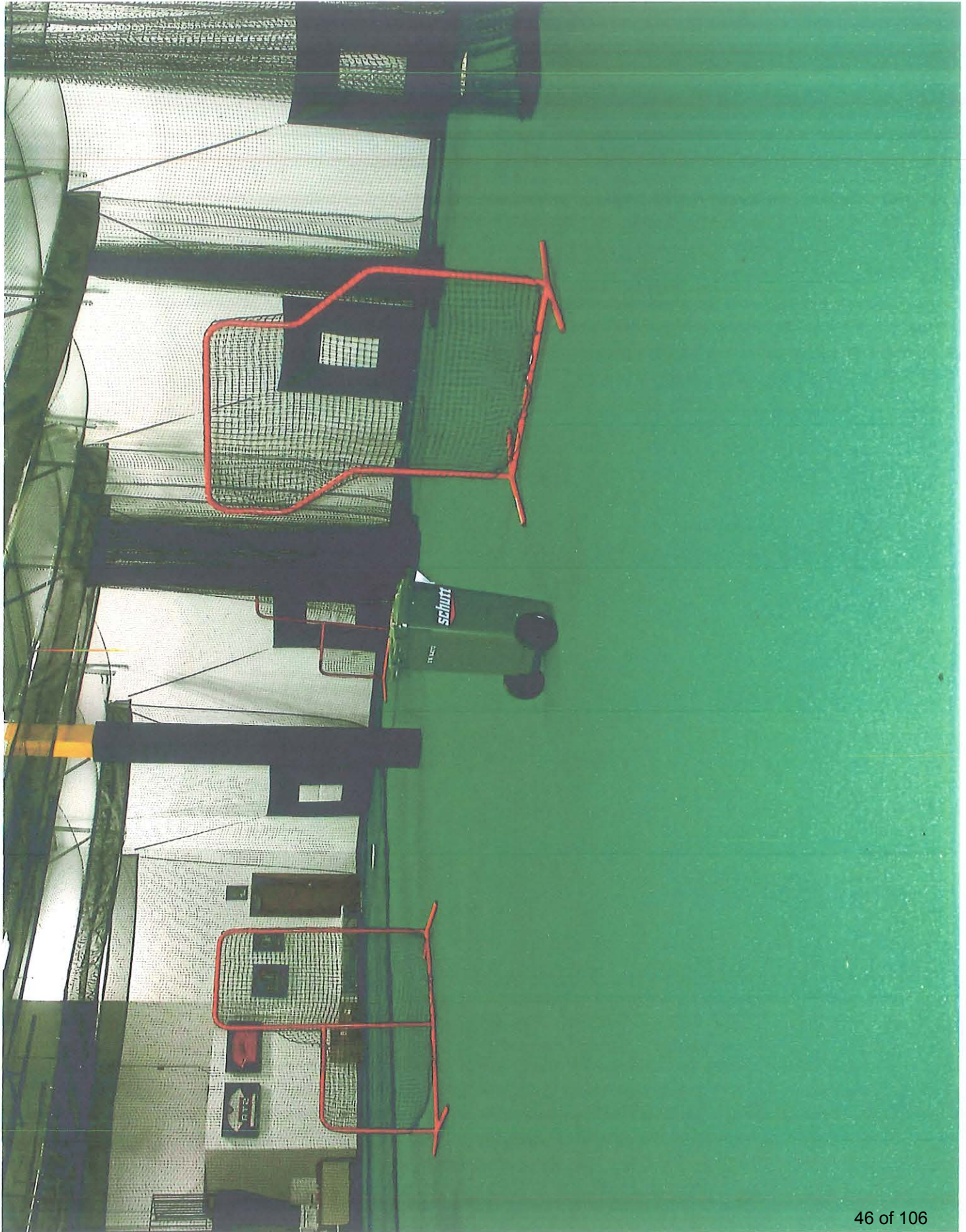




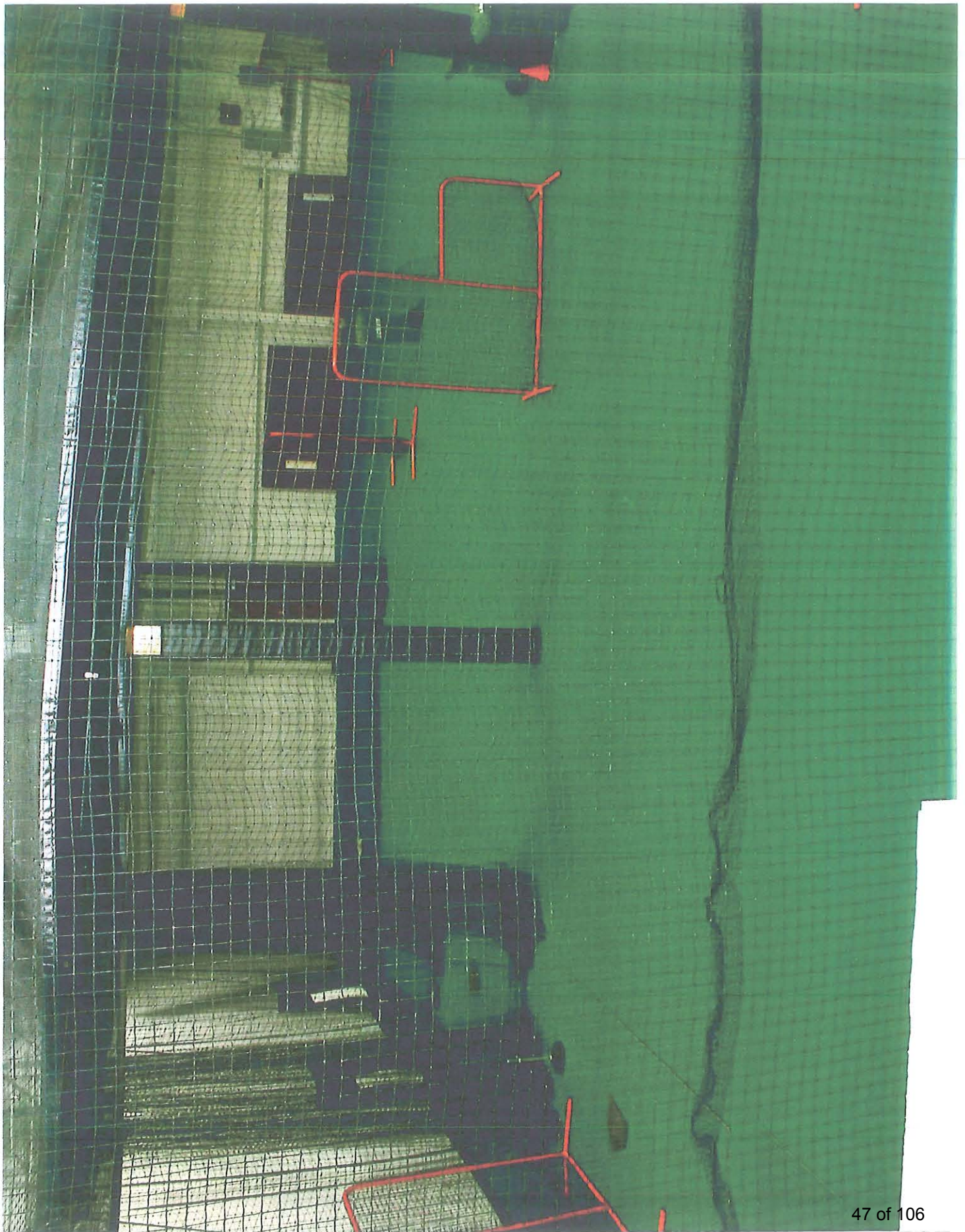




















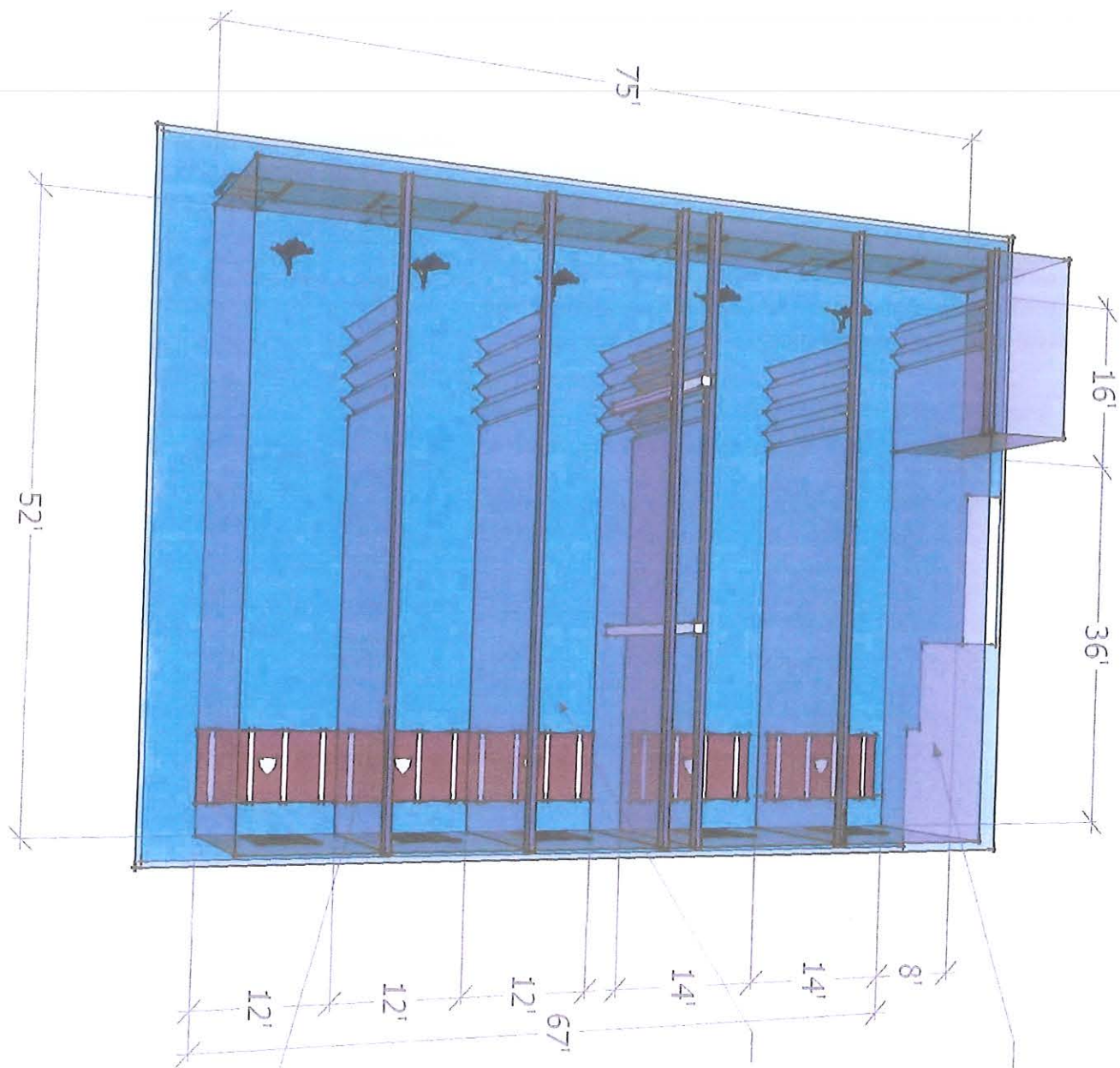








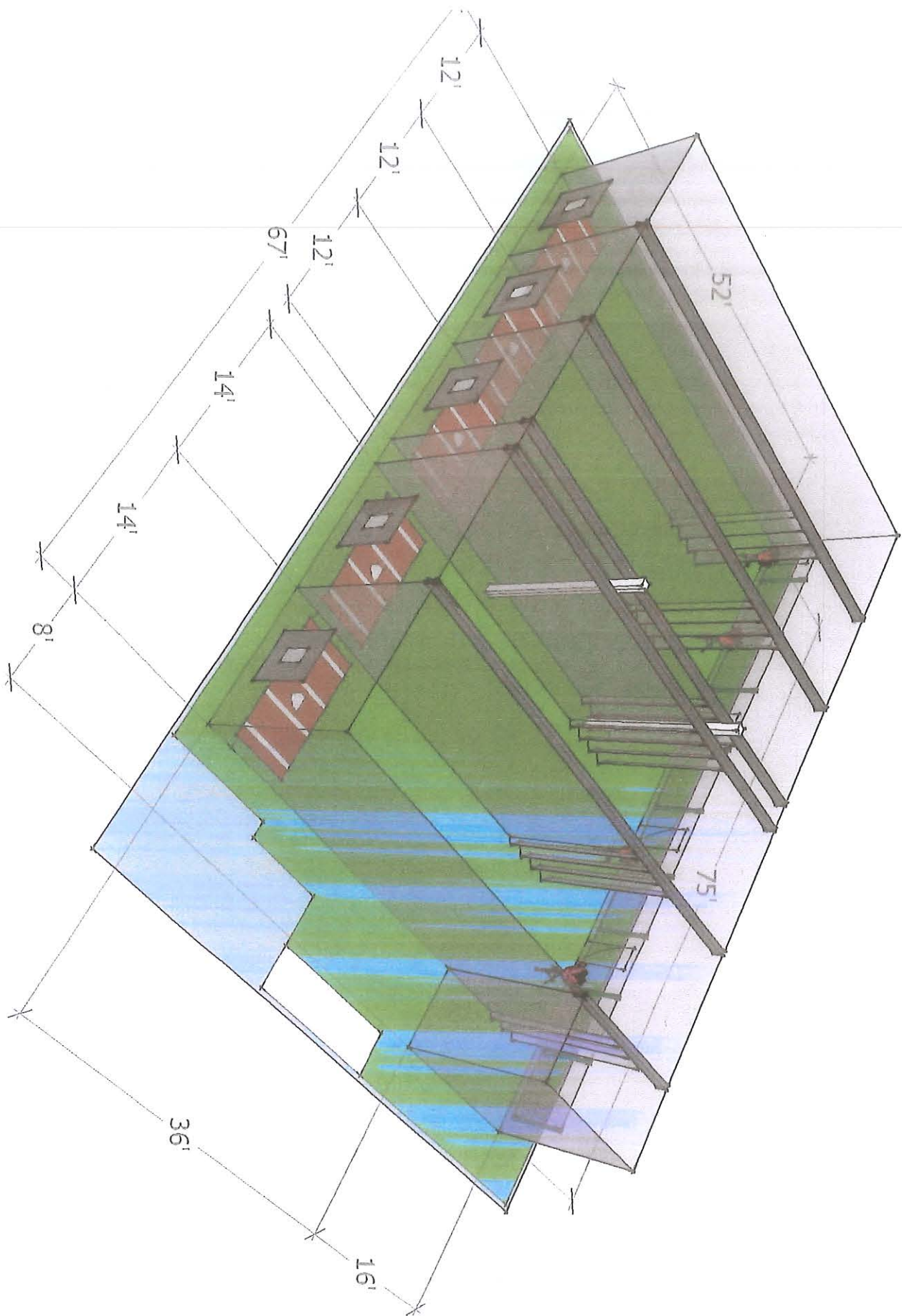




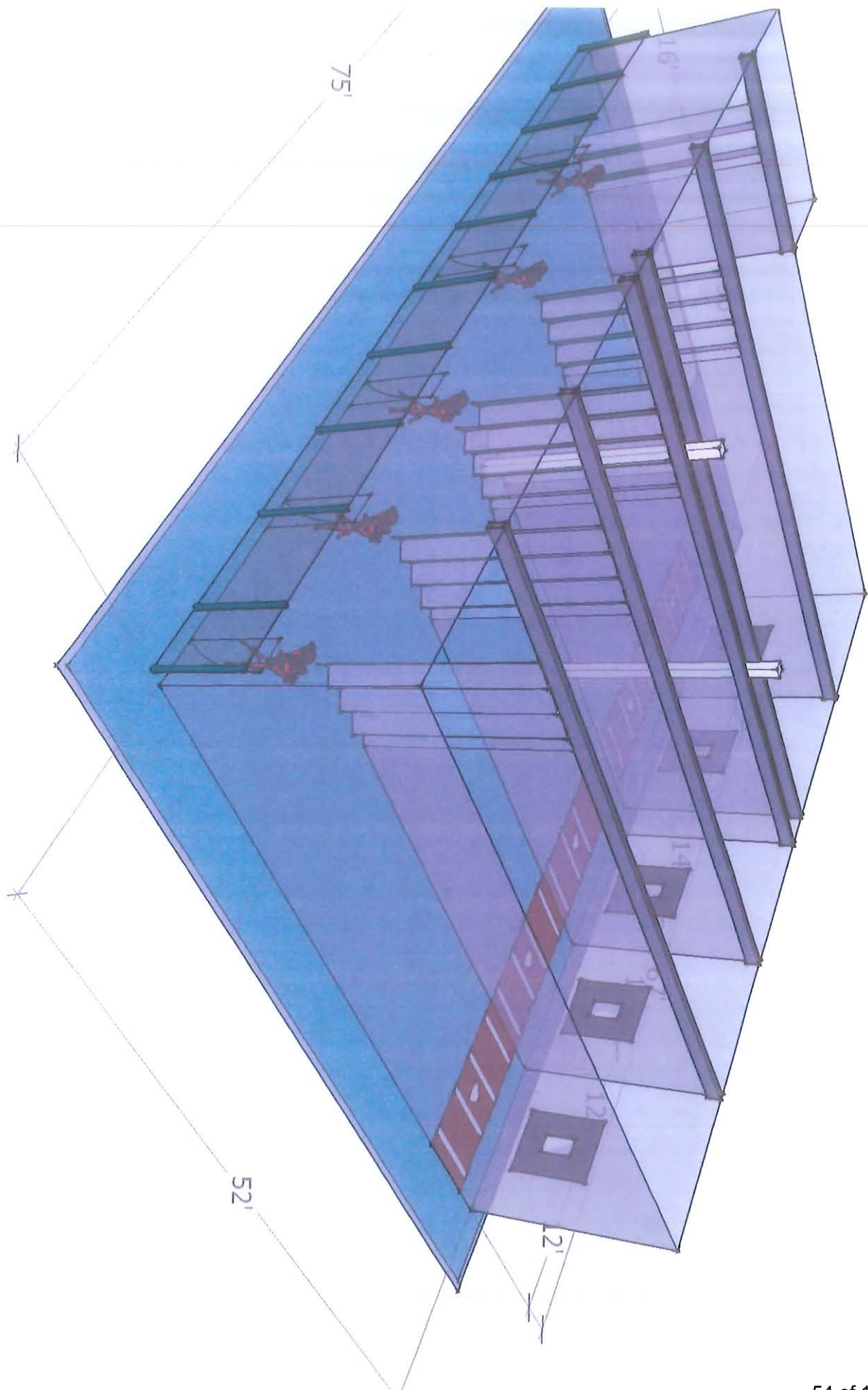
Shell Net  
Walls and Ceiling  
#36 Nylon Netting - Black  
75'Wx52'Lx16'H

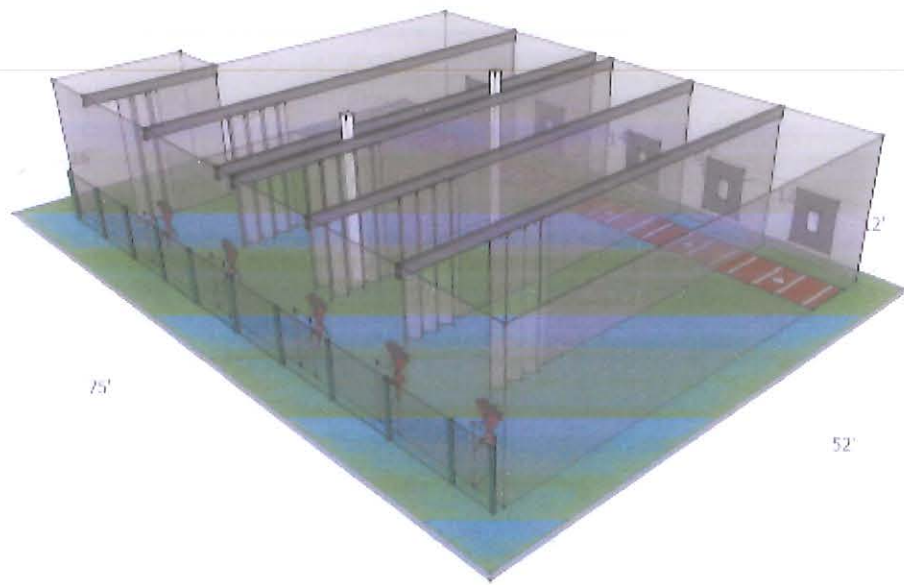
Artificial Turf  
4,720sf

Retractable Divider Net  
#36 Nylon Netting - Black  
57'Lx16'H  
Qty. 5

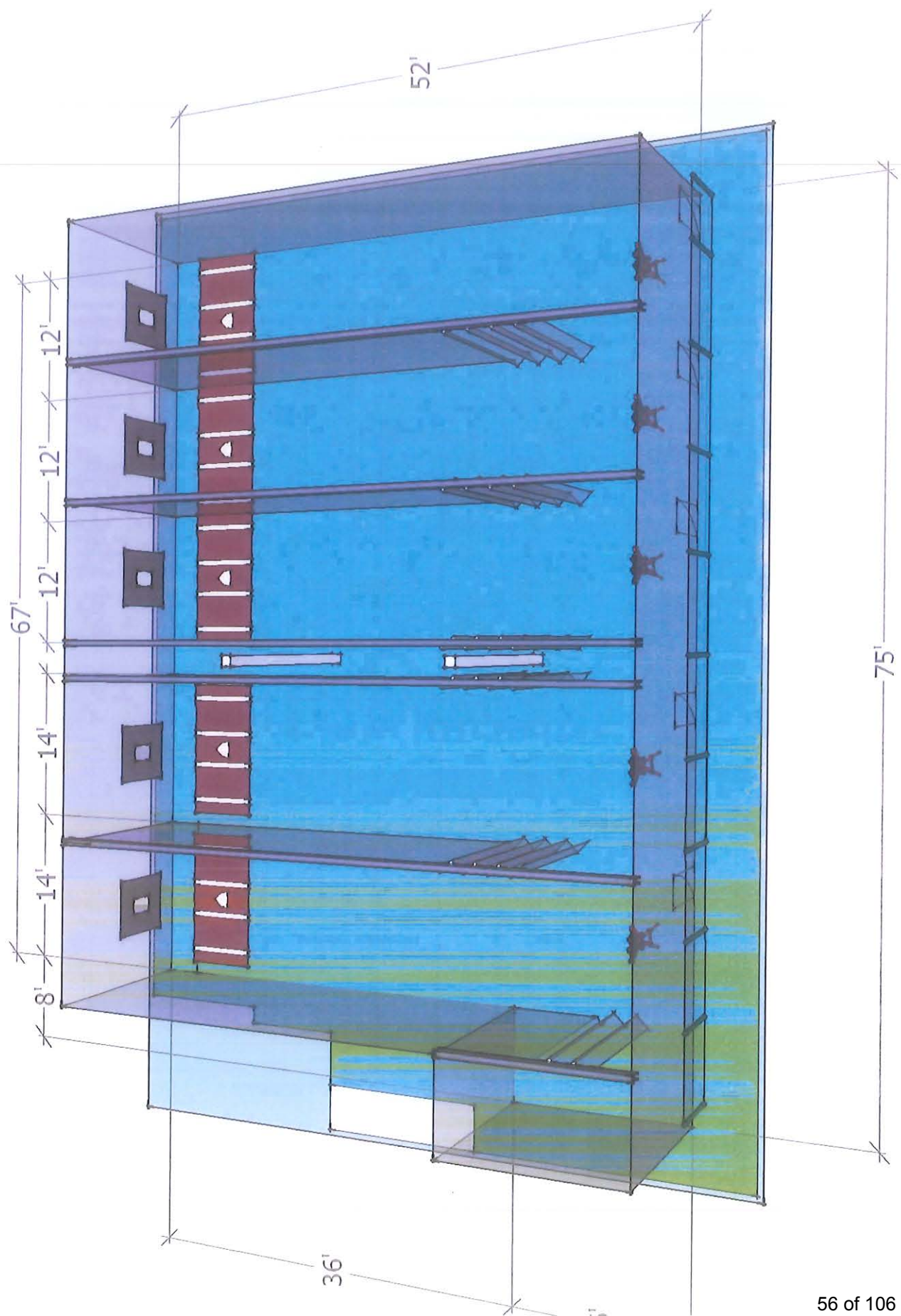














**Town of Arlington, Massachusetts**  
Department of Planning & Community Development  
730 Massachusetts Avenue, Arlington, Massachusetts 02476

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## Public Hearing Memorandum

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

**To:** Arlington Redevelopment Board

**From:** Jennifer Raitt, Secretary Ex Officio

**Subject:** EDR, Re-open Docket #2890, 30 Park Avenue

**Date:** January 8, 2018

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### I. Docket Summary

This is an application by 30 Park Avenue Associates, LLC. to re-open Special Permit Docket #2890 granted on December 3, 2002 to Davidson Management Company at 30 Park Avenue. This is in accordance with the provisions of MGL Chapter 40A Section 11, and the Town of Arlington Zoning Bylaw Section's 5.04-4.10 Health Club, 801(a) Parking Reduction in an Industrial Zone and 11.06 Environmental Design Review. The request is to allow an expansion of the Health Club use and continuation of the existing Auto Body Repair, Warehouse/Storage and Distribution Warehouse use. According to the proposal, the total square footage of all uses would be 51,400 sq. ft. and divided among the uses as follows: storage (4,000 sq. ft.), auto body (4,000 sq. ft.), warehousing (8,375 sq. ft.), and health club (35,025 sq. ft.).

Materials submitted for consideration of this application:  
Application for EDR Special Permit and Impact Statement with supporting documents, including Site Plan, Photographs, Existing Conditions, and Dimensional and Parking Information dated December 4, 2017.



II. Application of Special Permit Criteria (Arlington Zoning Bylaw, Section 10.11)

**Section 10.11a-1      The uses requested are listed in the Table of Use Regulations as a Special Permit in the district for which application is made or is so designated elsewhere in this Bylaw.**

Since approximately 2008, the space has been used by Gold's Gym as a health and fitness facility. This use appears in the Zoning Bylaw, Section 5.04 Table of Use Regulations as use 4.10 "Enclosed entertainment and recreation facilities including a bowling alley, health club, skating rink or other recreation activity conducted for a profit," and is allowed by Special Permit in the Industrial Zone.

Section 8.01(a) of the Zoning Bylaw allows the requested parking reduction through the granting of a Special Permit. The Board can find that this condition is met.

**Section 10.11a-2      The requested use is essential or desirable to the public convenience or welfare.**

The health club has operated in this location since 2008. This application will provide additional gym space and add a baseball/ softball training facility. The Board can find that this condition is met.

**Section 10.11a-3      The requested use will not create undue traffic congestion, or unduly impair pedestrian safety.**

The impact on traffic congestion and pedestrian safety is unclear: the Applicant's parking reduction strategy and parking plan require additional information in order to satisfy this section. As stated in Section 8.01(a) of the Zoning Bylaw, a Special Permit may be granted to allow a reduction of the parking space requirements to 25%. Consistent with this regulation, the Applicant is requesting that a Special Permit be granted that reduces the required parking from 133 spaces to 122 spaces, as shown in the parking plan. Please note that the total number of parking spaces on the plan is 124 when including the two handicapped spaces. Also, the parking row that is labeled "19 Spaces" actually consists of 18 spaces.

As stated in Section 8.01(a), Transportation Demand Management must be part of the approach to parking reduction. To that end, the Applicant proposes shared parking (8.01a1) and off-site parking (8.01a2). The parking plan should show the exact location of shared and off-site spaces, and should specify which tenants would be using them. The plan should also specify which tenants would be using all other spaces. The plan should also clearly state how many off-site spaces will be provided.

Additional Transportation Demand Management measures are needed beyond shared and off-site parking to create a sound parking reduction strategy: there should be ample bicycle parking and an improved connection to the Minuteman Bikeway. The plan should incorporate these items.

**Section 10.11a-4      The requested use will not overload any public water, drainage or sewer system or any other municipal system to such an extent that the requested use or any developed use in the immediate area or in any other area of the Town will be unduly subjected to hazards affecting health, safety, or the general welfare.**

The health club has operated without overloading any public utilities. Additional utilities will not need to be installed in order to accommodate the added gym space or the training facility. The Board can find that this condition is met.

**Section 10.11a-5      Any special regulations for the use, set forth in Article 11 are fulfilled.**

**Section 10.11a-6      The requested use will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the health, morals, or welfare.**

The health club has a positive impact on health. The use does not impair the integrity or character of the district or adjoining districts. The Board can find that this condition is met.

**Section 10.11a-7      The requested use will not, by its addition to a neighborhood, cause an excess of that particular use that could be detrimental to the character of said neighborhood.**

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

III. Application of Environmental Design Review Standards (Arlington Zoning Bylaw, Section 11.06)

The Environmental Design Review standards of Section 11.06 are evaluated below.

1. **EDR-1 Preservation of Landscape:**

There will be no changes to the landscape as a result of this proposal, which will affect only the interior of the building. The Board can find that this condition is met.



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

There will be no changes to the exterior of the building as a result of this proposal, which will affect only the interior of the building. The Board can find that this condition is met.

3. **EDR-3 Open Space:**

There will be no changes to the open space as a result of this proposal, which will affect only the interior of the building. The Board can find that this condition is met.

4. **EDR-4 Circulation:**

The Applicant is requesting a parking reduction of 8% or 11 spaces. The Applicant's parking reduction strategy and parking plan must be improved (see Section 10.11a-3 above).

5. **EDR-5 Surface Water Drainage:**

There will be no changes to the exterior of the building or surface water run-off as a result of this proposal. The Board can find that this condition is met.

6. **EDR-6 Utilities Service:**

There will be no changes to the utility service as a result of this proposal, which will affect only the interior of the building. The Board can find that this condition is met.

7. **EDR-7 Advertising Features:**

The Applicant will need to provide detailed signage and lighting information in order to meet this condition.

8. **EDR-8 Special Features:**

No changes are proposed. The Board can find that this condition is met.

9. **EDR-9 Safety:**

No changes are proposed. The Board can find that this condition is met.

10. **EDR-10 Heritage:**

The existing building and property are not located on any local or State historic property listing. The Board can find that this condition is met.

11. **EDR-11 Microclimate:**

No changes are proposed. The Board can find that this condition is met.

12. **EDR-12 Sustainable Building and Site Design:**

No changes are proposed. Both the Open Space and Recreation Plan (2015-2022) and the Arlington Master Plan strongly emphasize the importance of Mill Brook, which runs along the periphery of the locus, as a valuable, multifaceted community resource, as well as the need to protect and enhance it. Objective 2-a-6 in the Open Space and Recreation Plan specifically focuses on protection and enhancement: "Protect and enhance the water quality and ecological integrity of Mill Brook as it meanders through Town from the

Reservoir, through many neighborhoods and Meadowbrook Park, and into Lower Mystic Lake.” More broadly, Recommendation #1 in the Natural Resources and Open Space chapter of the Arlington Master Plan focuses on creating “a comprehensive plan for the Mill Brook Study Area” and enhancing and improving “it as a resource for the Town.”

Considering local planning priorities, it is critical that a buffer be maintained between all site activities and Mill Brook. The Applicant notes that screening will be provided near the bike path, but does not provide details about the screening or exact location of the dumpsters. Consequently, the Applicant should ensure that dumpsters and other trash collection equipment are located away from Mill Brook, and should indicate the location of the buffer on the parking plan.



#### IV. Conditions<sup>1</sup>

All conditions in the original Special Permit for Docket #2890 continue to apply. The Board maintains continuing jurisdiction over the special permit and may, after a duly advertised public hearing, attach other conditions or modify the conditions of the original special permit as it deems appropriate in order to protect the public interest and welfare.

##### **A. General**

1. The final plans and specifications for the site, including all buildings, signs, exterior lighting, exterior materials, and landscaping shall be subject to the approval of the Arlington Redevelopment Board. Any substantial or material deviation during construction from the approved plans and specifications is subject to the written approval of the Arlington Redevelopment Board.
2. The Board maintains continuing jurisdiction over this permit and may, after a duly advertised public hearing, attach other conditions or modify these conditions as it deems appropriate in order to protect the public interest and welfare.
3. Snow removal from all parts of the site, as well as from any abutting public sidewalks, shall be the responsibility of the owner or occupant and shall be accomplished in accordance with Town Bylaws.
4. Trash shall be picked up only on Monday through Friday between the hours of 7:00 am and 6:00 pm. All exterior trash and storage areas on the property, if any, shall be properly screened and maintained in accordance with Article 30 of Town Bylaws. Trash collection equipment should not be located in the immediate vicinity of Mill Brook.
5. The Applicant shall provide a statement from the Town Engineer that all proposed utility services have adequate capacity to serve the development.
6. The Applicant shall provide evidence that a plan for drainage and surface water removal has been reviewed and approved by the Town Engineer.

##### **B. Special**

1. The parking plan should be updated in the manner specified above in Section 10.11a-3.
2. Transportation Demand Management measures should be undertaken in the manner specified above in Section 10.11a-3.

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<sup>1</sup> If the permit is granted, it is recommended that it incorporate these conditions.

3. A buffer should be maintained between all site activities and Mill Brook, and should be indicated on the parking plan.
4. All utilities serving or traversing the site (including electric, telephone, cable, and other such lines and equipment) shall be underground.
5. Upon installation of landscaping materials and other site improvements, the Applicant shall remain responsible for such materials and improvement and shall replace and repair as necessary to remain in compliance with the approved site plan.
6. Upon the issuance of the building permit the Applicant shall file with the Building Inspector and the Arlington Police Department the names and telephone numbers of contact personnel who may be reached 24 hours each day during the construction period.



# ARLINGTON BABE RUTH BASEBALL



**January 1, 2018**

**Re: Route 2 Baseball**

**To whom it may concern:**

**Arlington Babe Ruth baseball offers Arlington players the opportunity to learn and play the game of baseball.**

**In the past, we have partnered with outside organizations to help with some of the training of the players. Our partners are carefully evaluated to ensure that they meet our strict expectations.**

**Last year, we had a great experience with an organization based out of Waltham.**

**In thinking what was best for the Arlington players, we selected Route 2 Baseball to be our partner, not only because their fantastic reputation, but for the fact that they were going to be located in Arlington.**

**Chris Aufiero has a great philosophy of working with all levels of players to make them feel comfortable with their learning. We are excited with our new partner and residents of Arlington should be pleased to have another organization working for the betterment of their children.**

**Please let me know, if you need any additional input from Arlington Babe Ruth.**

**Al Ticehurst / VP Arlington Babe Ruth  
781-281-2154**

Dear Arlington Redevelopment Board Members,

I am writing this letter of support for Chris Aufiero and Marc Antetomaso from Route 2 Athletics. Over the past two summers my son has worked with these coaches to help develop his baseball skills and has enjoyed every moment. Their knowledge of the game, ability to communicate, and develop skills have helped a number of Arlington athletes who were looking elevate their game.

More than baseball these coaches have taught valuable life lessons to these young men that can easily translate to other sports and everyday life. In an era where sports specialization has stunted so many young athletes these coaches understand that multi sport athletes thrive when given opportunity.

In an era of many baseball options, as a father of a multi sport athlete, I am proud of my choice to have chosen Route 2 Athletics to further develop my son's baseball skill and the opportunities that Chris and Marc have presented.

In a town that is rich in athletic tradition and success, the addition of Route 2 Athletics in my opinion is a perfect fit.

Warmest regards,

Scott Jones  
Overlook Road  
1983 Ostergren Award Winner



Richard H. Flynn  
31 Windmill Lane  
Arlington, MA 02474  
781 844-1224

January 4, 2018

Town of Arlington Redevelopment Board  
Town Hall Annex  
730 Massachusetts Avenue  
Arlington, MA 02476

To whom it may concern:

It is with much enthusiasm that I am writing on behalf of Route 2 Athletics and their request to conduct business at the 30 Park Avenue location in Arlington. I have been using Route 2 Baseball and their staff for several years to provide high quality instruction for the youth teams that I coach.

Historically, Arlington has been blessed to have many outstanding baseball and softball players. As with any sport, to develop the skills necessary to succeed requires commitment, proper instruction, hard work and the facilities/fields to practice and play. In the past Arlington baseball and softball players looking for an indoor training facility would travel to Medford, Woburn or Watertown. We now have the opportunity to offer a state of the art facility in Arlington. I would recommend that the Redevelopment Board approves Route 2 Athletics request to conduct business in our community.

For your information, I am a lifelong resident of Arlington and have been coaching youth baseball and/or softball for the past twelve years. I am a board member and coach with the Arlington Youth Baseball and Softball Association and currently manage/coach a 14U Select Baseball Team within the Arlington Babe Ruth organization.

I believe Route 2 Athletics would be a fantastic addition to our community. If you should have any questions please feel free to contact me at (781) 844-1224 or via email at [rflynn@town.arlington.ma.us](mailto:rflynn@town.arlington.ma.us)

Sincerely,



Richard H. Flynn

January 3, 2018

Arlington Redevelopment Board  
730 Massachusetts Ave.  
Arlington, MA 02476

RE: Route 2 Athletics  
Owners: Chris Aufiero, Marc Antetomaso

Dear Board Members,

I am writing this letter on behalf of Chris Aufiero and Marc Antetomaso, owners of Route 2 Athletics and coaches of the Route 2 Baseball Club. Both of these gentlemen have been coaching my son Caden FitzPatrick for the past 3 years and I have had the opportunity to assist the team as a scorekeeper during games.

I have found both of these instructor's fund of knowledge outstanding and their commitment to quality work extraordinary. As baseball coaches, Chris and Marc have helped my son develop and grow as a baseball player and Caden looks forward to continue to play on the Route 2 Baseball teams for the next few years. They are excellent mentors who are compassionate and caring with a high sense of purpose, dedication and commitment.

As an Arlington resident for the past 10 years, I feel having the Route 2 Athletics Facility in Arlington will have a positive impact on our community. Arlington has always had a strong baseball town program but lacked the private instruction and development programs that our children are looking for. In the past parents and players had to go great distances to other out of town facilities and programs for offseason practice and instruction. This new facility fills a great need for Arlington baseball and surrounding communities.

Chris and Marc have been a personal and professional pleasure to work closely with over the past three years. Without reservation, I give Coach Aufiero and Coach Antetomaso my highest recommendation and full support for this New Arlington Baseball Facility.

Please feel free to contact me should you have any questions regarding this matter.

Sincerely,



Joseph FitzPatrick

179 Brattle St.  
Arlington, MA 02474  
(781) 648-4186



2018 JAN 30 P 3:10

**Supplemental Information for the Arlington Redevelopment Board Hearing  
relating to Gold's Gym scheduled for February 5, 2018**

Following the hearing which took place on January 8, 2018, the Petitioner, at the recommendation of the members of the Arlington Redevelopment Board, has generated a plan showing designated parking spaces for tenants at the site with the remaining undesignated parking spaces being available for parking for clients of both Gold's Gym and the proposed educational baseball operation.

As was discussed at the January 8<sup>th</sup> hearing, Gold's Gym will encourage clients for both Gold's Gym and the baseball operation to use alternative means of transportation to travel to and from the property and has generated a written communication to be given to clients with respect to that issue, a copy of which is affixed to this statement and incorporated into its terms by reference.

As mentioned during the prior hearing, the current parking requirements for the 30 Park Avenue property are as follows:

<u>Occupant</u>	<u>Use:</u>	<u>Floor Area</u>	<u>Parking Required</u>
a. Davidson Management	Storage	4,000 sq. ft.	4 <sup>1</sup>
b. Alpha Autobody	Auto Body	4,000 sq. ft.	4
c. Auto Parts International	Warehousing	8,375 sq. ft.	8
d. Gold's Gym	Health Club	35,025 sq. ft.	<u>117</u>
Total Mixed-Use Parking:			133

The parking plan submitted by Petitioner shows 122 parking spaces available for the occupants of 30 Park Avenue including the Gold's Gym and baseball educational operation.

The Petitioner also submitted a letter from Arlington Coal and Lumber at the last hearing confirming the availability of more than eleven (11) parking spaces for use by clients of Gold's Gym in accordance with Article 8, Section 8.01(a)2.

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<sup>1</sup> Davidson Management Company ("DMC") does not have any on site employees and does not use any onsite parking spaces. DMC employees pull vehicles into building through overhead door, load vehicles and leave.

The Petitioner also submitted information at the last hearing in accordance with Article 8, Section 8.01(a), i.e., permitting a 25% reduction in the required off-site parking as the result of existing spaces being adequate for the buildings' uses and Article 8, Section 8.01(a)1, i.e., use of the shared parking at the property are non-competing, i.e. Davidson Management does not use parking and Alpha Autobody's two employees use just two (2) parking spaces while Auto Parts International's employees also just use two (2) parking spaces and the vehicles using those spaces are out for deliveries throughout the day and there is no use of shared spaces by other tenants in the building, particularly during the Gold's Gym peak hours as other building occupants either are not operating or not making demands upon the parking at the property.

Gold's Gym also volunteered at the last hearing to convert a tanning room currently used at Gold's Gym for indoor bicycle parking and further indicated that clients of Gold's Gym currently park bicycles in the enclosed lobby of the 30 Park Avenue property and that situation will continue into the future.

While the total parking requirements of the Petition is predicated on "Health Club" use, and contemplates the total parking requirements for the 30 Park Avenue building being satisfied upon the granting of relief for the reduction of eleven (11) parking spaces it was also mentioned at the last hearing that parking for the Gold's Gym clientele is not going to be in direct competition with parking for the baseball educational operation because the hours of operation will be different as most of the participants in the baseball operation are going to be younger and will be dropped off by parents/relatives for the relevant training sessions.

Consideration will be given to suggestions appearing on the UP bicycle arrangement site with respect to how bicycle parking can be arranged at the property.

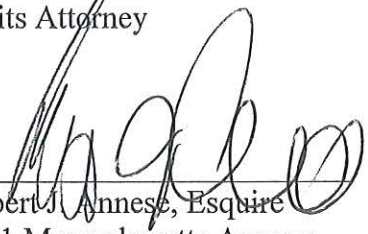
Gold's Gym recognizes the proximity of the 30 Park Avenue property to Mill Brook and will certainly be sensitive to activities at the property so that those activities do not have an adverse impact affecting Mill Brook.

Counsel for Gold's Gym has spoken with the Building Inspector for the Town and has determined that it is not feasible for a crosswalk to be placed to the north of the property down at the bottom of Park Avenue Extension.



Gold's Gym will notify clients who may from time to time use the parking spaces on the opposite side of Park Avenue at the lumber coal yard property to use caution when crossing Park Avenue Extension although the occasion when these spaces will be used will be very limited.

Gold's Gym,  
By its Attorney



Robert J. Annesse, Esquire  
1171 Massachusetts Avenue  
Arlington, MA 02474  
781-646-4911  
[law@robertannese.com](mailto:law@robertannese.com)

30 Park Avenue Associates,  
By its Attorney



Carl K. Toumayan, Esquire  
Kajko, Weisman & Colasanti, LLP  
430 Bedford Street, Suite 190  
Lexington, MA 02420  
781-860-9500  
[ckt@massfirm.com](mailto:ckt@massfirm.com)



## Town of Arlington, Massachusetts

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**Public Hearing Special Permit Docket #3557 for 167A Massachusetts Ave in accordance with the provisions of MGL Chapter 40A Section 11 and the Town of Arlington Zoning Bylaw Section 11.06 Environmental Design Review to allow the applicant to construct new and replace the existing signage under Section 7 Signs.**

**Summary:**

8:00-8:30p.m.

- *Applicant will be provided 10 minutes for an introductory presentation.*
- *DPCD staff will be provided 5 minutes for an overview of their feedback and comments as provided in the Public Hearing Memorandum and updates since previous meeting.*
- *Members of the public will be provided time to comment.*
- *Board members will ask additional questions and vote.*

**ATTACHMENTS:**

Type	File Name	Description
▢ Reference Material	167_A_Massachusetts_Ave._Application.pdf	167 A Massachusetts Ave. Application
▢ Reference Material	167_A_Massachusetts_Ave._Legal_Notice.pdf	167 A Massachusetts Ave. Legal Notice
▢ Reference Material	167_A_Massachusetts_Ave._Abbuter_Notification_List.pdf	167 A Massachusetts Ave. Abutter Notification List
▢ Reference Material	EDR_Public_Hearing_Memo_167A_Mass_AveFinal.pdf	EDR Public Hearing Memo 167A Massachusetts Ave.





TOWN OF ARLINGTON  
REDEVELOPMENT BOARD

Application for Special Permit In Accordance with Environmental Design  
Review Procedures (Section 11.06 of the Zoning Bylaw)

#2

Docket No. 3557

- ✓ 1. Property Address 167A Massachusetts Avenue  
Name of Record Owner(s) Thomas Vakaltos Phone 281-648-6131 (business)  
Address of Owner 54 Chandler Road, Burlington, MA 01803  
Street City, State, Zip
- ✓ 2. Name of Applicant(s) (if different than above) Marc Gorton and James Kiehl  
Address 167A Massachusetts Avenue Phone 617-233-3699 (cell)  
Status Relative to Property (occupant, purchaser, etc.) Occupant
3. Location of Property \_\_\_\_\_  
Assessor's Block Plan, Block, Lot No.
- ✓ 4. Deed recorded in the Registry of deeds, Book 66740, Page 419;  
-or- registered in Land Registration Office, Cert. No. \_\_\_\_\_, in Book \_\_\_\_\_, Page \_\_\_\_\_.
- ✓ 5. Present Use of Property (include # of dwelling units, if any) Business-art gallery
- ✓ 6. Proposed Use of Property (include # of dwelling units, if any) Unchanged-art gallery
7. Permit applied for in accordance with \_\_\_\_\_  
the following Zoning Bylaw section(s) \_\_\_\_\_  
\_\_\_\_\_ section(s) title(s)  
\_\_\_\_\_
- ✓ 8. Please attach a statement that describes your project and provide any additional information that may aid the ARB in understanding the permits you request. Include any reasons that you feel you should be granted the requested permission.  
See attached

(In the statement below, strike out the words that do not apply)  
The applicant states that Marc Gorton + James Kiehl is the owner ~~-or-~~ occupant ~~-or-~~ purchaser under agreement of the property in Arlington located at 167A Massachusetts Avenue which is the subject of this application; and that unfavorable action ~~-or-~~ no unfavorable action has been taken by the Zoning Board of Appeals on a similar application regarding this property within the last two years. The applicant expressly agrees to comply with any and all conditions and qualifications imposed upon this permission, either by the Zoning Bylaw or by the Redevelopment Board, should the permit be granted.

Signature of Applicant(s)

167A Massachusetts Avenue  
Address

617-233-3699  
Phone

7/08



# PROJECT

13 Forest Main ID Sign

# CLIENT

13 Forest

# LOCATION

167A Mass Ave  
Arlington MA 02474

Date: 12/5/2017

Date Due: -/-

Drawing by: Adam Knauer

# File Location:

Clients\13 forest gallery\Main ID\Main ID Shop Drawing.pdf

# Revisions

# Date

Work Order: 00000

**SRPSIGN**  
CORPORATION

236 Pearl Street  
Somerville, MA 02145  
t: 617.623.6222  
f: 617.623.6226  
www.SRPSIGNS.com

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# 13 FOREST SIGNCOMP SECTION DRAWING

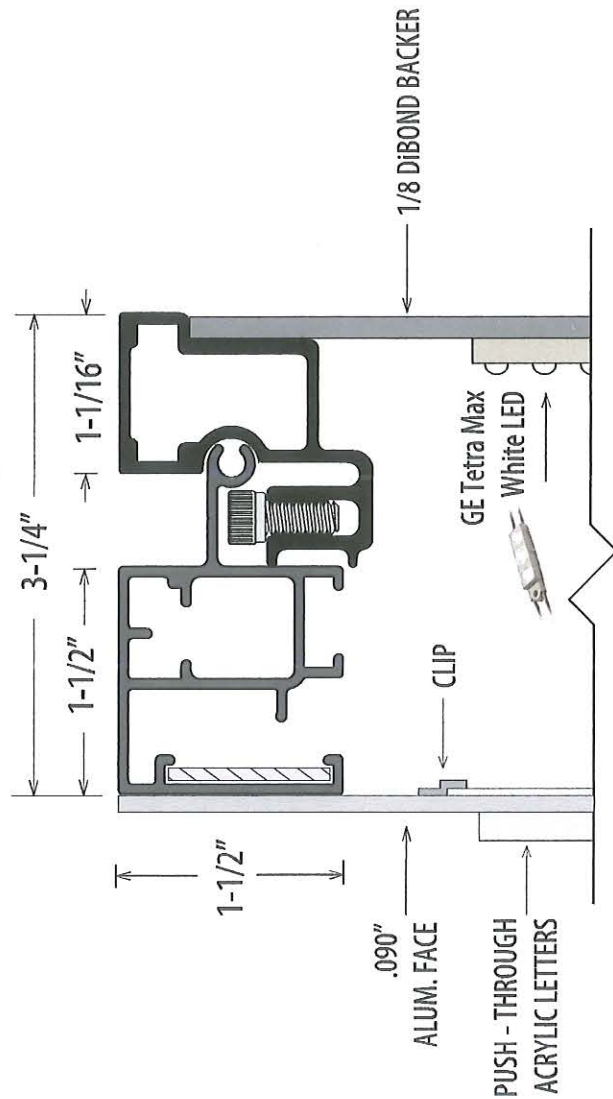


SIDE VIEW

FRONT VIEW



SECTION



PROJECT	13 Forest Main ID Sign
CLIENT	
	13 Forest
LOCATION	
	167A Mass Ave Arlington MA 02474
Date:	5/3/17
Date Due:	-/-
Drawing by:	Matt Roza
File Location:	Clients\13 forest gallery\Main ID\Main ID Shop Drawing.pdf
Revisions	Date
Work Order:	00000

**SRPSIGN**  
CORPORATION

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Somerville, MA 02145  
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## Request for Taxpayer Identification Number and Certification

Give Form to the  
requester. Do not  
send to the IRS.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.  
**SRP Sign Corporation**

2 Business name/disregarded entity name, if different from above

3 Check appropriate box for federal tax classification; check only one of the following seven boxes:  
☐ Individual/sole proprietor or single-member LLC  
☐ C Corporation  
☒ S Corporation  
☐ Partnership  
☐ Trust/estate  
☐ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶  
Note. For a single-member LLC that is disregarded, do not check LLC; check the appropriate box in the line above for the tax classification of the single-member owner.  
☐ Other (see instructions) ▶

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):  
Exempt payee code (if any) \_\_\_\_\_  
Exemption from FATCA reporting code (if any) \_\_\_\_\_  
(Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt. or suite no.)  
**236 Pearl Street**

6 City, state, and ZIP code  
**Somerville, MA 02145**

7 List account number(s) here (optional)

Requester's name and address (optional)  
**Town of Arlington, MA**

### Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Note. If the account is in more than one name, see the instructions for line 1 and the chart on page 4 for guidelines on whose number to enter.

Social security number								
			-			-		
OR								
Employer identification number								
0	4	-	3	5	2	0	4	2

### Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

**Certification Instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 3.

Sign Here  Date **12/5/17**

### General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.  
Future developments. Information about developments affecting Form W-9 (such as legislation enacted after we release it) is at [www.irs.gov/fw9](http://www.irs.gov/fw9).

#### Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following:

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)

• Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)

• Form 1099-C (canceled debt)

• Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See *What is backup withholding?* on page 2.

By signing the filled-out form, you:

- Certify that the TIN you are giving is correct (or you are waiting for a number to be issued).
- Certify that you are not subject to backup withholding, or
- Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and
- Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See *What is FATCA reporting?* on page 2 for further information.



**Town of Arlington  
Redevelopment Board  
730 Massachusetts Avenue  
Arlington, MA 02476**

**Public Hearing**

**Legal Notice**

Notice is herewith given that an application has been filed on January 10, 2018 by Marc Gurton and James Kiely for 13 Forest Gallery, to open a Special Permit Docket #3557 for 167A Massachusetts Ave. This is in accordance with the provisions of MGL Chapter 40A Section 11, and the Town of Arlington Zoning Bylaw Section 11.06 Environmental Design Review. The request is to allow the applicant to construct new and replace the existing signage. The opening of the Special Permit is to allow the Board to review and approve signage, under Article 7 SIGNS.

**A Public Hearing will be held on Monday, February 5, 2018 at 7:30p.m., Town Hall Annex, Second Floor Conference Room, 730 Massachusetts Ave. Arlington, Massachusetts.**

Plans may be viewed at the Department of Planning and Community Development, Town Hall Annex, 730 Massachusetts Avenue, Arlington, MA during office hours, Monday-Wednesday 8:00AM to 4:00PM, Thursday 8:00AM to 7:00PM and Friday, 8:00AM to 12:00PM.

**Arlington Redevelopment Board  
Andrew Bunnell, Chairman**

**Arlington Advocate 1/25/18, 2/1/18**



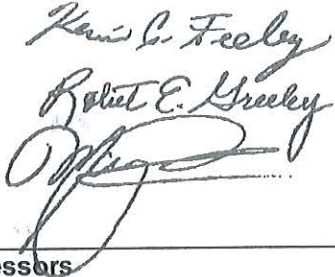
**Abutters List**

Date: January 23, 2018

Subject Property Address: 167-173 MASS AVE  
Arlington, MA  
Subject Property ID: 25-2-13

Search Distance: 300 Feet

**I hereby certify that this list has been prepared  
in accordance in Chapter 40A Section 11 of  
M.G.L.**



**Board of Assessors**

Prop ID: 25-2-13  
Prop Location: 167-173 MASS AVE Arlington, MA  
Owner: VAKALFOTIS THOMAS  
Co-Owner: VAKALFOTIS FAMILY REALTY  
Mailing Address:  
54 CHANDLER ST  
BURLINGTON, MA 01803

Prop ID: 25-1-10  
Prop Location: 16 CLEVELAND ST Arlington, MA  
Owner: MCDERMOTT KELLY M &  
Co-Owner: LAFONTAINE RAYMOND J  
Mailing Address:  
16 CLEVELAND ST  
ARLINGTON, MA 02474

Prop ID: 25-1-11  
Prop Location: 12 CLEVELAND ST Arlington, MA  
Owner: CAMPBELL CYNTHIA A & ERICA L  
Co-Owner: TRS/WENDY E CAMPBELL IRREVOCAB  
Mailing Address:  
12 CLEVELAND ST  
ARLINGTON, MA 02474

Prop ID: 25-1-12  
Prop Location: 10 CLEVELAND ST Arlington, MA  
Owner: WEAVER SCOTT/ETAL  
Co-Owner: MARCEAU CHERYL  
Mailing Address:  
10 CLEVELAND STREET  
ARLINGTON, MA 02474

Prop ID: 25-1-13  
Prop Location: 8 CLEVELAND ST Arlington, MA  
Owner: PINTO MARIA V  
Co-Owner:  
Mailing Address:  
8 CLEVELAND ST  
ARLINGTON, MA 02474

Prop ID: 25-1-14  
Prop Location: 0-LOT CLEVELAND ST Arlington, MA  
Owner: TOWN OF ARLINGTON LIBRARY  
Co-Owner: FOX LIBRARY  
Mailing Address:  
730 MASS AVE  
ARLINGTON, MA 02476

Prop ID: 25-1-15.A  
Prop Location: 175 MASS AVE Arlington, MA  
Owner: TOWN OF ARLINGTON LIBRARY  
Co-Owner:  
Mailing Address:  
730 MASS AVE  
ARLINGTON, MA 02476

Prop ID: 25-1-15.B  
Prop Location: 177-183 MASS AVE Arlington, MA  
Owner: DRISCOLL- RAKUTIS KAREN ANN &  
Co-Owner: RAKUTIS MICHAEL &  
Mailing Address:  
3 BREWSTER RD  
MASHPEE, MA 02649

Prop ID: 25-1-9  
Prop Location: 18 CLEVELAND ST Arlington, MA  
Owner: GEDIES ROBERT L/ LIFE ESTATE  
Co-Owner:  
Mailing Address:  
55 SUNNYSIDE AVENUE  
ARLINGTON, MA 02474

Prop ID: 25-2-10  
Prop Location: 8 MARATHON ST Arlington, MA  
Owner: BOUCOUVALAS MARCIE  
Co-Owner:  
Mailing Address:  
8 MARATHON ST  
ARLINGTON, MA 02474

Prop ID: 25-2-12  
Prop Location: 157-165 MASS AVE Arlington, MA  
Owner: VIGLAS CHARLES J  
Co-Owner: VIGLAS JEAN D  
Mailing Address:  
21 OLDE VILLAGE DRIVE  
WINCHESTER, MA 01890

Prop ID: 25-2-15  
Prop Location: 7 CLEVELAND ST Arlington, MA  
Owner: DEIN ROCHELLE  
Co-Owner:  
Mailing Address:  
7 CLEVELAND ST  
ARLINGTON, MA 02474



Prop ID: 25-2-16  
Prop Location: 9 CLEVELAND ST Arlington, MA  
Owner: LANIGAN ELIZABETH M/TRUSTEE  
Co-Owner: ELIZABETH M LANIGAN REVOCABLE  
Mailing Address:  
9 CLEVELAND ST  
ARLINGTON, MA 02474

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Prop ID: 25-2-17  
Prop Location: 11 CLEVELAND ST Arlington, MA  
Owner: SPENCER STEPHEN J  
Co-Owner:  
Mailing Address:  
11 CLEVELAND ST  
ARLINGTON, MA 02474

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Prop ID: 25-2-18  
Prop Location: 15 CLEVELAND ST Arlington, MA  
Owner: FRIEDMAN MARC D  
Co-Owner: JACOBS SANDRA  
Mailing Address:  
50 WOODBINE CIRCLE  
NEEDHAM, MA 02494

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Prop ID: 25-2-19  
Prop Location: 19 CLEVELAND ST Arlington, MA  
Owner: FOLEY MICHAEL J  
Co-Owner:  
Mailing Address:  
39 LAWRENCE ST APT 3  
BOSTON, MA 02116

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Prop ID: 25-2-6  
Prop Location: 20-22 MARATHON ST Arlington, MA  
Owner: ALBIN MARGARET G  
Co-Owner:  
Mailing Address:  
210 MUNROE HILL RD  
CARLISLE, MA 01741

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Prop ID: 25-2-7  
Prop Location: 18 MARATHON ST Arlington, MA  
Owner: CURTIN MARY J TRUSTEE  
Co-Owner: 18 MARATHON TRUST  
Mailing Address:  
18 MARATHON ST  
ARLINGTON, MA 02474

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Prop ID: 25-4-10  
Prop Location: 11 MARATHON ST Arlington, MA  
Owner: PANICO JAMES V/RAMALHO ANA L.  
Co-Owner: KATSULIS CHRISTINE  
Mailing Address:  
11 MARATHON ST  
ARLINGTON, MA 02474

---

Prop ID: 25-4-11  
Prop Location: 13 MARATHON ST Arlington, MA  
Owner: RUGIERO MAURO &  
Co-Owner: HEFFERON LAUREN J  
Mailing Address:  
13 MARATHON STREET  
ARLINGTON, MA 02474

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Prop ID: 25-4-12  
Prop Location: 17 MARATHON ST Arlington, MA  
Owner: FUDALA MURIEL/ETAL  
Co-Owner: WHITE MARK P  
Mailing Address:  
17 MARATHON STREET  
ARLINGTON, MA 02474

---

Prop ID: 25-4-5  
Prop Location: 14 TROWBRIDGE ST Arlington, MA  
Owner: BIRMINGHAM GEOFFREY F/TR &  
Co-Owner: JELLINEK RACHEL S/TRUSTEE OF  
Mailing Address:  
14 TROWBRIDGE ST  
ARLINGTON, MA 02474

---

Prop ID: 25-4-6  
Prop Location: 10 TROWBRIDGE ST Arlington, MA  
Owner: BAYIATES ARTHUR & ALISON P  
Co-Owner:  
Mailing Address:  
9 ALLEN ROAD  
WINCHESTER, MA 01890

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Prop ID: 25-4-7  
Prop Location: 147 MASS AVE Arlington, MA  
Owner: ROSEN ROSE--TR  
Co-Owner: C/O EYE ASSOCIATES  
Mailing Address:  
172 CAMBRIDGE STREET  
ADAMS REALTY TRUST  
BURLINGTON, MA 01803

---

Prop ID: 25-4-9  
Prop Location: 155 MASS AVE Arlington, MA  
Owner: JOHNSON ARTHUR W TR  
Co-Owner:  
Mailing Address:  
1026 MASS AVE SUITE 1  
ARLINGTON, MA 02476

---

Prop ID: 25.A-2-10.1  
Prop Location: 10 MARATHON ST UNIT 1 Arlington, MA  
Owner: LUPO MELISSA  
Co-Owner:  
Mailing Address:  
10 MARATHON ST UNIT 1  
ARLINGTON, MA 02474

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Prop ID: 25.A-2-10.2  
Prop Location: 10 MARATHON ST UNIT 2 Arlington, MA  
Owner: PRESTON IOANA  
Co-Owner:  
Mailing Address:  
10 MARATHON ST UNIT 2  
ARLINGTON, MA 02474

---

Prop ID: 25.A-2-11  
Prop Location: 6 MARATHON ST UNIT 1 Arlington, MA  
Owner: ENOS MATTHEW JOHN  
Co-Owner: LABBE JANEEN P  
Mailing Address:  
6 MARATHON ST #1  
ARLINGTON, MA 02474

---

Prop ID: 25.A-2-12  
Prop Location: 6 MARATHON ST UNIT 2 Arlington, MA  
Owner: FALLON THOMAS M  
Co-Owner:  
Mailing Address:  
6 MARATHON ST #2  
ARLINGTON, MA 02474

---

Prop ID: 25.A-2-14  
Prop Location: 3 CLEVELAND ST UNIT 1 Arlington, MA  
Owner: HANSEL STEPHANIE  
Co-Owner:  
Mailing Address:  
3 CLEVELAND ST  
ARLINGTON, MA 02474

---

Prop ID: 25.A-2-14.1  
Prop Location: 14 MARATHON ST UNIT 1 Arlington, MA  
Owner: AHERN CHRISTINA  
Co-Owner:  
Mailing Address:  
14 MARATHON STREET UNIT 1  
ARLINGTON, MA 02474

---

Prop ID: 25.A-2-14.2  
Prop Location: 14 MARATHON ST UNIT 2 Arlington, MA  
Owner: BEAULIEU CHRIS  
Co-Owner:  
Mailing Address:  
14 MARATHON STREET UNIT 2  
ARLINGTON, MA 02474

---

Prop ID: 25.A-2-15  
Prop Location: 5 CLEVELAND ST UNIT 2 Arlington, MA  
Owner: HAYES TERRENCE P  
Co-Owner: HAYES LARA K CURTIS  
Mailing Address:  
5 CLEVELAND ST #2  
Arlington, MA 02474

---

Prop ID: 25.A-4-1  
Prop Location: 18 TROWBRIDGE ST UNIT 1 Arlington,  
Owner: RUBERTO CHARLES & GORE SARAH  
Co-Owner:  
Mailing Address:  
18 TROWBRIDGE ST UNIT 1  
ARLINGTON, MA 02474

---

Prop ID: 25.A-4-151.1  
Prop Location: 151 MASS AVE UNIT 1 Arlington, MA  
Owner: BALASUBRAMANIAM AJAY &  
Co-Owner: GOVADA SHILPA  
Mailing Address:  
3 JAIMES WAY  
ACTON, MA 01720

Prop ID: 25.A-4-151.2  
Prop Location: 151 MASS AVE UNIT 2 Arlington, MA  
Owner: ALLOR THOMAS &  
Co-Owner: ALLOR MARIELLE  
Mailing Address:  
151 MASS AVE UNIT 2  
ARLINGTON, MA 02474

---

Prop ID: 25.A-4-2  
Prop Location: 18 TROWBRIDGE ST UNIT 2 Arlington,  
Owner: LAIPSON PETER  
Co-Owner:  
Mailing Address:  
18 TROWBRIDGE ST #2  
ARLINGTON, MA 02474

---

Prop ID: 28-4-10  
Prop Location: 5-7 WINTER ST Arlington, MA  
Owner: LEONE LORNA L & MARIE-ETAL  
Co-Owner: DAVID A TRS  
Mailing Address:  
53 IRVING STREET  
ARLINGTON, MA 02476

---

Prop ID: 28-4-11.A  
Prop Location: 193-201 MASS AVE Arlington, MA  
Owner: EPSTEIN SARA B TRUSTEE  
Co-Owner: EPSTEIN FAMILY TRUST  
Mailing Address:  
266 BISHOPS FOREST DRIVE  
WALTHAM, MA 02452

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Prop ID: 28-4-12  
Prop Location: 185-191 MASS AVE Arlington, MA  
Owner: POULOS CHARLES L  
Co-Owner:  
Mailing Address:  
PO BOX 283  
ARLINGTON, MA 02476

---

Prop ID: 28-4-7.B  
Prop Location: 13 WINTER ST Arlington, MA  
Owner: MAGGIE ASH LLC  
Co-Owner:  
Mailing Address:  
1155 WALNUT ST #31  
NEWTON HIGHLANDS, MA 02461

---

Prop ID: 28-4-9  
Prop Location: 9 WINTER ST Arlington, MA  
Owner: CLARKE MICHAEL E/ETAL  
Co-Owner: CLARKE SANDRA D  
Mailing Address:  
7 SHERATON PARK  
ARLINGTON, MA 02474

---

Prop ID: 28.A-4-8  
Prop Location: 11 WINTER ST UNIT 1 Arlington, MA  
Owner: WOLF LAWRENCE  
Co-Owner:  
Mailing Address:  
11 WINTER ST #1  
Arlington, MA 02474



Prop ID: 28.A-4-9  
Prop Location: 11 WINTER ST UNIT 2 Arlington, MA  
Owner: GRADY SHANE GERALD  
Co-Owner:  
Mailing Address:  
66 HUTCHINSON RD  
ARLINGTON, MA 02474

---

Prop ID: 3-1-23  
Prop Location: 12-14 CHANDLER ST Arlington, MA  
Owner: DOHERTY KELLIE M  
Co-Owner:  
Mailing Address:  
12 CHANDLER ST  
ARLINGTON, MA 02474

---

Prop ID: 3-1-5  
Prop Location: 15-17 EGERTON RD Arlington, MA  
Owner: TERSAKIAN ANJEL  
Co-Owner: M/T INVESTMENTS LIMITED  
Mailing Address:  
215 N. FED. HIGHWAY SUITE 1  
BOCA RATON, FL 33432

---

Prop ID: 3-2-1  
Prop Location: 162-166 MASS AVE Arlington, MA  
Owner: ROGARIS PETER--ETAL  
Co-Owner: ROGARIS SOULA  
Mailing Address:  
80 RICHMOND ROAD  
BELMONT, MA 02478

---

Prop ID: 3-2-2  
Prop Location: 152-160A MASS AVE Arlington, MA  
Owner: D'AGOSTINO PAUL/TRUSTEE  
Co-Owner: R.P.S.D. REALTY TRUST  
Mailing Address:  
28 CHURCH STREET  
WINCHESTER, MA 01890

---

Prop ID: 3-2-27  
Prop Location: 14-16 EGERTON RD Arlington, MA  
Owner: LYONS MAURICE M & PHYLLIS  
Co-Owner:  
Mailing Address:  
11 OLDHAM ROAD  
ARLINGTON, MA 02474

---

Prop ID: 3-2-4  
Prop Location: 9-11 MELROSE ST Arlington, MA  
Owner: SULLIVAN JOHN J & JANE E  
Co-Owner: SULLIVAN ELLEN B & RICH PETER  
Mailing Address:  
9-11 MELROSE ST  
ARLINGTON, MA 02474

---

Prop ID: 3-2-5  
Prop Location: 13-15 MELROSE ST Arlington, MA  
Owner: NAPOLI JAMES & CATHLEEN/TRS  
Co-Owner: JAMES NAPOLI TR & CATHLEEN TR  
Mailing Address:  
158 SEWALL AVENUE  
WINTHROP, MA 02152

Prop ID: 3-3-1  
Prop Location: 150 MASS AVE Arlington, MA  
Owner: LACOURT FOUNDATION LLC  
Co-Owner:  
Mailing Address:  
30 COLLEGE AVE  
SOMERVILLE, MA 02144

---

Prop ID: 3.A-1-10  
Prop Location: 180 MASS AVE UNIT 1B Arlington, MA  
Owner: DUNN JOHN J JR & KAREN N  
Co-Owner:  
Mailing Address:  
180 MASS AVENUE #101B  
ARLINGTON, MA 02474

---

Prop ID: 3.A-1-11  
Prop Location: 180 MASS AVE UNIT 1A Arlington, MA  
Owner: DUNN JOHN J JR & KAREN  
Co-Owner:  
Mailing Address:  
36 AERIAL STREET  
ARLINGTON, MA 02474

---

Prop ID: 3.A-1-12  
Prop Location: 180 MASS AVE UNIT 101C Arlington,  
Owner: LEADER BANK NA  
Co-Owner:  
Mailing Address:  
180 MASS AVE #101C  
ARLINGTON, MA 02474

---

Prop ID: 3.A-1-13  
Prop Location: 180 MASS AVE UNIT 102 Arlington, MA  
Owner: CAMBRIDGE SAVINGS BANK  
Co-Owner: ATT: KAREN GIESTA  
Mailing Address:  
1374 MASS AVENUE  
CAMBRIDGE, MA 02138

---

Prop ID: 3.A-1-14  
Prop Location: 180 MASS AVE UNIT 201 Arlington, MA  
Owner: LEADER BANK N.A.  
Co-Owner:  
Mailing Address:  
180 MASS AVENUE  
ARLINGTON, MA 02474

---

Prop ID: 3.A-1-15  
Prop Location: 180 MASS AVE UNIT 202 Arlington, MA  
Owner: ONE EIGHTY LLC  
Co-Owner:  
Mailing Address:  
180 MASS AVE UNIT 202  
ARLINGTON, MA 02474

---

Prop ID: 3.A-1-16  
Prop Location: 180 MASS AVE UNIT 203 Arlington, MA  
Owner: LEADER BANK N.A.  
Co-Owner:  
Mailing Address:  
180 MASS AVENUE  
ARLINGTON, MA 02474

Prop ID: 3.A-1-17  
Prop Location: 180 MASS AVE UNIT 204 Arlington, MA  
Owner: LEADER BANK N.A.  
Co-Owner:  
Mailing Address:  
180 MASS AVENUE  
ARLINGTON, MA 02474

---

Prop ID: 3.A-1-18  
Prop Location: 180 MASS AVE UNIT 301 Arlington, MA  
Owner: LEADER BANK NA  
Co-Owner:  
Mailing Address:  
180 MASS AVE UNIT 204  
ARLINGTON, MA 02474

---

Prop ID: 3.A-1-19  
Prop Location: 180 MASS AVE UNIT 302 Arlington, MA  
Owner: LEADER BANK NA  
Co-Owner:  
Mailing Address:  
180 MASS AVE UNIT 204  
ARLINGTON, MA 02474

---

Prop ID: 3.A-1-20  
Prop Location: 180 MASS AVE UNIT 303 Arlington, MA  
Owner: LEADER BANK NA  
Co-Owner:  
Mailing Address:  
180 MASS AVE UNIT 240  
ARLINGTON, MA 02474

---

Prop ID: 3.A-1-22  
Prop Location: 18 CHANDLER ST UNIT 1 Arlington, MA  
Owner: MALEK NIR  
Co-Owner: SVERDLOV NETA  
Mailing Address:  
18 CHANDLER ST #1  
ARLINGTON, MA 02474

---

Prop ID: 3.A-1-23  
Prop Location: 16 CHANDLER ST UNIT 2 Arlington, MA  
Owner: ROTH RACHEL  
Co-Owner: FERGUSON PETER  
Mailing Address:  
110 HEMLOCK ST  
ARLINGTON, MA 02474

---

Prop ID: 3.A-1-4.A  
Prop Location: 11 EGERTON RD UNIT 1 Arlington, MA  
Owner: FISCHER STEPHEN  
Co-Owner:  
Mailing Address:  
11-13 EGERTON ROAD #1  
ARLINGTON, MA 02474

---

Prop ID: 3.A-1-4.B  
Prop Location: 11 EGERTON RD UNIT 2 Arlington, MA  
Owner: COOK JOSEPH MARUCA  
Co-Owner: COOK LAURA L  
Mailing Address:  
11-13 EGERTON ROAD #2  
ARLINGTON, MA 02474

Prop ID: 3.A-1-7  
Prop Location: 180 MASS AVE UNIT B1 Arlington, MA  
Owner: LEADER BANK N.A.  
Co-Owner:  
Mailing Address:  
180 MASS AVENUE  
ARLINGTON, MA 02474

---

Prop ID: 3.A-1-8  
Prop Location: 180 MASS AVE UNIT B2 Arlington, MA  
Owner: CAMBRIDGE SAVINGS BANK  
Co-Owner: ATT: KAREN GIESTA  
Mailing Address:  
1374 MASS AVENUE  
CAMBRIDGE, MA 02138

---

Prop ID: 3.A-1-9  
Prop Location: 180 MASS AVE UNIT 101 Arlington, MA  
Owner: ROCHON LILIANA  
Co-Owner:  
Mailing Address:  
180-101 MASS AVE  
ARLINGTON, MA 02474

---

Prop ID: 3.A-2-2810  
Prop Location: 10 EGERTON RD UNIT 10 Arlington, MA  
Owner: LEAHY KEVIN  
Co-Owner: DINN LAURA M  
Mailing Address:  
10 EGERTON RD  
ARLINGTON, MA 02474

---

Prop ID: 3.A-2-2812  
Prop Location: 12 EGERTON RD UNIT 12 Arlington, MA  
Owner: BOULET MICHAEL T/SARAH J  
Co-Owner:  
Mailing Address:  
10-12 EGERTON ROAD UNIT 12  
ARLINGTON, MA 02474

---

Prop ID: 3.A-2-5.5  
Prop Location: 5-7 MELROSE ST UNIT 5 Arlington, MA  
Owner: ANGUS NEIL J  
Co-Owner: MARPLE MELONIE  
Mailing Address:  
5 MELROSE ST  
ARLINGTON, MA 02474

---

Prop ID: 3.A-2-6.6  
Prop Location: 6-8 EGERTON RD UNIT 6 Arlington, MA  
Owner: CABANILLA LOUIS & TERRI  
Co-Owner:  
Mailing Address:  
6 EGERTON RD  
ARLINGTON, MA 02474

---

Prop ID: 3.A-2-7.7  
Prop Location: 5-7 MELROSE ST UNIT 7 Arlington, MA  
Owner: WEN PATRICK  
Co-Owner: RADAKRISHNAN SHARMINI  
Mailing Address:  
7 MELROSE ST  
ARLINGTON, MA 02474



Prop ID: 3.A-2-8.8  
Prop Location: 6-8 EGERTON RD UNIT 8 Arlington, MA  
Owner: CANDADAI VEENA  
Co-Owner:  
Mailing Address:  
6-8 EGERTON RD UNIT 8  
ARLINGTON, MA 02474

---

Prop ID: 6-2-6  
Prop Location: 202-218 MASS AVE Arlington, MA  
Owner: STOREY PROPERTIES LLC  
Co-Owner:  
Mailing Address:  
220 MASS AVE  
ARLINGTON, MA 02474

---

Prop ID: 6-3-1.A  
Prop Location: 192-200 MASS AVE Arlington, MA  
Owner: PASCIUTO FRANK/FERMINA  
Co-Owner: TRUSTEES THE MALAK TRUST  
Mailing Address:  
455 MASSACHUSETTS AVENUE  
ARLINGTON, MA 02474

---

Prop ID: 6-3-1.B  
Prop Location: 190 MASS AVE Arlington, MA  
Owner: FRAMINA LLC  
Co-Owner:  
Mailing Address:  
14 VIKING ROAD  
WINCHESTER, MA 01890

---

Prop ID: 6-3-21  
Prop Location: 8 LAKE ST Arlington, MA  
Owner: JOHNSON ARTHUR W TR  
Co-Owner:  
Mailing Address:  
1026 MASS AVE SUITE 1  
ARLINGTON, MA 02476

---

Prop ID: 6.A-3-3  
Prop Location: 13 CHANDLER ST UNIT 2 Arlington, MA  
Owner: MAYNARD ELAINE E  
Co-Owner:  
Mailing Address:  
13 CHANDLER ST #2  
Arlington, MA 02474

---

Prop ID: 6.A-3-4  
Prop Location: 15 CHANDLER ST UNIT 1 Arlington, MA  
Owner: TODD KATHRYN S  
Co-Owner:  
Mailing Address:  
15 CHANDLER ST #1  
ARLINGTON, MA 02474

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

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## **Public Hearing Memorandum**

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

**To:** Arlington Redevelopment Board

**From:** Jennifer Raitt, Secretary Ex Officio

**Subject:** Environmental Design Review, 167A Massachusetts Ave, Arlington, MA  
Docket #3557

**Date:** February 1, 2018

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### **I. Docket Summary**

This is an application by 13Forest Gallery to replace a sign on 167A Massachusetts Avenue. The project needs a Special Permit to allow illumination of Signs (Section 7) in the B-3 village business zone and under 11.06 Environmental Design Review (EDR) because of its location on Massachusetts Avenue.

Materials submitted for consideration of this application:  
Application for EDR Special Permit and Section 8 Narrative with Elevations and Signage details dated January 10, 2018.



II. Application of Special Permit Criteria (Arlington Zoning Bylaw, Section 10.11)

1. Section 10.11a-1

**The uses requested are listed in the Table of Use Regulations as a Special Permit in the district for which application is made or is so designated elsewhere in this Bylaw.**

The commercial use is allowed in the B-3 village business zone. The Board can find that this condition is met.

2. Section 10.11a-2

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

The Board can find that this condition is met.

3. Section 10.11a-3

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

The Board can find that this condition is met.

4. Section 10.11a-4

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

The Board can find that this condition is met.

5. Section 10.11a-5

**Any special regulations for the use, set forth in Article 11.**

All such regulations are fulfilled.

6. Section 10.11a-6

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

The Board can find that this condition is met.

7. Section 10.11a-7

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

The Board can find that this condition is met.

III. Application of Environmental Design Review Standards (Arlington Zoning Bylaw, Section 11.06)

1. EDR-1 Preservation of Landscape

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

The Board can find that this condition is met.

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

Proposed development shall be related harmoniously to the terrain and to the use, scale and architecture of the existing buildings in the vicinity that have functional or visible relationship to the proposed buildings. The Arlington Redevelopment Board may require a modification in massing so as to reduce the effect of shadows on the abutting property in an R-1 or R-2 district or on public open space.

The Board can find that this condition is met.

3. EDR-3 Open Space

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

The Board can find that this condition is met.

4. EDR-4 Circulation

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

The Board can find that this condition is met.

5. EDR-5 Surface Water Drainage

Special attention shall be given to proper site surface drainage so that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Available Best Management Practices for the site should be

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

In accordance with Section 10.11,b, the Board may require from any applicant, after consultation with the Director of Public Works, security satisfactory to the Board to insure the maintenance of all stormwater facilities such as catch basins, leaching catch basins, detention basins, swales, etc. within the site. The Board may use funds provided by such security to conduct maintenance that the applicant fails to do.

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

The Board can find that this condition is met.

**6. EDR-6 Utilities Service**

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

The Board can find that this condition is met.

**7. EDR-7 Advertising Features**

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

There is no previously permitted sign this location. The proposed sign is 23.5" tall by 151.5" wide (24.72 sf). The proposed sign would feature non-exposed LED lighting.

Businesses in a B3 village business zone are allowed one permanent wall sign for each street or parking lot frontage of each establishment. The maximum allowable size of a wall sign is four feet in height. The proposed signage is in compliance with what is allowed by the Town's Zoning Bylaw in a B3 village business zone.



**8. EDR-8 Special Features**

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

The Board can find that this condition is met.

**9. EDR-9 Safety**

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

The Board can find that this condition is met.

**10. EDR-10 Heritage**

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

The Board can find that this condition is met.

**11. EDR-11 Microclimate**

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

The Board can find that this condition is met.

**12. EDR-12 Sustainable Building and Site Design**

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

The Board can find that this condition is met.

#### IV. Conditions

##### **A. General**

1. The final plans and specifications for all signs shall be subject to final approval by the Department of Planning and Community Development (DPCD).
2. Any substantial or material deviation during construction from the approved plans and specifications is subject to the written approval of the Arlington Redevelopment Board.
3. The Board maintains continuing jurisdiction over this permit and may, after a duly advertised public hearing, attach other conditions or modify these conditions as it deems appropriate in order to protect the public interest and welfare.



## Town of Arlington, Massachusetts

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### Report to Town Meeting for Zoning Bylaw Amendment / Recodification

#### Summary:

8:30-8:50 p.m.

- *Board members will review report, comment, and vote.*

#### ATTACHMENTS:

Type	File Name	Description
▢ Reference Material	ARB_Report_to_STM_2018_013018a.pdf	ARB Report to STM 2018 013018a





**Town of Arlington**

**REDEVELOPMENT BOARD**

**Report to:**

**Special Town Meeting, Monday, February 12, 2018**

Voted as amended Monday, February 5, 2018

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**Andrew Bunnell, Chair, (Term through 01/31/2020)**  
**Andrew West, Vice Chair, (Term through 06/30/2020)**  
**Eugene Benson (Term through 01/31/2020)**  
**Kin Lau (Term through 01/31/2019)**  
**David Watson (Term through 09/22/2018)**

Jennifer Raitt, Secretary Ex-Officio

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## **Summary**

The Arlington Redevelopment Board (ARB) acts as the Town's Planning Board (Section 2 of Section 17 of the Town Manager Act), and as such is required to issue a report with recommendations to the Town Meeting on any warrant article that propose to amend the "Town of Arlington Zoning Bylaw." The ARB must first hold an advertised public hearing on a warrant article. The legal notice for the public hearing for Warrant Article 2 for Special Town Meeting (STM) appeared in the *Arlington Advocate* as required on December 14, 2017, December 21, 2017, and January 4, 2018. The public hearing for STM Article 2 was held on Monday, January 8, 2018, and continued to January 10 and January 22. At its meeting on January 22, 2018, the ARB voted on the recommended bylaw language for STM which is the replacement of the existing zoning bylaw with a proposed new bylaw. The Board's vote was unanimous (5-0) for the warrant article. The ARB's vote constitutes its recommendation and the motion that will be considered by Town Meeting.

The Final Draft of the Arlington Zoning Bylaw dated January 22, 2018 is available on the Town's website, at the Clerk's Office, at the Robbins Memorial Library Reference Desk, and at the Planning and Community Development Office counter. A companion document that provides a section by section walkthrough explaining proposed changes and why they were proposed is also available. Two additional reference documents are provided on the Town's website at [www.arlingtonma.gov/ARB](http://www.arlingtonma.gov/ARB): a fully "redlined" Zoning Bylaw which compares the existing Zoning Bylaw to the proposed Zoning Bylaw and Zoning Bylaw Content for Board Rules and Administrative Rules.

This report to Town Meeting was approved at the February 5, 2018 ARB meeting. This report provides information about the process to develop the proposed Zoning Bylaw, including the timeline, the project team, public engagement and dialogue. This report also describes the iterative process that led to finalizing the bylaw, including how concerns have been addressed and two matters that were raised throughout the process.

## **Background**

Arlington's Zoning Bylaw was written in 1975, and various sections have been amended by Town Meeting 442 times beginning in 1977. Over 41 years, the Redevelopment Board, citizens, staff, and others have tried to address changes in requirements, reflect local practice, and amend the bylaw to address errors. These amendments do not address the bylaw as a whole which remains challenging to use. Rules, requirements, formulas, and definitions are spread out across multiple Articles of the bylaw. Further, it is difficult to find information in the existing bylaw which helps a person understand how to use and apply the bylaw. For example, the existing bylaw often has important requirements and rules embedded in footnotes of tables, formulas and processes embedded in definitions, and definitions referenced throughout. The bylaw also needs updating to ensure that provisions are consistent with State and land use case law as well as not in conflict with companion land use or development rules and regulations.

The Arlington Master Plan, adopted by the Arlington Redevelopment Board and endorsed at 2015 Annual Town Meeting, provides a vision, goals, and actions for implementation to advance policies that address Arlington's land use and zoning, housing, economic development, transportation,

historic and cultural resources, natural resources, open space and recreation, and public facilities. The first key recommended action to advance the land use and zoning vision outlined in our Master Plan is to *“Recodify and update the Zoning Bylaw (ZBL). The text of the ZBL is not always clear, and some of the language is out of date and inconsistent. As a first step in any zoning revisions following a new master plan, communities should focus on instituting a good regulatory foundation: structure, format, ease of navigation, updated language and definitions, and statutory and case law consistency.”* A fully recodified zoning bylaw will provide our community with a fresh starting place to then begin more robust changes that align our zoning with the Town goals and values established by the Master Plan.

### **Process, Timeline, Project Team**

Following adoption of the Master Plan, the Arlington Redevelopment Board formed the Master Plan Implementation Committee (MPIC) which is composed of the following members: Joseph Barr, Andrew Bunnell, Michael Byrne, Adam Chapdelaine, Peter Howard, Charles Kalauskas, Ann Leroyer, Wendy Richter, Andrew West, and Ralph Willmer. In summer 2016, the MPIC formed four subgroups to begin to address key recommendations in the Master Plan while also being responsive to concerns that arose out of 2016 Annual Town Meeting. The Zoning Recodification Working Group (ZRWG) is a subgroup of the MPIC that is composed of the following members: Michael Byrne (Inspectional Services), Adam Chapdelaine (Town Manager), Nancy Flynn-Barvick (Town Manager appointee), Catherine Garnett (Conservation Commission), Charles Kalauskas (MPIC), Christian Klein (ZBA), Jennifer Raitt (Planning and Community Development), Stephen Revilak (Town Meeting), David Watson (ARB), and Ralph Willmer (MPIC). The Department of Planning and Community Development (DPCD) has been coordinating and staffing the process.

Since September of 2016, the ZRWG held 30 meetings. These meetings have been posted public meetings open to the public. In addition to these meetings, ZRWG volunteer members have provided approximately 1,000 hours of time toward this process both at meetings, conducting additional research, reviewing documents, and producing new documents.

The ZRWG’s primary task is to oversee and help with the recodification of the zoning bylaw. This included drafting a Request for Proposals, assisting with the selection of a consultant, RKG Associates, who updated the Zoning Diagnostic (appendix to the Master Plan), facilitated meetings earlier in the process, and ultimately provided three drafts of the bylaw (one in June 2017, a second in July 2017, and a hearing draft in November 2017). Materials chronicling the recodification process are posted here: <https://www.arlingtonma.gov/town-governance/all-boards-and-committees/master-plan-implementation-committee/agendas-and-minutes/zoning-recodification-working-group>.

In order to be responsive to public requests for greater explanation and details of proposed changes, the ZRWG developed additional documents such as the “Guide to Arlington Zoning Bylaw Recodification” and planned outreach and education to assist with understanding the proposed bylaw. The “Guide” document explains where each provision in the existing bylaw appears in the new, proposed bylaw.



Public engagement and meetings included:

- Focus group meetings and interviews with 59 stakeholders, those who interface with or administer the existing Zoning Bylaw to discuss their experiences working with the bylaw;
- An “All Board” meeting in January 2017 with Town Departments, Boards, and Commissions that interface with or directly administer the Zoning Bylaw;
- Two community-wide public forums (one held in July and a second in October 2017) to explain zoning, the process, and gain feedback from the public;
- Seven Open Houses/ Office Hours at the DPCD to allow the public to ask questions, learn more about the process, and provide feedback on drafts of the bylaw;
- Four neighborhood meetings to learn about the process and to ask questions about the proposed final bylaw;
- A survey to Town Meeting Members to learn about their experiences working with the bylaw, their concerns about the process, and answer any questions; and
- Regular updates and discussions at Arlington Redevelopment Board meetings.

The Arlington Redevelopment Board posted the “Hearing Draft” on December 14, 2017. This draft was reviewed by a member of the consulting team who is a long-time land use attorney and former Assistant Attorney General, Director of Municipal Law. The public hearing notice for January 8, 2018 was issued on December 14<sup>th</sup>.

### **Public Comment**

Beginning with the public comment portion of the January 8<sup>th</sup> meeting, the ARB heard from several members of the public and Town Meeting members who wished to have certain concerns heard as part of the process. At the same time, members of the ZRWG discovered typographical and clerical errors that needed revision. Following this hearing and the subsequent public hearing on January 10, 2018, the ARB determined that more time was needed to provide a complete draft, and directed the ZRWG and staff to address any typographical errors as well as any concerns brought up by the public. During a separate meeting of the ZRWG at which a group of concerned residents were invited to attend and participate, these matters were discussed in detail, and this meeting led to a subsequent revised version of the Hearing Draft, which was thoroughly reviewed by members of the ZRWG, staff, and ARB.

Two matters were raised throughout the recodification process: what constitutes a substantive policy issue and should the administrative rules and processes outlined in the Zoning Bylaw be moved to Board rules. We will discuss each of these matters below.

The proposed Zoning Bylaw is a reorganized version of the existing Zoning Bylaw. This means that the entire experience of using the bylaw changes for the user. The existing Zoning Bylaw requires searching across bylaw sections to determine what a property owner may or may not be able to do with their property. However, the proposed Zoning Bylaw provides structure and organization for all users, not just the regular bylaw user. The proposed bylaw contains user guides and three super-categories:

- **User Guides:** A new Table of Contents and Index are also included.
- **Basic Provisions** (Section 1: Purpose and Authority, Section 2: Definitions, and Section 3: Administration and Enforcement)
- **Districts & Uses** (Section 4: Establishment of Districts and Section 5: District Regulations)
- **Site Standards** (Section 6: Site Development Standards, Section 7: Special Permits, and Section 8: Special Regulations)

One of the goals of recodifying the bylaw is to make language throughout the bylaw more accessible to all. The proposed Zoning Bylaw contains terms and phrases that aim to be more concise without losing the meaning and intent of the existing Zoning Bylaw. For example, the following definition was edited for conciseness:

- Variance (in existing Zoning Bylaw): Such departure from the terms of this Bylaw as the ZBA, upon appeal in specific cases, is empowered to authorize under the terms of Article 10.

- Variance (in proposed Zoning Bylaw): A departure from the terms of this Bylaw as the Board of Appeals may authorize under this Bylaw and G.L. c. 40A, § 10.

Additionally, wording was changed to eliminate inconsistencies, conflicts, or obsolete provisions. Table footnotes were moved to text or tables where possible. Sections are renumbered. District and use regulations are rearranged. Many definitions are updated. New definitions are added for terms that appear in the existing Zoning Bylaw but are currently undefined. Definitions for related terms are grouped and placed in boxes, e.g., all terms associated with “building” or “use”.

Some changes were made to be consistent with State and Federal laws and up-to-date with current case laws (these decisions from court cases help establish the law, in this case M.G.L. 40A). Examples of these types of changes include but are not limited to: allowing government uses in all zoning districts; updating citations in the floodplain district and regulations; allowing religious and educational uses in all districts, in conformance with case law, known as the Dover Amendment; and updating definitions such as “family” to comply with state and federal Fair Housing laws.

Additionally, the proposed Zoning Bylaw does not contain administrative rules and processes. This content would be moved to Zoning Board of Appeals and ARB rules. It is a best practice to allow these boards to establish and update their rules and as statute allows. Moving these administrative rules and processes also will allow each board to be more responsive and could improve the special permit review process.

Throughout the process, the ZRWG and ARB weighed all proposed amendments to the Zoning Bylaw. When a proposed amendment appeared to border on a substantive policy issue, such as removing the Sign section from the zoning bylaw and consolidating it in with the Sign section in the Town Bylaws, the group as a whole decided not to proceed with an amendment. An amendment that would alter an outcome *and* was not required under State law, to be up-to-date with current case law, for internal consistency, or to consolidate requirements, would then constitute a policy change.

**Conclusion and ARB vote:**

The Redevelopment Board voted unanimously (5-0) to recommend Article 2 as outlined in the Warrant as amended to Special Town Meeting. Gene Benson made the motion and Kin Lau seconded the motion. The Board noted that zoning recodification should be focused on at a Special Town Meeting because it deserves special attention and to allow for a broad discussion. Board members expressed their desire to move this forward to Town Meeting and confidence in the continued outreach and engagement efforts of the ZRWG and staff to help educate Town Meeting Members about the material that will be discussed. Board members also responded to concern that there are still outstanding issues to be addressed; these issues have been addressed. The remaining concerns spotlight points of disagreement or a difference of opinion. Town Meeting also may have a difference of opinion on these remaining issues.

**VOTED:** That the Zoning Bylaw be and hereby is amended by:

1. re-organizing, re-positioning, re-captioning and re-numbering portions of the Zoning Bylaw to enhance accessibility and adaptability;
2. updating and clarifying the purpose and authority of the Zoning Bylaw to clearly state the Town's legal and factual premises for zoning regulations;
3. improving definitions to more clearly describe zoning districts, uses, and requirements;
4. providing greater consistency with present State law;
5. eliminating redundant or unnecessary provisions; making amendments such as correcting spelling and typographical errors, and eliminating or updating outdated statutory references;
6. revising, re-organizing and clarifying Zoning Bylaw administrative provisions; and
7. making other amendments for clarification and consistency;  
and by taking the following actions:
  1. Deleting in their entirety the following provisions and all their subparts of the existing Zoning Bylaw:
    - Article 1: Title, Authority, and Purpose;
    - Article 2: Definitions;
    - Article 3: Establishment of Districts;
    - Article 4: Interpretation and Application;
    - Article 5: Use Regulation;
    - Article 6: Dimensional and Density Regulations;
    - Article 7: Signs;
    - Article 8: Off-Street Parking and Loading Regulations;
    - Article 9: Nonconforming Uses, Structures, and Lots;
    - Article 10: Administration and Enforcement;
    - Article 11: Special Regulations;
    - Article 12: Amendment, Validity, and Effective Date; and



2. Substituting the following provisions and their subparts in the document entitled “Proposed Amended Zoning Bylaw, dated January 22, 2018” on file in the office of the Town Clerk and the Department of Planning and Community Development:

Section 1	Purpose and Authority;
Section 2	Definitions;
Section 3	Administration and Enforcement;
Section 4	Establishment of Districts;
Section 5	District Regulations;
Section 6	Site Development Standards;
Section 7	Special Permits;
Section 8	Special Regulations;

3. And by taking any action related thereto.

*-- End of Report --*



## Town of Arlington, Massachusetts

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### Discussion about Removing Administrative Rules and Regulations from the Zoning Bylaw to Board Rules

#### Summary:

8:50-9:10 p.m.

- *Board members will discuss the rules and processes being considered for removal and the process for adopting Board Rules.*

#### ATTACHMENTS:

Type	File Name	Description
▢ Reference Material	Zoning_Bylaw_Content_for_Board_Rules_and_Administrative_Rules.pdf	Zoning Bylaw Content for Board abd Administrative Rules

This document is being provided to show which content from the existing Zoning Bylaw is proposed to be moved to Special Permit Granting Authority administrative rules or Conservation Commission regulations, in the case of the Floodplain and Inland Wetlands content. The following content describes required submittals to Boards or restates what is required by State law or the State Building Code. The proposed Zoning Bylaw more concisely describes Board powers, rule setting, fee setting, appeal procedure, and administration and enforcement in the proposed Zoning Bylaw Section 3.

#### **Section 7.08 - Sign Permits and Maintenance**

b. All applications for sign permits shall include at a minimum a drawing to scale indicating the following:

1. the proposed sign;
2. all existing signs maintained on the premises;
3. the lot plan and building facade indicating location of the proposed sign;
4. specifications for its construction, lighting and wiring.

All drawings shall be of sufficient clarity to show the extent of the work.

#### **Section 7.09 - Special Permits**

[...]

Any applicant under this provision shall provide information required in Section 7.08 above, in addition to specific information in the form of perspectives, renderings, photographs, models or other representations sufficient to show the nature of the proposed sign and its effect on the immediate surroundings. Prior to the granting of a special permit under this provision, the ZBA shall receive comments on the sign from the Arlington Redevelopment Board and/or the Department of Planning and Community Development, and if subject to ARB approval, the ARB shall not act until it receives comment from the Department of Planning and Community Development.

#### **Section 10.02 - Permit Required**

[...]

An application for a permit shall be accompanied by a plan, accurately drawn, showing the actual shape and dimensions of the lot to be built upon, the exact location and size of all buildings or structures already on the lot, the location of new buildings or structures to be constructed, together with the lines within which all buildings or structures are to be erected, the existing and intended use of each building or structure and such other information as may be necessary to provide for the execution and enforcement of this Bylaw. A record of all applications, plans, and permits shall be kept on file by the Inspector of Buildings. The Inspector of Buildings shall take action on an application for a permit, either granting the permit or disapproving the application, within thirty (30) days of receipt of the application.

#### **Section 10.04 - Certificate of Occupancy Required**



[...]

Applications for certificates of occupancy and compliance shall be filed coincident with the application for building permits and shall be issued or refused in writing for cause within five (5) days after the Inspector of Buildings has been notified in writing that the erection or alteration of such buildings has been completed. Failure of the Inspector of Buildings to act within five (5) days of receipt of said notification shall be deemed to constitute approval of the application for a certificate of occupancy. A record of all certificates shall be kept on file in the office of the Inspector of Buildings. Buildings accessory to dwellings when completed at the same time shall not require a separate certificate of occupancy. Pending the issuance of a regular certificate, a temporary certificate may be issued for a period not exceeding six (6) months, during the completion of alterations or during partial occupancy of a building, pending its completion. No temporary certificate shall be issued prior to its completion if the building fails to conform to the provisions of the Building Code and state laws or of this Bylaw to such a degree as to render it unsafe for the occupancy proposed.

#### **Section 10.05 - Sign Permit Required**

[...]An application for a sign permit shall be accompanied by a plan, accurately drawn, showing the actual shape, dimensions and wording of the sign, and showing the location of the sign on the building or lot, and by such other information as the Inspector of Buildings may require. [...]

#### **Section 10.10 - Board of Appeals**

e. APPEALS.

1. Any person aggrieved by reason of his inability to obtain a permit from the Inspector of Buildings under the provisions of this Bylaw, by any officer, department or board of the town, or by any order or decision of the Inspector of Buildings or other town official in violation of any provision of this Bylaw may take an appeal to the ZBA.
2. Any person desiring to obtain the permission of the ZBA for any purpose for which such permission is required under the provisions of this Bylaw shall make application in writing therefor within thirty (30) days from the date of the order or decision which is being appealed by filing a notice of appeal, specifying the grounds thereof, with the Town Clerk. The Town Clerk shall forthwith transmit copies thereof to such officer or board whose order or decision is being appealed, and to the members of the ZBA. Such officer or board shall forthwith transmit to the ZBA all documents and papers constituting the record of the case in which the appeal is taken.
3. The ZBA shall fix a reasonable time for the hearing of any appeal or other matter referred to it or any petition for a variance, and shall cause the notice of the time and place of such hearing thereof and the subject matter, sufficient for identification, to be published in a newspaper of general circulation in the town once in each of two (2) successive weeks, the first publication to be not less than fourteen (14) days before the day of the hearing, and also before the day of the hearing shall send notice by mail, postage prepaid, to the petitioner and to the owners of all

property deemed by the ZBA to be affected thereby, including the abutters and the owners of land next adjoining the land of the abutters, notwithstanding that the abutting land or the next adjoining land is located in another city or town, as they appear on the most recent local tax list, and to the ARB. The publication required by this section shall contain the following printed in bold face type: (1) the name of the petitioner; (2) the location of the area or premises which are the subject of the petition; and (3) the date and place of the public hearings. At the hearing, any party, whether entitled to notice thereof or not, may appear in person or by agent or by attorney.

#### **Section 10.11 - Special Permits**

c. In order that the ZBA, or in cases subject to Section 11.06, the ARB may determine that the above- mentioned special permit standards are to be met, a site plan shall be submitted, in duplicate, to the ZBA, or ARB as appropriate, by the applicant. In the case of Special Permits for uses, listed in the Table of Use Regulations, all such site plans shall be prepared, signed and stamped by a professional land surveyor or professional engineer registered in Massachusetts unless the Special Permit Granting Authority waives the requirement in writing

Said site plan shall show, among other things, all existing and proposed buildings, structures, parking spaces, driveway openings, driveways, service areas, and other open uses, all facilities for sewage, refuse and other waste disposal, and for surface water drainage, and all landscape features, such as fences, walls, planting areas and walks.

The ZBA shall within ten (10) days after receipt thereof transmit one copy of such plan to the ARB. The ARB may, in its discretion, investigate the case and report in writing its recommendations to the ZBA.

The ZBA shall not take final action on such plan until it has received a report thereon from the ARB or until said ARB has allowed thirty (30) days to elapse after receipt of such plan without submission of a report thereon.

#### **Section 11.04 - Floodplain District**

##### **f. REQUIRED SUBMITTALS**

1. Submission of a location plan at the scale of 1" = 600' showing the lot(s) to be developed, lot lines within which the development is proposed, and tie-in to the nearest road intersection.
2. A site plan at a scale of 1" = 50' shall be prepared by a registered land surveyor or registered professional engineer. The site plan shall be submitted to the ZBA and shall show at least the following:
  - (a) The location, boundaries, and dimension of each lot in question.
  - (b) Two-foot contours of the existing and proposed land surface.
  - (c) The location of existing and proposed structures, watercourses, and drainage easements,

means of access, and drainage.

### **Section 11.05 - Inland Wetland District**

#### **f. REQUIRED SUBMITTALS**

1. Submission of a location plan at a scale of 1" = 600' showing the lot(s) to be developed, lot(s) lines within which the development is proposed, and tie-in to the nearest road intersection.

2. A site plan at a scale of 1" = 50' shall be prepared by a registered land surveyor or registered professional engineer. The site plan shall be submitted to the ZBA and shall show at least the following:

(a) The location, boundaries, and dimension of each lot in question.

(b) Two-foot contours of the existing and proposed land surface.

(c) The locations of existing and proposed structures, watercourses, and drainage easements, means of access, drainage, and sewage disposal facilities.

(d) The elevation of the basement and first floor.

(e) The area and location of leaching fields.

### **Section 11.06 - Environmental Design Review**

#### **c. PERMIT AND PROCEDURE.**

(2)(a) The plans shall be certified by the land surveyor doing the boundary survey and the professional engineer or architect on the location of the building(s), setbacks, and all other required dimensions, elevations, and measurements and further that the plan be signed under the penalties of perjury.

(2)(b) The corner points of the lot (or lots under common ownership) and the change of direction of lines to be marked by stone monuments, cut in stone, stake and nail, iron pin, or other marker, and shall be so marked.

The ARB shall review the plans and model and may grant a special permit subject to the conditions and safeguards listed in Section 10.11(b). The ARB for stated reasons may deny approval of a special permit or may approve a special permit without a finding of hardship.

The site plan shall be subject to the standards listed in Section 11.06(f) and the ARB shall make a determination that the project meets these standards.



Before granting a special permit, the ARB shall hold a public hearing, notice of which shall be given in a local newspaper once in each of two successive weeks with the first publication to be not less than fourteen (14) days before the date of hearing, and to owners of all property abutting the proposed development or land in the same ownership or contiguous ownership, and to all property owners deemed by the ARB to be affected thereby. The ARB shall make a copy of the site plan, the model, the application and any other supporting material submitted, immediately available to the Department of Planning and Community Development and they shall have an opportunity to prepare written reports with recommendations to be submitted to the ARB before or at the public hearing. The failure of the Department of Planning and Community Development to submit written reports or to give an oral report at the public hearing shall not invalidate action by the ARB. A favorable decision by the ARB shall require the votes of at least four members of said Board.

d. REQUIRED SUBMITTALS. In addition to the site plan required for special permits in Section 10.11(c) of this Bylaw, the application shall be accompanied by the following:

1. Model. An inexpensive study model or final presentation model at a minimum scale of 1" = 40' showing the tract, abutting streets, proposed contours, proposed buildings, and the massing of abutting buildings. (Not required for additions, alterations, or changes in use which increase gross floor area by less than 100 percent.)

2. Drawing of Existing Conditions. A drawing (at a minimum of 1" = 20' unless another scale is found suitable by the Department of Planning and Community Development) showing the location, type, size, or dimension of existing trees, rock masses, existing topography at two (2) foot contours, and other natural features with designations as to which features will be retained. In order to meet the conditions for approval of a special permit, all existing trees, rock masses, and other natural features shall be retained until a special permit is approved.

3. Drawing of Proposal.

(a) Structure: a drawing including color and type of surface materials showing front and rear elevations, and side elevations where there are no adjoining buildings, and floor plans.

(b) Landscape: a drawing showing the location, dimensions, and arrangements of all open spaces and yards, including type and size of planting materials, color and type of surface materials, methods to be employed for screening, and proposed topography at two (2) foot contours.

4. Photographs. Photographs showing the proposed building site and surrounding properties, and of the model (if required). Applications for alterations and additions shall include photographs showing existing structure or sign to be altered and its relationship to adjacent properties.

5. Impact Statement. Statement by applicant with explanation of how each of the environmental design review standards is incorporated into the design of the proposed development. Where a particular standard is not applicable, a statement to that effect will suffice. An environmental impact statement prepared in accordance with state or Federal regulations may be accepted as a substitute in lieu of this statement.

6. Application for permit and accompanying plans as specified under Section 10.05 for each sign that is to be erected on the proposed structure(s).

7. In lieu of the required submittals listed above, an application for a special permit under Use 8.24 of Section 5.04 shall include an overall signage plan comprised of the information required under Section 7.08(b) as well as perspectives, renderings, photographs, models, or other representation sufficient to show the nature of the proposed overall signage plan and its effect on the immediate surroundings.



## Town of Arlington, Massachusetts

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### Approval of Meeting Minutes from January 8, 2018

#### Summary:

9:10-9:20 p.m.

#### ATTACHMENTS:

	Type	File Name	Description
▢	Reference Material	DRAFT_ARB_Minutes_01082018.pdf	01082018 Minutes Redevelopment Board



**Arlington Redevelopment Board**  
**January 8, 2018, 7:30 p.m.**  
**Senior Center, Main Room, First Floor**  
**Meeting Minutes**

This meeting was recorded by ACMi. (Due to technical difficulties, this meeting is unavailable)

**PRESENT:** Andrew Bunnell (Chair), Andrew West, David Watson, Eugene Benson, Kin Lau

**STAFF:** Jennifer Raitt,

**GUESTS:** Robert Annesse, Attorney for Gold's Gym; Carl K. Toumayan, Attorney for 30 Park Avenue Associates; Christopher Aufierio, Route 2 Athletics

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**Correspondence:**

- Letter of support from Arlington Babe Ruth Baseball
- Letter of support from Scott Jones
- Letter of support from Richard H. Flynn
- Letter of support from Joseph FitzPatrick
- Letter of Support from the Master Plan Implementation Committee

The Chair opened the meeting at 7:30pm and turned to the first item on the agenda, Public Hearing to re-open Special Permit Docket #2890 for 30 Park Avenue in accordance with the provisions of M.G.L. Chapter 40A Section 11, and the Town of Arlington Zoning Bylaw Section 5.04-4.10 Health Club, 801(a) Parking Reduction in an Industrial Zone, and 11.06 Environmental Design Review. The request is to allow an expansion of Health Club Use and continuation of the existing Auto Body Repair, Warehouse/Storage and Distribution Warehouse use.

Attorney, Robert Annesse, presented the proposal. According to the proposal, the total square footage of all uses would be 51,400 sq. ft. and divided among the uses as follows: storage (4,000 sq. ft.), auto body (4,000 sq. ft.), warehousing (8,375 sq. ft.), and health club (35,025 sq. ft.). This application will provide additional gym space and add a baseball/ softball training facility. Robert Annesse presented that this application will provide additional gym space and adds a baseball/ softball training facility. He reviewed the documentation submitted, the application for EDR Special Permit and Impact Statement with supporting documents, including Site Plan, Photographs, Existing Conditions, and Dimensional and Parking Information dated December 4, 2017. Board members expressed overall satisfaction with the application and supported the proposed expanded use.

Board members raised questions regarding the parking plan, Transportation Demand Management in order to justify the parking reduction, and ensuring a landscaped buffer is maintained between the site and the brook. Mr. Lau moved to continue the public hearing to February 5, 2018 with the following expectations: an updated parking plan will be provided; specific Transportation Demand Management measures should be outlined, for example, more bike parking and membership and employee incentives to encourage other means of transportation; and a buffer should be maintained between all site activities and Mill Brook and should be indicated on the aforementioned parking plan. Mr. West seconded. All voted in favor. (5-0)

The Chair moved to the next item on the agenda, Public Hearing – Special Town Meeting, Article 2, Zoning Bylaw Amendment/ Recodification. Jennifer Raitt, Director of Planning and Community Development, shared a brief history and overview of the recodification process, including the project scope, team, Zoning Recodification Working Group (ZRWG), and community engagement. The ZRWG was tasked with overseeing a comprehensive zoning update. Their goal was to update and revise the Arlington Zoning Bylaw (ZBL) to be clearer, internally consistent, reflective of the Master Plan, and in compliance with M.G.L. Chapter 40A and current case law. In October of 2016, RKG Associates were hired to help with the

recodification process. In addition, a series of public forums designed to engage residents in focused discussion about recodifying Arlington's Zoning Bylaw occurred. Their purpose was designed to give participants context and information that would enable them to discuss and provide feedback on the existing zoning bylaw and set the stage for discussion about proposed amendments to the zoning bylaw. As a result, two Zoning Bylaw drafts were produced and with extensive amounts of effort and expertise from staff, the ZRWG, community members who care and devoted a lot of their time, the third and final Hearing Draft was created.

The Chair thanked Ms. Raitt, the Working Group, and community members involved with the process for their efforts. After reviewing Ground Rules for the public hearing, the chair opened the floor for public comment.

- John Worden, 27 Jason Street, Town Meeting Member, stated that language that protects homeowners from teardowns was removed and that the process was rushed and urged the Board to postpone recodification to a later date.
- Elizabeth Pyle, 66 Gloucester Street, supported the goal of recodification, but stated that there has not been enough time for review of the document and urged the Board postpone the proposed Zoning Bylaw until the spring.
- Wynelle Evans, 20 Orchard Place, stated that there were significant changes to the document and several typographical errors in the dimensional tables. Ms. Evans asked the Board to take no action.
- Chris Loreti, 56 Adams Street, stated that policy changes were made which would reduce the protectiveness of the bylaw, as well as changes to definitions, and asked the Board to take no action.
- Micheal Ruderman, 9 Alton Street, Town Meeting Member, did not support taking fines out to the Zoning Bylaw only to be re-imposed upon the Boards and Departments and stated that the document is not ready for Town Meeting.
- Jon Gersh, 24 Kipling Road, suggested a red-lined document be available to help with clarifying and identifying the changes.
- Pat Hanlon, 20 Park Street, Town Meeting Member, suggested a red-lined document be made available and removing any details causing substantial arguments.
- Paul Parise, 106 Hemlock Street, stated that there were discrepancies with the document and felt it was not ready for Special Town Meeting.

The Chair encouraged all comments, questions and concerns be provided via email and stated all written evidence would be accepted.

The Chair asked for a motion to continue the meeting to Wednesday, January 10, 2018. So, moved by Mr. West. Seconded by Mr. Lau. All voted in favor. (5-0)