



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

### **Agenda & Meeting Notice June 18, 2018**

The Arlington Redevelopment Board will meet Monday, June 18, 2018 at 7:30 PM in the **Town Hall Annex, 2nd Floor Conference Room, 730 Massachusetts Avenue, Arlington, MA 02476**

**1. 1. Request for Consent to Repetitive Petition under M.G.L. Chapter 40A § 16 by  
Leader Bank, 180 Massachusetts Avenue, Arlington**

**7:30 – 7:45 p.m.** *Board members will review correspondence from  
Leader Bank, ask additional questions, and vote.*

**2. 2. Central School building: - Lease of Space for Arlington Center for the Arts and ACA  
construction update - Capital improvements in progress - Ground floor and 1st floor  
renovation updates**

**7:45-8:15** *Staff will provide verbal updates and Board will review  
and approve draft letter to ACA*

**3. 3. Board Rules and Regulations Draft for Review**

**8:15-8:45** *Board will review draft document, discuss  
amendments, and continue discussion or vote.*

**4. 4. Meeting Minutes**

**8:45-9:00** *Board members will review and approve meeting  
minutes to be provided.*

**5. 5. Upcoming Department Planning and Community Development Department  
Community Forums/ Meetings**

**9:00-9:15** *Staff will make announcements about upcoming  
events and answer questions*

**6. 6. Recodified Zoning Bylaw**

**9:15-9:20** *Staff will provide a verbal update*

**7. Adjourn**

**9:20** *Adjourn*



## Town of Arlington, Massachusetts

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### 1. Request for Consent to Repetitive Petition under M.G.L. Chapter 40A § 16 by Leader Bank, 180 Massachusetts Avenue, Arlington

#### Summary:

**7:30 – 7:45 p.m.**      *Board members will review correspondence from Leader Bank, ask additional questions, and vote.*

#### ATTACHMENTS:

Type	File Name	Description
▢ Reference Material	Leader_Bank_request_for_consent_for_repetitive_petition.pdf	Leader Bank Request



PLANNING & COMMUNITY  
DEVELOPMENT

2018 MAY -5 A 9:28

June 13, 2018

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

To the members of the Redevelopment Board of the Town of Arlington,

Please accept this letter and attached exhibits as formal notice of a request by Leader Bank, N.A. (hereinafter, "Leader") to the Redevelopment Board of the Town of Arlington ("Board"), pursuant to M.G.L. Ch. 40A §16, to allow Leader to submit a new application for a sign at 180 Massachusetts Avenue with significant and material changes to its previous request, notwithstanding the Board's Decision filed with the Town Clerk on June 1, 2018 in the matter of Docket #2644, 180 Massachusetts Avenue (hereinafter, the "Decision"), a copy of which is attached hereto as Exhibit "A."

The Decision rendered by the Board regarding Leader's application to replace a sign at 180 Massachusetts Avenue under a Special Permit to allow Signs in the B-3 village business zone and under 11.06 Environmental Design Review was made pursuant to Section 7 of the Regulations for Environmental Design Review (specifically, that the "size, location, design, color, texture, lighting and materials of proposed signs detracted from the use and enjoyment of the building"), and that "supplemental application requests made by the Board were not fulfilled."

The design which received an unfavorable decision by the Board consisted of illuminated channel letters spelling "Leader Bank" with a width of 16' and 9" and a height of 22" above illuminated channel letters spelling "CORPORATE HEADQUARTERS" with a width of 16' and 9" and a height of 10," located on the lower middle façade of 180 Massachusetts Avenue. Below the illuminated channel letters spelling "CORPORATE HEADQUARTERS" are three aluminum numerals ("180") with a height of 22", suspended above the main entrance doorway. The aforementioned design which had received an unfavorable decision is attached hereto as Exhibit "B."

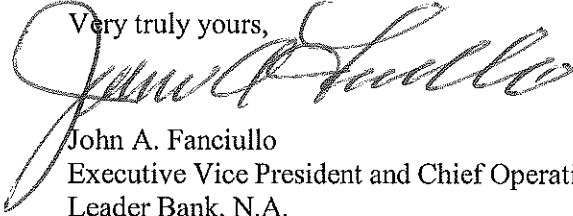
In consideration of the Board's unfavorable decision and in careful contemplation of its recommendations, Leader requests permission to file a new application to this Board for a sign with two proposed alternative designs for its sign, which shall make specific and material changes to Leader's previous application documents to address the reasons set forth by the Board for the denial of Leader's original request as set forth in the Decision. Upon request of the Board, Leader is prepared to provide copies of these alternative designs to the Board at the hearing held on this request and can outline the specific and material changes on the record at that time. Upon the Board's consent to this request, Leader shall immediately file all necessary permitting documents for its proposed revised designs. Please know that it has always been an important part of Leader's mission to be an active and involved member of the community of Arlington, and we look forward to continuing that mission.

\* \* \* \* \*



Given that Leader intends to make significant and material changes to its request in its next application, we respectfully ask that this request pursuant to M.G.L. ch. 40A: § 16 be placed on the docket at the next meeting of the Town of Arlington Redevelopment Board on June 18, 2018, and that the Board approve this request. Until that time, I am available to answer any questions that the Board may have regarding this request. I can be reached at 781-641-7555.

Very truly yours,



John A. Fanciullo  
Executive Vice President and Chief Operating Officer  
Leader Bank, N.A.

Attachments

cc: Sushil K. Tuli, President and Chief Executive Officer  
Brook L. Ames, Esquire, General Counsel  
Jennifer Raitt, Director, Town of Arlington Planning and Community Development

# Exhibit “A”



TOWN CLERK'S OFFICE  
100 N. MAIN ST.  
ARLINGTON, MA 02474

2018 JUN -1 AM 11:16

RECEIVED

## ARLINGTON REDEVELOPMENT BOARD

Arlington, Massachusetts  
Middlesex, ss

DOCKET NO. 2644

DECISION  
Special Permit Under  
ENVIRONMENTAL DESIGN REVIEW

Applicant: Leader Bank, 180 Massachusetts Avenue, Arlington, Massachusetts 02474  
Property Address: 180 Massachusetts Avenue, Arlington, Massachusetts 02474

Date of Hearing: March 19, 2018 and continued to May 7, 2018.  
Date of Decision: May 7, 2018

20 Day Appeal Period Ends: June 17, 2018 <sup>22</sup> JR

Members  
Approved

*Kh*

*Eugene B. Benson*  
*David M. Wat*

Opposed

*[Signature]*

*Stephanie L. Lucarelli*  
Town Clerk's Certification

*June 1, 2018*  
Date



TOWN CLERK'S OFFICE  
100 NORTH ST. ARLINGTON, MA 02476

2018 JUN -1 AM 11:16

## **Town of Arlington, Massachusetts**

### **Redevelopment Board**

730 Massachusetts Avenue, Arlington, Massachusetts 02476

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### **DECISION OF THE BOARD**

**Environmental Design Review Docket #2644**

**180 Massachusetts Ave, Arlington, MA 02474**

**Leader Bank**

**May 21, 2018**

This Decision applies to the Special Permit application filed by Leader Bank to replace a sign at 180 Massachusetts Avenue. The project needed a Special Permit to allow 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. A public hearing was held on March 19, 2018 and continued to May 7, 2018.

#### **Materials submitted for consideration of this application:**

Application for EDR Special Permit, Sign Permit Application dated January 18, 2018, and letter from Batten Bros. Sign Advertising dated February 16, 2018 with Wall Sign and Cabinet Wall Sign plans details dated October 11, 2017 and October 20, 2017. Wall Sign options amended on April 24, 2018.

Supplemental application requests made by the Board were not fulfilled, specifically demonstration of approval of the sign plans by the Condominium Association at 180 Massachusetts Avenue.

The following criteria have been met, per Section 10.11, Arlington Zoning Bylaw:

**1. Section 10.11a-1**

The commercial use is allowed in the B-3 zone. The Board finds that this condition is met.

**2. Section 10.11a-2**

The use is desirable to the public. The Board finds that this condition is met.

**3. Section 10.11a-3**

The use will not create undue traffic congestion, or unduly impair pedestrian safety. The Board finds that this condition is met.

4. Section 10.11a-4

The use will not overload any public water, drainage or sewer system or any other municipal system to such an extent that any surrounding 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 finds 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 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 finds that this condition is met.

7. Section 10.11a-7

The 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 finds that this condition is met.

I. **Application of Environmental Design Review Standards (Zoning Bylaw, Section 11.06)**

1. EDR-1 Preservation of Landscape

There will be no changes to the landscape as a result of this proposal. The Board finds that this condition is met.

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

There will be no physical alterations to the exterior of the building. The Board finds 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. The Board finds that this condition is met.

4. EDR-4 Circulation

Circulation patterns will not change as a result of this proposal. The Board finds that this condition is met.

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 finds 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. The Board finds that this condition is met.



**7. EDR-7 Advertising Features**

The existing signage that this proposal would replace on the Massachusetts Avenue façade of this location was not permitted. 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 sign on the façade of the building is 4'-11" tall by 19'-11" wide (97.92 sf). The proposed sign would feature non-exposed LED lighting.

There is no existing signage on the Egerton Road façade of the building. The proposed signage on this façade is 3' tall by 6' wide (18 sf). The proposed sign would feature non-exposed LED lighting. The proposed signage on the Egerton Road façade is in compliance with zoning.

The proposed signage for the Massachusetts Avenue façade of the building was not in compliance with the Town's Zoning Bylaw in a B3 village business zone. Further the Board determined that the signage location, design, color, texture, lighting and materials of the proposed sign detracted from the use and enjoyment of the building.

The Board finds that this condition is not met.

**8. EDR-8 Special Features**

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

**9. EDR-9 Safety**

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

**10. EDR-10 Heritage**

The building is located in the Arlington Center National Register Historic District, and any proposal approved by this board would need further approval from the Arlington Historical Commission. The Board finds that this condition is met.

**11. EDR-11 Microclimate**

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

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

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

The Board moved Docket #2644 on May 7, 2018 resulting in denial because the motion failed due to the following:

1. EDR Section 7 Signs – the size, location, design, color, texture, lighting and materials of proposed signs detracted from the use and enjoyment of the building.
2. Supplemental application requests made by the Board were not fulfilled.



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

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June 1, 2018

**Decision,  
Docket #2644  
180 Massachusetts Avenue**

This Decision applies to the Special Permit application filed by Leader Bank to replace a sign at 180 Massachusetts Avenue. The project needed a Special Permit to allow 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. A public hearing was held on March 19, 2018 and continued to May 7, 2018.

VOTE: The ARB moved Docket #2644 on May 7, 2018 resulting in denial because the motion failed due to the following:


1. EDR Section 7 Signs – the size, location, design, color, texture, lighting and materials of proposed signs detracted from the use and enjoyment of the building.
2. Supplemental application requests made by the Board were not fulfilled.

Appeals from this decision, if any, must be made pursuant to Chapter 40A, § 17 of the Massachusetts General Laws and must be filed within twenty (20) days after the date of the filing of this decision in the Office of the Town Clerk.

Andrew Bunnell, Chair  
Arlington Redevelopment Board

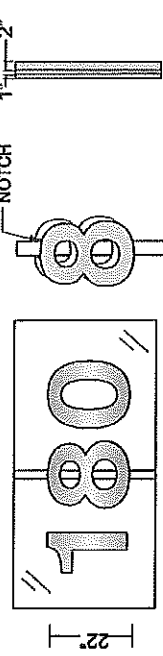
# Exhibit “B”

<b>BATTEN BROS.</b> Sign Advertising 693 MAIN STREET, WAREFIELD, MA 01860 (781) 245-4800		Date: 4/24/18 Sketch #: 57705	File Name: Leader Bank Corporate Headquarters.cdr
Project: Leader Bank Salesman: Rich Designer: Ronold	Scale: 3/4"=1'-0" Project: Leader Bank	Location: Corporate Headquarters 180 Mass Ave., Arlington, MA	Job Description: Wall Sign
Revised			



PROPOSED NEW LETTERS SCALE 3/32"=1'-0"

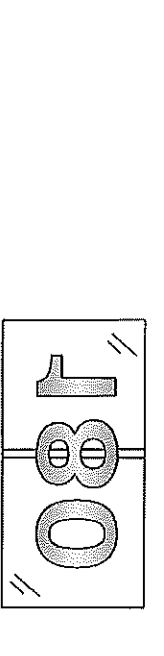
OUTSIDE GLASS - FRONT



22'

1'-2" NOTCH

INSIDE GLASS - BACKS



22'

1'-2" NOTCH

**OPTION #3**

INSIDE GLASS - BACKS

- 1" THICK ACRYLIC TAPE MOUNT TO GLASS
- PAINTED MAP METALLIC GOLD

**Leader Bank**

**CORPORATE HEADQUARTERS**

ILLUMINATED CHANNEL LETTERS ON RACEWAY SCALE 3/8"=1'-0"

- 4" DEEP ALUMINUM CHANNEL LETTERS ON A RACEWAY
- 3/16" WHITE ACRYLIC FACES
- ILLUMINATED WITH WHITE LED'S
- LETTERS MOUNT TO RACEWAY, PAINTED TO MATCH BUILDING



## Town of Arlington, Massachusetts

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**2. Central School building: - Lease of Space for Arlington Center for the Arts and ACA construction update - Capital improvements in progress - Ground floor and 1st floor renovation updates**

**Summary:**

**7:45-8:15**      *Staff will provide verbal updates and Board will review and approve draft letter to ACA*

**ATTACHMENTS:**

Type	File Name	Description
▢ Reference Material	Updated_memo_to_ACA_regarding_CS_use_Summer_2018.docx	Updated Memo to ACA



**ARLINGTON REDEVELOPMENT BOARD**

TOWN HALL ARLINGTON, MASSACHUSETTS 02476

TELEPHONE 781-316-3090

June 14, 2018

Linda Shoemaker, Executive Director  
Arlington Center for the Arts  
20 Academy Street  
Arlington, MA 02476

Re: Use of 2<sup>nd</sup> Floor Conference Room Space at Central School

Dear Ms. Shoemaker:

On behalf of the Arlington Redevelopment Board, I am writing to confirm the Arlington Center for the Arts' (ACA) continued use and access to space at the Central School Building at 20 Academy Street/ 27 Maple Street beginning on July 1, 2018 through September 30, 2018. The 240 square foot conference room located on the 2<sup>nd</sup> floor shall be available for ACA's exclusive use. It remains ACA's responsibility to return the room to its original condition, including returning furniture to the room. The ARB will charge ACA \$1,500 for use of this space and any other typically rentable spaces in the building.

Please confirm receipt of this letter and your ability to fulfill the terms of this agreement.

Should you have any questions about this extension and terms, please contact me at 781-316-3092.

Sincerely,

Jennifer Raitt  
Secretary Ex-Officio



## Town of Arlington, Massachusetts

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### 3. Board Rules and Regulations Draft for Review

#### Summary:

**8:15-8:45** *Board will review draft document, discuss amendments, and continue discussion or vote.*

#### ATTACHMENTS:

	Type	File Name	Description
▢	Reference Material	Draft_ARB_Rules_and_Regs_06182018.pdf	Draft Rules and Regulations

# **Arlington Redevelopment Board Rules and Regulations**



*Draft June 14, 2018*



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### ***Town of Arlington Redevelopment Board Rules & Regulations***

*On \_\_\_\_\_, pursuant to M.G.L. Chapter 40A § 9, the Arlington Redevelopment Board held a Public Hearing to solicit comments on proposed Rules and Regulations and at a meeting of \_\_\_\_\_, the Board voted \_\_\_\_\_ to adopt Rules and Regulations as the official Arlington Redevelopment Board Rules and Regulations.*

*For questions regarding these rules and regulations, please contact the Department of Planning and Community Development at 781-316-3090 or go to [www.arlingtonma.gov/planning](http://www.arlingtonma.gov/planning).*

### **RULE 1 : AMENDMENT AND REVISION**

These Rules may be replaced, revised or amended at any time by a majority vote of the Redevelopment Board, where permissible under Federal, State, and local law.

### **RULE 2 : BOARD OFFICERS**

The first Redevelopment Board meeting in January shall begin as an organizational meeting. At that time, the Board shall elect a Chairperson and a Vice Chairperson.

### **RULE 3 : ROLE OF THE CHAIRPERSON**

The Chairperson shall coordinate with the Secretary Ex-Officio to schedule meetings and submit agendas to the Town Clerk in accordance with M.G.L. c. 30A, §§ 18-25 ("Massachusetts Open Meeting Law"). The Chairperson shall serve as ex-officio member of all Redevelopment Board committees, and as such shall have full power and authority to attend all meetings of such committees and subcommittees, including any portions of such meetings held in closed or executive sessions but shall have the right to vote only in the case of a tie.

### **RULE 4 : PRESIDING OFFICER**

The Chairperson of the Redevelopment Board shall preside at the meetings of the Redevelopment Board. In the absence of the Chairperson, the Vice Chairperson shall preside. In the absence of both, the members present will elect a board member to preside over the meeting. In the event that the Chairperson can no longer serve, the Vice Chairperson shall assume the powers and duties of the Chairperson. If a vacancy occurs in the office of Chairperson, the board shall elect a new Chairperson from among its members before two (2) regular meetings have passed.

If a vacancy occurs in the office of Vice Chairperson, the board shall elect a new Vice Chairperson from among its members before two (2) regular meetings have passed.

### **RULE 5 : MEETINGS**

The Redevelopment Board will meet on the 1<sup>st</sup> and 3<sup>rd</sup> Mondays of each month, at 7:30 p.m., except not on federal and state holidays, in the Town Hall Annex, Second Floor Conference Room, unless otherwise posted with proper notice in accordance with the Massachusetts Open Meeting Law. The frequency, time, and place may be changed by a majority vote of the Board. Executive sessions shall be authorized and governed by M.G.L. c. 30A, § 21. Any three members of the Redevelopment Board may schedule a meeting of the Redevelopment Board and must submit the agenda to the Town Clerk in accordance with the Massachusetts Open Meeting Law.

### **RULE 6 : MEETING FORMAT**

During meetings or Public Hearings at which the Redevelopment Board is considering applications for approvals or special permits, the applicant shall be recognized for presentation, followed by staff comments, questions and comments by Board Members, questions and comments by abutters and other members of the public as addressed to the Chair, and additional questions and comments by Board Members and comments by staff. In presentations by abutters and the public, the Board shall grant wide latitude in allowing people to speak, while reserving the right to limit presentations which are not relevant to the matters being discussed or are repetitive. Presentations by abutters and the public are always directed to the Board; it is not intended to allow discuss between those in attendance and the applicant. Time limits may be set by the Redevelopment Board prior to the beginning of a meeting or whenever necessary to

facilitate discussion and deliberation in an orderly manner.

No person shall address a meeting of the Redevelopment Board without permission of the presiding officer, and all persons shall, at the request of the presiding officer, be silent. No person shall disrupt the proceedings of the Redevelopment Board. If, after clear warning from the presiding officer, a person continues to disrupt the proceedings, the presiding officer may order the person to withdraw from the meeting and if the person does not withdraw, the presiding officer may authorize a constable or other officer to remove the person from the meeting.

#### **RULE 7 : PARLIAMENTARY GUIDELINES**

In all matters of parliamentary procedure not provided for in the constitution and laws of the Commonwealth and the charter or explicitly elsewhere in these rules, the presiding officer and the members shall be guided by the principles of fairness, clarity, and efficiency, in that order. In determining any parliamentary questions, due regard shall be given to the entire scholarship of parliamentary procedure, with particular emphasis on Robert's Rules of Order, but resort may also be had for guidance to other authorities and examples of parliamentary procedure, including reference to rules and rulings of state and local legislative bodies.

#### **RULE 8 : QUORUM**

Four members of the Redevelopment Board shall constitute a quorum for M.G.L. c. 40A § 9 to grant a special permit.

#### **RULE 9 : RECORD KEEPING**

Unless otherwise provided for by the Redevelopment Board, the Secretary Ex-Officio shall keep a record of the proceedings and perform such duties as may be assigned by other Redevelopment Board vote. The Secretary Ex-Officio shall transmit copies of the previous meeting's minutes to all Board members prior to the next scheduled meeting. After the minutes have been approved by the Redevelopment Board, a copy shall be forwarded to the Town Clerk. Copies of the minutes of any meeting of the Redevelopment Board shall be posted online and may be requested through the Town Clerk who will provide copies of the requested minutes. Audio and visual recordings of meetings may be made and kept at the discretion of the Secretary Ex-Officio. If audio or visual recordings of meetings are made, the Chair shall notify the Board, participants, and the public at the start of the meeting.

#### **RULE 10 : FILING DEADLINES AND SUBMITTALS FOR REGULAR MEETINGS**

##### **Policy**

The Arlington Redevelopment Board (ARB) has recognized that the development of digital meeting agendas and packets will work best if a policy is adopted to ensure that the workflow and timeline defined below is followed. Agenda submitters and agenda creators shall abide by these best practices to ensure that agendas and packets are created accurately and on-time without the burden of the last minutes changes that would exist in an ad-hoc workflow.

##### **Timeline**

The submission of materials, incorporating materials into the agenda, the delivery of materials to the Board, and the posting of materials to the Town Clerk and on the website are all time sensitive and dependent on one another. Setting hard deadlines for each event will help standardize the workflow, hold the people involved accountable for timeliness, and reduce the strain that occurs due to last minute changes. The following chart outlines the responsible party

and timeframe that each event shall occur.

<b>ARLINGTON REDEVELOPMENT BOARD SUBMITTALS SCHEDULE</b>			
<b>1</b>	<i>Agenda material submission begins</i>	Department of Planning and Community Development (DPCD) Director, staff, ARB members, general public	Begins any time prior to meeting
<b>2</b>	<i>Agenda material submission ends</i>	DPCD Director, staff, ARB members, general public	10 a.m. on Wednesday prior to meeting
<b>3</b>	<i>Agenda finalized</i>	DPCD staff, ARB chair	4 p.m. Thursday prior to meeting
<b>4</b>	<i>Meeting packet finalized</i>	DPCD staff	7 p.m. Thursday prior to meeting
<b>5</b>	<i>Agenda posted to Clerk and website</i>	DPCD administrative assistant	7 p.m. Thursday prior to meeting
<b>6</b>	<i>Meeting packet made available to ARB members</i>	DPCD administrative assistant	7 p.m. Thursday prior to meeting
<b>7</b>	<i>Meeting packet made available to the public</i>	DPCD administrative assistant	7 p.m. Thursday prior to meeting

### **Accountability**

This workflow is necessary to ensure effective and efficient business practices. Abiding by this workflow will produce the best results. Holding oneself and others accountable to the workflow will ensure harmony within the daily activities and workflow related to ARB meetings materials. Material submitters are considered anyone who submits an agenda item or agenda item reference materials, including ARB members, DPCD staff, and the general public.

### **Material Submitters**

1. Shall submit reference materials for inclusion in the agenda packet early, if possible, but no later than 4pm on the Thursday prior to the meeting. If this deadline cannot be met, the DPCD staff has the right enforce the workflow policy.
2. Shall notify DPCD Administrative staff, prior to 4:00 p.m. on the Thursday prior to the meeting if reference materials will not meet that deadline. This will provide clarity to the DPCD Administrative staff. If this deadline cannot be met, the DPCD staff has the right enforce the workflow policy.
3. Shall agree that agenda items and reference materials that do not meet the deadline of 4:00 p.m. on the Thursday prior to the meeting will not be included and will be moved to the following meeting.
4. Shall submit reference materials digitally as a Microsoft Office compatible file, a PDF, a common image format, or as an email. Preferably, the reference material shall be delivered

through email. The NovusAgenda system will produce ADA Compliant materials as long as the source materials are in their native, vector format. For example, a document created in Microsoft Word shall be delivered in Microsoft Word format or converted from Microsoft Word format to PDF format. This process maintains a file's native, vector format which is ADA Compliant. This same file would not maintain its native, vector format and no longer be ADA Compliant if it is printed, then scanned. This process creates an image of the document and images are not ADA Compliant.

Department of Planning and Community Development Director and Staff

1. Shall review and develop agenda items and reference materials at any time prior to the deadline for any ARB meeting.
2. Shall request a Material Submitter to submit reference materials in digital format as described in #4 of the previous section, if paper materials were received. Receiving paper and scanning materials should be avoided when possible.
3. Shall enforce the Guide if the Material Submitter cannot meet the reference material submission deadline.
4. Shall post the agenda by 7:00 p.m. on the Thursday prior to the meeting.
5. Shall distribute or notify the appropriate parties when the agenda packet is finalized and available.
6. Shall be prepared to print agendas, certain reference materials, or entire agenda packets.

Arlington Redevelopment Board

Printed agendas, certain reference materials, or entire agenda packets may be requested from the DPCD Administrative Staff prior to 4:00 p.m. on the day of the meeting. Although printing materials is something we prefer to avoid, certain situations may warrant printing.

**RULE 11 : LEGAL NOTIFICATION**

Before granting a special permit, the ARB shall hold a public hearing, notice of which shall be given by the Department of Planning and Community Development 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 upload all application materials through NovusAgenda (see Rule 10 for details) and make one copy available at the Department of Planning and Community Development.

**RULE 12 : FEES FOR APPEARING BEFORE THE REDEVELOPMENT BOARD**

The Redevelopment Board has the authority to set and adjust the fees periodically for appearing before the Redevelopment Board. The current fee schedule as of June 2018 is:

Minimum Fee for any application	\$500.00
New Construction fee	\$0.20/ft of new construction

### **RULE 13 : APPLICATION TIMETABLES AND EXPIRATION**

All business before the Redevelopment Board is subject to the following timelines:

#### **Special Permits**

Within 10 days of receipt of application, copies of the application must be transmitted by the Department of Planning and Community Development to Inspectional Services.

Contingent upon the proposal being evaluated, the following may be notified by the Department: Board of Health; Conservation Commission; Public Works; Engineering; Historical Commission; Historic Districts Commission; Fire Department; Police Department; and Zoning Board of Appeals. All other boards, commissions, or departments will be given 35 days to respond. Failure to respond will be deemed to be lack of opposition.

- Hearings must start within 65 days of application submission.
- Once the hearing has commenced, it may be continued. If continued beyond 90 days, the petitioner must receive a written agreement from the ARB in order to continue the hearing.
- Final action must be taken by the Redevelopment Board within 90 days of the hearing's closure. If decision is not reached within 90 days, petitioner may notify the Town Clerk and abutters within 14 days after the 90<sup>th</sup> day that they are seeking approval of its application for failure of the Redevelopment Board to act on its application within 90 days, or any extended time period beyond the 90 days, pursuant to M.G.L. c.40A, § 9, and comply with the requirements set forth therein.
- Within 14 days of the Board's final action, the Board must file a record of its Decision in the Town Clerk's Office pursuant to M.G.L. c. 40A, § 9.

### **RULE 14 : ENVIRONMENTAL DESIGN REVIEW SUBMITTAL REQUIREMENTS**

For any development subject to an Environmental Design Review Special Permit, applicants and the Board shall reference and apply the Town of Arlington's Design Standards. These were developed to provide direction for the design of new development and redevelopment primarily in commercial and industrial areas (Business Districts, Industrial Districts, Multi-Use Districts, and for Mixed-Use Development). The Standards focus on development along Massachusetts Avenue, Broadway, the Minuteman Bikeway, and the Mill Brook areas.

All applications shall include plans that are 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. The plans shall be signed under the penalties of perjury. 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 shall be so marked on the plans. The site plan shall be subject to the standards listed in the Arlington Zoning Bylaw Section 3.4 and the ARB shall make a determination that the project meets these standards. Additional submittals include:

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, unless waived by the Department staff for small projects. (Such model is 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 2' 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 the 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, the color and type of surface materials, methods to be employed for screening, and proposed topography at 2' 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.** Applicant shall explain 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 report or statement prepared in accordance with state or Federal regulations may be accepted as a substitute in lieu of this statement, provided it explains how each of the environmental design review elements is incorporated into the design
6. **Signs.** Application for permit and accompanying plans as specified in Rule 14 for each sign that is to be erected on the proposed structure(s). In lieu of the required submittals listed above, an application for a special permit for a temporary sign per the Arlington Zoning Bylaw 6.2.4(M) shall include an overall signage plan comprised of the information required under the Arlington Zoning Bylaw Section 6.2.10 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.

#### **RULE 15 : BOARD DECISIONS**

The ARB shall review the plans and may grant a special permit subject to the conditions and safeguards listed in the Arlington Zoning Bylaw Section 3.3 and 3.3.4. For stated reasons the ARB may deny approval of a special permit or may approve a special permit without a finding of hardship. As required by M.G.L. c. 40A, §9, a positive vote of at least four members of the Redevelopment Board is needed to issue a special permit. The Secretary Ex-Officio may sign decisions following a vote of the Board and file decisions per requirements of M.G.L. c. 40A.

#### **RULE 16 : CODE OF ETHICS CONDUCT**

##### **Generally**

In supplement to and above State and Town ethics, public records, open meeting and non-

discrimination laws, the Redevelopment Board requires an atmosphere of professional conduct and civility among its members, and shall not tolerate harassment, discrimination, or offensive behavior based on race, color, religion, national origin, gender, gender identify, age, disability, or sexual orientation, nor shall any member of the Redevelopment Board use profanity, insulting, threatening, or abusive language in the course of public debate or in testimony before any Town Department, Board or Commission. Furthermore, this code of ethics conduct shall apply whenever a Redevelopment Board Member is in any public setting representing said Board.

### **Internal Board Relations**

A member of the Redevelopment Board, in their relations with fellow Board members, should:

1. Recognize that action at official legal meetings is binding and that they alone cannot bind the Board outside of such meetings;
2. Refrain from public statements or promises of how they will vote on matters that will come before the Board until he or she has had an opportunity to fully vet the issue during a Board meeting;
3. Make decisions only after all facts on a question have been presented and discussed;
4. Uphold the intent of executive session and respect the privileged communication that exists in executive session;
5. Refrain from communicating the position of the Redevelopment Board to anyone unless the full Board has previously agreed on both the position and the language of the statement conveying the position;
6. Treat with respect the rights of all members of the Board despite differences of opinion; and
7. Afford members of the Board the opportunity to speak on matters in Board meetings and hearings without interruption.

### **Board-Town Staff Relations**

A member of the Redevelopment Board, in their relations with Town staff, should:

1. Treat all staff as professionals that respects the abilities, experience, and dignity of each individual;
2. Exercise caution and discretion in public criticism of any individual Town employee. Member concerns about performance of staff reporting to the Town Manager should, under ordinary circumstances only be articulated to the Town Manager, or, in limited circumstances, other appropriate Town personnel, such as the Director of Planning and Community Development, Town Counsel or other Department heads.
3. Keep requests for staff support to a minimum wherever possible, and insure that all requests go through the Director of Planning and Community Development's Office.
4. To the extent practicable, insure that any materials or information provided to an individual member from a staff member be made available to all members of the



## Redevelopment Board.

These principles shall be enforced by public admonition through resolution, censure, and other action deemed appropriate by the Board or its appointing authorities. Jurisdiction rests with the Redevelopment Board as a whole, and therefore any member may motion for a finding of a violation of this Rule.

### **RULE 17 : RULES FOR HIRING OUTSIDE CONSULTANTS UNDER M.G.L. c. 44 §53G**

#### **Purpose**

As provided by M.G.L. c. 44 §53G, the Redevelopment Board may impose reasonable fees for the employment of outside consultants, engaged by the Redevelopment Board for specific expert services. Such services shall be deemed necessary by the Board to come to a final decision on an application submitted to the Redevelopment Board pursuant to the regulations and requirements of the Arlington Zoning Bylaw or any other Town bylaw, regulation, or rule as they may be amended or enacted from time to time.

#### **Special Account**

Funds received pursuant to these rules shall be deposited with the Treasurer who shall establish a special account for this purpose. Expenditures from this special account may be made at the direction of the Redevelopment Board without further appropriation as provided in M.G.L. c. 44 §53G. Expenditures from this account shall be made only in connection with a specific project or projects for which a consultant fee has been collected from the applicant. Expenditures of accrued interest may also be made for these purposes. At the completion of the Board's review of a project, any excess amount in the account, including interest, attributable to a specific project shall be repaid to the applicant or the applicant's successor in interest. For the purposes of this rule, any person or entity claiming to be an applicant's successor in interest shall provide the Board with documentation acceptable to the Board establishing such succession in interest.

#### **Consultant Services**

In hiring outside consultant(s), the Redevelopment Board may engage engineers, planners, lawyers, urban designers, or any other appropriate professional who can assist the Redevelopment Board in analyzing the project and to ensure compliance with all relevant federal, state, and local laws, statutes, ordinances, and regulations. Specific consultant services may include, but are not limited to, site plan review, stormwater review, traffic analysis, or land use law. Services may also include on-site monitoring during construction, or other services related to the project deemed necessary by the Redevelopment Board. The minimum qualifications shall consist either of an educational degree in, or related to, the field at issue or three (3) or more years of practice in the field at issue, or a related field. The consultant shall be chosen by, and report only to, the Redevelopment Board and/or its administrator. Hiring outside consultants shall comply with the Uniform Procurement Act, M.G.L. c. 30B §§ 1-19.

#### **Notice**

The Redevelopment Board shall give written notice to the applicant of the selection of an outside consultant, which notice shall state the identity of the consultant, the amount of the fee to be charged to the applicant, and a request for payment of said fee in its entirety. Such notice shall be deemed to have been given on the date it is mailed by first class United States Postal Service or delivered by e-mail. No such costs or expenses shall be incurred by the applicant if the application or request is withdrawn within five (5) business days of the date

notice is given.

### **Payment of Fee**

The fee must be received prior to the initiation of consulting services. The Board may request additional consultant fees if necessary review requires a larger expenditure than originally anticipated or new information requires additional consultant services. Failure by the applicant to pay the consultant fee specified by the Redevelopment Board within ten (10) business days of the request for payment, or refusal of payment, shall be cause for the Redevelopment Board to deny the application based on lack of sufficient information to evaluate whether the project meets applicable performance standards in the Arlington Zoning Bylaw. The Redevelopment Board will state as such in a letter to the applicant. No additional review or action shall be taken on the permit request until the applicant has paid the requested fee. When the Redevelopment Board's review of a project is completed and a permit issued, any balance in the special account attributable to that project shall be returned within 30 days. The excess amount, including interest, shall be repaid to the applicant or their successor.

### **Appeals**

The applicant may appeal the selection of the outside consultant to the Town Manager, who may disqualify the outside consultant selected only on the grounds that the consultant has a conflict of interest or does not possess the minimum required qualifications. Such an appeal must be in writing and received by the Town Manager within ten (10) days of the date consultant fees were requested by the Redevelopment Board with a copy received by the Redevelopment Board on the same date as received by the Town Manager,. The required time limits for action upon the application shall be extended by the duration of the administrative appeal. In the event that no decision is made by the Town Manager within one month following the filing on an appeal, the selection made by the Redevelopment Board shall stand.

### **RULE 18 : Sign Applications and Review Procedures for Administrative Approval**

Sign modifications on properties subject to Environmental Design Review (EDR) and may be considered for administrative approval by the Director of Planning and Community Development provided the applicant demonstrate that the following criteria are met:

- 1) The ARB approved a sign through the Environmental Design Review Special Permit process or a prior sign permit was approved by Inspectional Services;
- 2) The sign(s) meet zoning requirements;
- 3) There are no known zoning or general bylaw violations outstanding on the property;
- 4) One of the following conditions is true:
  - o The same number or fewer signs are proposed;
  - o The same size or smaller sign(s) or sign area are proposed; and
  - o The sign(s) proposed is in the same locations as the existing sign(s).
- 5) The sign(s) illumination is either not proposed or is the same illumination as for existing sign(s);
- 6) The sign(s) are not internally illuminated;
- 7) The sign(s) are legible from the public way in the Director or their designees' opinion; and
- 8) There are not any sign(s) proposed for storefront windows.

If sign proposals do not meet all of the criteria above, then the applicant must submit a full Environmental Design Review application for the Redevelopment Board's review and approval. The Department of Planning and Community Development is not required to provide

administrative approval and may at any time refer the application to the Board.

Procedure: Submit a \$200 fee payable to the Town of Arlington and three (3) copies of the following documents to the Department of Planning and Community Development

1. Photos of existing signs maintained on the premises;
2. Drawing of building facade indicating location of the proposed sign(s).
3. Drawing to scale of proposed sign(s) with dimensions and construction specifications, materials, mounting method, lighting, and wiring;
4. Cut sheet for any lighting; and
5. Photo simulation, perspectives, renderings, or other representations sufficient to show the nature of the proposed sign(s) and its effect on the immediate surroundings.

DRAFT



## Town of Arlington, Massachusetts

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### 4. Meeting Minutes

#### Summary:

**8:45-9:00** *Board members will review and approve meeting minutes to be provided.*



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## Town of Arlington, Massachusetts

### 5. Upcoming Department Planning and Community Development Department Community Forums/ Meetings

#### Summary:

**9:00-9:15**      *Staff will make announcements about upcoming events and  
answer questions*



## **Town of Arlington, Massachusetts**

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### **6. Recodified Zoning Bylaw**

#### **Summary:**

**9:15-9:20**      *Staff will provide a verbal update*



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## Town of Arlington, Massachusetts

**Adjourn**

**Summary:**

**9:20**

Adjourn