



Town of Arlington, MA Redevelopment Board

Agenda & Meeting Notice March 25, 2019

The Arlington Redevelopment Board will meet Monday, March 25, 2019 at 7:30 PM in the **Senior Center, Main Room, 1st Floor, 27 Maple Street, Arlington, MA 02476**

1. Public Hearing, 2019 Annual Town Meeting

7:30 p.m. - 10:20 p.m. ARTICLE 15 ZONING BYLAW AMENDMENT/ACCESSORY DWELLING UNITS

To see if the Town will vote to amend the Zoning Bylaw to allow accessory dwelling units in the R0 and R1 Zoning Districts by amending SECTION 2 DEFINITIONS to define accessory dwelling units; amending SECTION 5.4.3. USE REGULATIONS FOR RESIDENTIAL DISTRICTS to include the use in the table of uses; and creating a new section, SECTION 5.9.2. ACCESSORY DWELLING UNITS, containing standards for accessory dwelling units; or take any action related thereto.

ARTICLE 16 ZONING BYLAW AMENDMENT/AFFORDABLE HOUSING REQUIREMENTS

To see if the Town will vote to amend the Zoning Bylaw by increasing the affordability requirements contained in Section 8.2 AFFORDABILITY REQUIREMENTS, such that a greater number of affordable units would be required for certain projects; or take any action related thereto.

ARTICLE 23 ZONING BYLAW AMENDMENT/PUBLICATION OF SUPPORTING DOCUMENTATION – ZONING BOARD OF APPEALS

To see if the Town will vote to require the Zoning Board of Appeals to publish, on the Town Website, supporting documentation pertaining to items on its agenda; or take any action related thereto.

ARTICLE 24 ZONING BYLAW AMENDMENT/DEFINITION OF STORY, HALF

To see if the Town will vote to amend the Zoning Bylaw to amend the definition of Story, Half by amending SECTION 2 DEFINITIONS to reduce the defined height of a half story from 7 feet 3 inches to 7 feet so that the definition reads "Story, Half: A story which is under a gable, hipped, or gambrel roof, where less than one half the floor area measured from the underside of the roof framing to the finished floor below has a clear height of 7 feet or more"; or take any action related thereto.

ARTICLE 25 ZONING BYLAW AMENDMENT/DRIVEWAY SLOPE

To see if the Town will vote to amend the Zoning Bylaw to amend the

maximum allowable driveway slope by amending SECTION 6.1.10.A. LOCATION OF PARKING SPACES to require that the maximum allowable driveway slope cannot exceed 15% for the entire length of said driveway so that the provision reads "Any driveway leading to off-street parking on a lot shall not exceed a 15% downward slope for the entire length of said driveway, except by Special Permit"; or take any action related thereto.

- A brief introductory presentation will be provided
- Board members and members of the public will be provided time to ask questions and comments

2. Meeting Minutes - from 1/28/19, 2/11/19, 3/04/19, and 3/11/19

- 10:20 p.m. - • Board members will review and approve meeting minutes
10:30 p.m.

3. Adjourn

10:30 p.m. - Adjourn

4. Correspondence received:

Correspondence for ARB March 18 Meeting via email from Don Seltzer 03-16-19

Proposed changes to Zoning Bylaws will not mitigate climate change, will exacerbate heat islands, will imperil tree canopy via email from Beth Melofchik 03-18-19

Letter to the ARB via email from Nicholas Urie 03-19-19

Zoning Amendment Support via email from Kathryn Sivers 03-19-19

Comments on Articles 6 through 14 via email from Wynelle Evans 03-20-19

Letter via email from Beth Locke 03-21-19

Re: Changes to the Arlington Zoning Bylaws via email from Rose Udics 03-21-19

Presentation material for 25 Mar ARB hearing via email from Don Seltzer 03-21-19

Re: ARB consideration of Warrant article 16 via email from Patrick Hanlon and Catherine Farrell 03-22-19

Memorandum to the Redevelopment Board via email from John Worden 03-22-19



Town of Arlington, Massachusetts

Public Hearing, 2019 Annual Town Meeting

Summary:

7:30 p.m. - 10:20
p.m.

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To see if the Town will vote to amend the Zoning Bylaw to amend the maximum allowable driveway slope by amending SECTION 6.1.10.A. LOCATION OF PARKING SPACES to require that the maximum allowable driveway slope cannot exceed 15% for the entire length of said driveway so that the provision reads "Any driveway leading to off-street parking on a lot shall not exceed a 15% downward slope for the entire length of said driveway, except by Special Permit"; or take any action related thereto.

- A brief introductory presentation will be provided
- Board members and members of the public will be provided time to ask questions and comments

ATTACHMENTS:

Type	File Name	Description
	Agenda_Item_1_-	

▢	Reference Material	_Amended_Article_16_Density_Bonus_03-21-19.pdf	Amended Article 16 Density Bonus 03-21-19
▢	Reference Material	Agenda_Item_1_-_ATM_2019_Articles_15_16_23_24_25_Draft_03-21-19.pdf	ATM 2019 Articles 15 16 23 24 25 Draft 03-21-19
▢	Reference Material	Agenda_Item_1_-_Memo_to_ARB_re_ADU_recommendations_03-21-19.pdf	Memo to ARB re ADU recommendations 03-21-19
▢	Reference Material	Agenda_Item_1_-_S.Revilak_memo-to-arb-Article_16.pdf	S. Revilak memo to ARB - Article 16

Amended Article 16: Affordable Housing Requirements with Density Bonus
Additions to the Zoning Bylaw shown in underline format. Deletions shown in ~~strikeout format~~.

ARTICLE 16

**ZONING BYLAW AMENDMENT/
AFFORDABLE HOUSING REQUIREMENTS**

To see if the town will vote to amend the Zoning Bylaw by increasing the affordability requirements contained in Section 8.2 AFFORDABILITY REQUIREMENTS, such that a greater number of units of affordable units would be required for certain projects; or take any action related thereto.

(Steve Revilak and 10 Registered Voters)

Amend Section 8.2.3(A) to increase the affordability requirements:

- A. ~~In any development subject to this Section 8.2, 15% of the dwelling units shall be affordable units as defined in Section 2 of this Bylaw.~~ In any development subject to this Section 8.2, a percentage of the dwelling units shall be affordable units as defined in Section 2 of this Bylaw. In a development with 6 to 19 dwelling units, 15% of the dwelling units shall be affordable units. In a development with 20 dwelling units or more, 20% of the dwelling units shall be affordable units., where the percentage is given by the following table:

<u>Total Number of Units</u>	<u>Required Affordable Units</u>
<u>0 to 5 units</u>	<u>No affordability requirement</u>
<u>6 to 19 units</u>	<u>15% affordable units</u>
<u>20 units or more</u>	<u>20% affordable units</u>

For purposes of this Section 8.2., each room for renter occupancy in a single-room occupancy building shall be deemed a dwelling unit. In determining the total number of affordable units required, calculation of a fractional unit of 0.5 or more shall be rounded up to the next whole number.

Amend Section 8.2.4 to create additional incentives:

- C. In the case of a multi-family development in the R4, R5, R6, and R7 districts or a mixed-use development in any of the B districts, where more than the required number of affordable units of this Section are provided, the following density and dimensional requirements apply to the proposed development and supersede the tables in Section 5.4 and 5.5 where applicable:

Incentive District Lot Regulations

<u>District Use</u>	<u>Minimum Requirement</u>		
	<u>Minimum Lot Area (sq. ft.)</u>	<u>Minimum Lot Area per Unit (sq. ft.)</u>	<u>Minimum Lot Frontage (ft.)</u>
<u>R4</u>			
<u>Townhouse structure</u>	<u>5,000</u>	<u>1,500</u>	<u>50</u>
<u>Apartment conversion with no change to building footprint or envelope</u>	<u>-----</u>	<u>1,000</u>	<u>-----</u>
<u>R5</u>			
<u>Townhouse structure, apartment</u>	<u>5,000</u>	<u>1,000</u>	<u>50</u>

Amended Article 16: Affordable Housing Requirements with Density Bonus

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

<u>Minimum Requirement</u>			
<u>District Use</u>	<u>Minimum Lot Area (sq. ft.)</u>	<u>Minimum Lot Area per Unit (sq. ft.)</u>	<u>Minimum Lot Frontage (ft.)</u>
<u>building</u>			
<u>R6</u>			
<u>Townhouse structure, apartment building</u>	<u>5,000</u>	<u>700</u>	<u>50</u>
<u>R7</u>			
<u>Townhouse structure, apartment building</u>	<u>5,000</u>	<u>550</u>	<u>50</u>
<u>B2</u>			
<u>Mixed-use <=20,000 sq. ft.</u>	<u>-----</u>	<u>-----</u>	<u>50</u>
<u>Mixed-use >20,000 sq. ft.</u>	<u>>20,000</u>	<u>1,000</u>	<u>50</u>

Incentive Yard and Open Space Requirements

<u>Minimum Requirement</u>			
<u>District Use</u>	<u>Front Yard (ft.)</u>	<u>Side Yard (ft.)</u>	<u>Rear Yard (ft.)</u>
<u>R4</u>			
<u>Townhouse structure</u>	<u>15</u>	<u>10</u>	<u>20</u>
<u>Apartment conversion with no change to building footprint or envelope</u>	<u>-----</u>	<u>-----</u>	<u>-----</u>
<u>R5</u>			
<u>Townhouse structure, apartment building</u>	<u>10</u>	<u>15</u>	<u>20</u>
<u>R6</u>			
<u>Townhouse structure, apartment building</u>	<u>10</u>	<u>10</u>	<u>20</u>
<u>R7</u>			
<u>Townhouse structure, apartment building</u>	<u>10</u>	<u>10</u>	<u>20</u>
<u>B1</u>			
<u>Mixed-use</u>	<u>10</u>	<u>0</u>	<u>20</u>

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

Incentive Open Space and Lot Coverage Regulations

<u>District Use</u>	<u>Minimum / Maximum Requirements</u>		
	<u>Landscaped Open Space (Min.)</u>	<u>Usable Open Space (Min.)</u>	<u>Maximum Lot Coverage</u>
<u>R4</u>			
<u>Townhouse structure</u>	<u>20%</u>	<u>----</u>	<u>----</u>
<u>Apartment conversion with no change to building footprint or envelope</u>	<u>20%</u>	<u>----</u>	<u>----</u>
<u>R5</u>			
<u>Townhouse structure, apartment building</u>	<u>20%</u>	<u>----</u>	<u>----</u>
<u>R6</u>			
<u>Townhouse structure, apartment building</u>	<u>20%</u>	<u>----</u>	<u>----</u>
<u>R7</u>			
<u>Townhouse structure, apartment building</u>	<u>20%</u>	<u>----</u>	<u>----</u>
<u>B1</u>			
<u>Mixed-use</u>	<u>20%</u>	<u>----</u>	<u>----</u>
<u>B2</u>			
<u>Mixed-use</u>	<u>20%</u>	<u>----</u>	<u>----</u>
<u>B2A</u>			
<u>Mixed-use <=20,000 sq. ft.</u>	<u>20%</u>	<u>----</u>	<u>----</u>
<u>Mixed-use >20,000 sq. ft.</u>	<u>20%</u>	<u>----</u>	<u>----</u>
<u>B3</u>			
<u>Mixed-use <=20,000 sq. ft.</u>	<u>20%</u>	<u>----</u>	<u>----</u>
<u>Mixed-use >20,000 sq. ft.</u>	<u>20%</u>	<u>----</u>	<u>----</u>
<u>B4</u>			
<u>Mixed-use <=20,000 sq. ft.</u>	<u>20%</u>	<u>----</u>	<u>----</u>
<u>Mixed-use >20,000 sq. ft.</u>	<u>20%</u>	<u>----</u>	<u>----</u>
<u>B5</u>			
<u>Mixed-use <= 20,000 sq. ft.</u>	<u>20%</u>	<u>----</u>	<u>----</u>
<u>Mixed-use > 20,000 sq. ft.</u>	<u>20%</u>	<u>----</u>	<u>----</u>

Incentive Building Height and Floor Area Ratio Regulations

<u>District Use</u>	<u>Maximum Allowed</u>		
	<u>Maximum Height (ft.)</u>	<u>Maximum height (stories)</u>	<u>Maximum Floor Area Ratio (FAR)</u>
<u>R4</u>			
<u>Townhouse structure</u>	<u>35</u>	<u>3</u>	<u>1.50</u>
<u>Apartment conversion with no change to building footprint or envelope</u>	<u>----</u>	<u>----</u>	<u>----</u>
<u>R5</u>			
<u>Townhouse structure, apartment building</u>	<u>45</u>	<u>4</u>	<u>1.50</u>
<u>R6</u>			

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<u>District Use</u>	<u>Maximum Allowed</u>		
	<u>Maximum Height (ft.)</u>	<u>Maximum height (stories)</u>	<u>Maximum Floor Area Ratio (FAR)</u>
<u>Townhouse structure or apartment building on more than 20,000 sq. ft.</u>	<u>55</u> <u>45</u>	<u>5</u> <u>4</u>	<u>1.80</u>
<u>R7</u>			
<u>Townhouse structure, apartment building</u>	<u>45</u> <u>60</u>	<u>5</u>	<u>2.00</u>
<u>B1</u>			
<u>Mixed-use</u>	<u>45</u>	<u>4</u>	<u>1.50</u>
<u>B2</u>			
<u>Mixed-use <= 20,000 sq. ft.</u>	<u>50</u>	<u>4</u>	<u>1.80</u>
<u>Mixed-use >20,000 sq. ft.</u>	<u>40</u>	<u>3</u>	<u>1.50</u>
<u>B2A</u>			
<u>Mixed-use <= 20,000 sq. ft.</u>	<u>60</u> <u>50</u>	<u>5</u> <u>4</u>	<u>1.80</u>
<u>Mixed-use >20,000 sq. ft.</u>	<u>50</u> <u>40</u>	<u>4</u> <u>3</u>	<u>1.50</u>
<u>B3</u>			
<u>Mixed-use <= 20,000 sq. ft.</u>	<u>60</u> <u>50</u>	<u>5</u> <u>4</u>	<u>1.80</u>
<u>Mixed-use >20,000 sq. ft.</u>	<u>60</u> <u>50</u>	<u>5</u> <u>4</u>	<u>1.50</u>
<u>B4</u>			
<u>Mixed-use <= 20,000 sq. ft.</u>	<u>60</u> <u>50</u>	<u>5</u> <u>4</u>	<u>2.00</u>
<u>Mixed-use > 20,000 sq. ft.</u>	<u>50</u> <u>40</u>	<u>4</u> <u>3</u>	<u>1.80</u>
<u>B5</u>			
<u>Mixed-use <= 20,000 sq. ft.</u>	<u>60</u> <u>50</u>	<u>5</u> <u>4</u>	<u>2.20</u>
<u>Mixed-use > 20,000 sq. ft.</u>	<u>60</u> <u>50</u>	<u>5</u> <u>4</u>	<u>1.80</u>

(1) In addition to the density and dimensional allowances identified in C above, the following supersede the requirements of Section 5.3 where applicable:

- For townhouse structures and apartment buildings in the R6 and R7 district, no side yard is required at side lot lines that abut a Business or Industrial district where the principal use of the structure on the abutting lot is not primarily residential.
- Up to 25% of the landscaped open space may include open areas accessible to and developed for the use of the occupants of the building located upon a roof or a

Amended Article 16: Affordable Housing Requirements with Density Bonus

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balcony at least 5 feet by 8 feet in size only accessible through a dwelling unit and developed for the use of the occupant of such dwelling unit.

- For buildings more than four stories in height, a 7.5-foot step back shall be provided beginning at the fourth story level or 40 feet above grade, whichever is less. The upper-story step back shall be provided along all building elevations with street frontage, excluding alleys.
- The off-street parking requirement for apartment buildings is 1 space per unit.
- The height buffer requirements of Section 5.3.19 still apply.

(2) Multi-family or mixed-use structures with 4 or 5 residential units are allowed to supersede the requirements of Sections 5.3, 5.4, and 5.5 with the requirements in Section C above where applicable.



2019 Annual Town Meeting Draft Zoning Bylaw Amendments

Public Hearing Draft

Articles 15, 16, 23, 24, & 25

March 21, 2019

Introduction and Overview

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

The members of the ARB are as follows:

Andrew Bunnell, Chair, (Term through 1/31/2020)

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

Eugene Benson (Term through 1/31/2020)

David Watson (Term through 9/22/2023)

Jennifer Raitt, Director of the Department of Planning and Community Development, serves as Secretary Ex-Officio to the ARB.

In accordance with the provisions of the Town of Arlington, Massachusetts Zoning Bylaw and Massachusetts General Laws Chapter 40A, a public hearing will be held by the Arlington Redevelopment Board (ARB) on **Monday, March 4, 2019, Monday, March 11, 2019, Monday, March 18, 2019, and Monday, March 25, 2019, all beginning at 7:30 P.M.** in the **Central School, 27 Maple Street, Main Room, Arlington, Massachusetts**. The ARB will hear public comments on the proposed amendments to the Zoning Bylaw. After receiving public comments, the ARB will make recommendations on the proposed amendments for Annual Town Meeting, which will begin on Monday, April 22, 2019.

In addition, informal office hours will be held on Thursdays, March 14 and March 21, 5 PM-7 PM, in the Town Hall Annex First Floor Conference Room. Finally, the Department of Planning and Community Development (DPCD) will also hold neighborhood meetings scheduled for March 28 at Peirce School, April 3 at Thompson School, April 4 at Hardy School, and April 10 at Brackett School, all beginning at 7 PM.

The draft language of the proposed amendments to the Zoning Bylaw was made available on Thursday, February 14, 2019. Since that date, some revisions have been made, which can be viewed herein in track changes. Copies may be obtained in the Department of Planning and Community Development on the first floor of the Town Hall Annex, Monday through Wednesday, 8:00 a.m. to 4:00 p.m.; Thursday, 8:00 a.m. to 7:00 p.m.; and Friday, 8:00 a.m. to 12:00 p.m. or viewed and downloaded from the Redevelopment Board webpage of the Town's website at www.arlingtonma.gov.

Contact Erin Zwirko, Assistant Director of Planning and Community Development, at 781-316-3091 or ezwirko@town.arlington.ma.us with any questions or comments.

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Zoning Bylaw Amendments for Accessory Dwelling Units

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

ARTICLE 15

ZONING BYLAW AMENDMENT/ACCESSORY DWELLING UNITS

To see if the Town will vote to amend the Zoning Bylaw to allow accessory dwelling units in the R0 and R1 Zoning Districts by amending SECTION 2 DEFINITIONS to define accessory dwelling units; amending SECTION 5.4.3. USE REGULATIONS FOR RESIDENTIAL DISTRICTS to include the use in the table of uses; and creating a new section, SECTION 5.9.2. ACCESSORY DWELLING UNITS, containing standards for accessory dwelling units; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

Amend SECTION 2 DEFINITIONS to add a definition for accessory dwelling unit:

Accessory Dwelling Unit: An accessory dwelling unit is a wholly-contained dwelling unit located within a single-family dwelling existing within a single-family district at the time of the Building Permit. The accessory dwelling unit is subordinate in size to the principal dwelling unit, and physically separated from it, with its own kitchen, bathroom, and two means of egress, and held under common ownership with the primary dwelling unit.

Amend SECTION 5.4.3. USE REGULATIONS FOR RESIDENTIAL DISTRICTS to include the use in the table of uses:

Class of Use	R0	R1	R2	R3	R4	R5	R6	R7
Accessory Uses								
Accessory dwelling unit	<u>SP</u>	<u>SP</u>						

Create a new section, SECTION 5.9.2. ACCESSORY DWELLING UNITS, containing standards for accessory dwelling units:

5.9.2 Accessory Dwelling Units

A. The Zoning Board of Appeals may grant a special permit for an accessory dwelling unit in a single-family dwelling in the R0 or R1 districts, provided that all of the following conditions are met:

- (1) The lot area shall be at least the minimum required under Section 5 of the Zoning Bylaw;
- (2) The gross floor area of an accessory dwelling unit cannot exceed 33% of the gross floor area of a single-family dwelling as defined in Section 2. In no case shall the gross floor area of the accessory dwelling unit exceed 750 square feet;
- (3) The accessory dwelling unit must be contained within the gross floor area of the dwelling existing at the time of the permit application, except for the addition of a second means of egress or other modification to meet the State Building Code;
- (4) The owner(s) of the structure in which the accessory dwelling unit is located must occupy one of the dwelling units as their primary residence, except for temporary absences of no more than 3 months in any 60-month period;
- (5) No additional off-street parking spaces are required;
- (6) The dwelling shall continue to be treated as a single-family dwelling in an R0 or R1 districts; and
- (7) The minimum occupancy or rental term shall be 90 days.

Zoning Bylaw Amendments for Accessory Dwelling Units

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

B. The following procedures apply to accessory dwelling unit:

- (1) No accessory dwelling unit shall be constructed or altered without issuance of a special permit from the Zoning Board of Appeals;
- (2) No accessory dwelling unit shall be occupied prior to issuance of a Certificate of Occupancy by the Building Inspector;
- (3) Prior to the issuance of a Certificate of Occupancy, the owner shall submit to the Building Inspector a notarized affidavit signed under pains and penalties of perjury stating that the owner currently occupies one of the dwelling units on the premises as the owner's primary residence; and
- (4) When a dwelling containing an accessory dwelling unit previously permitted under this Section is sold or otherwise conveyed, the special permit for that accessory dwelling unit shall remain in force only if all requirements of this section continue to be met and the new property owner submits to the Building Inspector a notarized affidavit, signed under the pains and penalties of perjury, stating that the new owner intends to occupy one of the units in the structure as their primary residence, and will continue to do so, except for temporary absences of up to 3 months in any 60-month period.

Zoning Bylaw Amendments for Affordable Housing Requirements

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

ARTICLE 16

ZONING BYLAW AMENDMENT/ AFFORDABLE HOUSING REQUIREMENTS

To see if the town will vote to amend the Zoning Bylaw by increasing the affordability requirements contained in Section 8.2 AFFORDABILITY REQUIREMENTS, (such that a greater number of units of affordable would be required for certain projects); or take any action related thereto.

(Steve Revilak and 10 Registered Voters)

Amend Section 8.2.3(A) to increase the affordability requirements:

- A. ~~In any development subject to this Section 8.2, 15% of the dwelling units shall be affordable units as defined in Section 2 of this Bylaw.~~ In any development subject to this Section 8.2, a percentage of the dwelling units shall be affordable units as defined in Section 2 of this Bylaw, where the percentage is given by the following table:

<u>Total Number of Units</u>	<u>Required Affordable Units</u>
<u>0 to 5 units</u>	<u>No affordability requirement</u>
<u>6 to 19 units</u>	<u>15% affordable units</u>
<u>20 units or more</u>	<u>20% affordable units</u>

For purposes of this Section 8.2., each room for renter occupancy in a single-room occupancy building shall be deemed a dwelling unit. In determining the total number of affordable units required, calculation of a fractional unit of 0.5 or more shall be rounded up to the next whole number.

Zoning Bylaw Amendments to Support the Publication of Supporting Documentation - ZBA
Additions to the Zoning Bylaw shown in underline format. Deletions shown in ~~strikeout format~~.

ARTICLE 23

**ZONING BYLAW AMENDMENT/PUBLICATION
OF SUPPORTING DOCUMENTATION – ZONING BOARD OF APPEALS**

To see if the Town will vote to require the Zoning Board of Appeals to publish, on the town website, supporting documentation pertaining to items on its agenda; or take any action related thereto.

(Paul Schlichtman and 10 Registered Voters)

Since the filing of this article, the Zoning Board of Appeals will begin using Novus Agenda to post meeting materials. Novus Agenda is the same system that the Select Board, School Committee, and ARB use to post materials in advance of hearings. As such, the petitioner stated that there may not be a need to take action on this article.

DRAFT

Zoning Bylaw Amendments to the Driveway Slope

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

ARTICLE 24

ZONING BYLAW AMENDMENT/ DEFINITION OF STORY, HALF

To see if the Town will vote to amend the Zoning Bylaw to amend the definition of Story, Half by amending SECTION 2 DEFINITIONS to reduce the defined height of a half story from 7 feet 3 inches to 7 feet so that the definition reads “Story, Half: A story which is under a gable, hipped, or gambrel roof, where less than one half the floor area measured from the underside of the roof framing to the finished floor below has a clear height of 7 feet or more.”

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

Amend Section 2 for definition of Story, Half as follows:

Story, Half: A story which is under a gable, hipped, or gambrel roof, where less than one half the floor area measured from the underside of the roof framing to the finished floor below has a clear height of 7 feet ~~3 inches~~ or more.

Zoning Bylaw Amendments to the Driveway Slope

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

ARTICLE 25

ZONING BYLAW AMENDMENT/ DRIVEWAY SLOPE

To see if the Town will vote to amend the Zoning Bylaw to amend the maximum allowable driveway slope by amending SECTION 6.1.10.A. LOCATION OF PARKING SPACES to require that the maximum allowable driveway slope cannot exceed 15% for the entire length of said driveway so that the provision reads "Any driveway leading to off-street parking on a lot shall not exceed a 15% downward slope for the entire length of said driveway, except by Special Permit."

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

Amend Section 6.1.10(A) as follows:

- A. Parking in Residential Districts. For single-family, two-family, duplex, and three-family dwellings, off-street parking shall not be permitted in the area between the front lot line and the minimum front setback except on a driveway not exceeding 20 feet in width leading to the required parking space(s). Off-street parking is permitted in (1) the side yard and rear yard on a paved driveway, or in the case of a corner lot of less than 6,000 square feet in the longer of the two front yards, up to a maximum of 24 feet in width, or (2) in an attached or detached garage, or (3) within the foundation of a dwelling provided the garaging is specifically designed for that purpose. ~~Any driveway leading to off-street parking on a lot cannot exceed a 15% downward slope, as measured from the farthest point from the front property line, except by Special Permit.~~ Any driveway leading to off-street parking on a lot shall not exceed a 15% downward slope for the entire length of said driveway, except by Special Permit. A space designed for parking within an existing garage is determined to meet the requirements of an off-street parking space. Side yards used for parking shall have a vegetated buffer when abutting a lot used for residential purposes, to minimize visual impacts.



TOWN OF ARLINGTON
DEPARTMENT OF PLANNING and
COMMUNITY DEVELOPMENT

TOWN HALL, 730 MASSACHUSETTS AVENUE
ARLINGTON, MASSACHUSETTS 02476
TELEPHONE 781-316-3090

MEMORANDUM

To: Members of the Arlington Redevelopment Board

From: Jennifer Raitt, Director, Planning and Community Development

Date: March 21, 2019

RE: 2019 Annual Town Meeting Article 15: Accessory Dwelling Units

At the January 16, 2019, meeting of the Arlington Redevelopment Board (ARB), the Board requested that the article on Accessory Dwelling Units (ADUs) be referred to the Residential Study Group (RSG) for a recommendation on the article. The RSG met on March 8, 2019, to discuss the article and form a recommendation. Additionally, the Housing Plan Implementation Committee (HPIC) met on February 27, 2019, to discuss the article and make a recommendation. Although not specifically tasked with making a recommendation, the HPIC is charged with implementing the Housing Production Plan (HPP). The HPP identifies zoning amendments for ADUs as a method to facilitate development of a range of housing types (p. 60 of the HPP). This memorandum provides an overview of the two recommendations.

Residential Study Group Recommendation

Members of the RSG expressed serious concerns about the article as written and voted to recommend that the ARB take no action and to further study the issue. In advance of the RSG meeting, a thorough analysis of local ADU bylaws was provided using the Pioneer Institute's recent white paper "The State of Zoning for Accessory Dwelling Units" by Amy Dain.¹ Some RSG members questioned the validity of the paper's recommendations because of the Institute's conservative funding sources.

The members thought that the article required more consideration to avoid unintended consequences. The specific concerns expressed include:

- ADUs would lead to the degradation of neighborhoods;
- The lack of parking for ADUs would lead to the overturn of the overnight parking ban;
- Allowing ADUs would invite abuse through short-term rentals and would drive up rental costs of this type of unit;
- ADUs would lead to strangers in the neighborhoods ("stranger danger");
- The length of tenancy for the ADU should be a year;
- The ADU must be within the envelop of the existing structure;

¹ https://pioneerinstitute.org/economic_opportunity/study-boston-area-communities-should-loosen-restrictions-for-accessory-dwelling-units/

- The temporary absence allowance is too restrictive; and
- Allowing ADUs conflicts with the descriptions of the R0 and R1 Districts in Section 5.4.1 of the Zoning Bylaw.

Inspectional Services also raised concerns with the bylaw as drafted. Finally, there was concern that the proposal would cause more teardowns of single-family homes, and replacement structures would then be built with an ADU, essentially a two-family structure, but within an R0 or R1 District where two-family structures are prohibited. Without remedying those concerns, the RSG recommended that the article is not ready to proceed to Town Meeting.

Housing Plan Implementation Committee Recommendation

Members of the HPIC noted that this amendment is very similar to a version presented to the ARB in December 2017, which the HPIC had prepared with assistance from Department staff and three members of the RSG through the summer and fall of 2017. The HPIC considered the amendment to be beneficial for the community and achieving the goals of the HPP. The HPIC offered a few additions to the proposed amendments: including detached structures that existed on site prior to February 14, 2019 to be an ADU, including a requirement for an annual certification, and requiring the structure to be owner-occupied. The HPIC noted that a special permit process is required, and supported that requirement. Although often discussed in tandem with accessory dwelling units, the HPIC did not recommend requiring an affordable restriction on the accessory unit as the members saw it as a barrier to implementation. The HPIC members voted 5-1 to recommend that the ARB adopt the amendments as proposed with the additional requirements noted.

The ARB will consider Article 15 for accessory dwelling units during the public hearing on March 25, 2019. I anticipate that there will be representatives from both Committees present at the hearing if there are further questions.

From: Stephen A. Revilak
To: Arlington Redevelopment Board
Date: March 20, 2019
Re: Remarks on Article 16

Hello Arlington Redevelopment Board,

I'm writing to provide some remarks on Warrant Article 16 (Affordable Housing Requirements), in advance of your hearing on Monday March 25, 2019.

My January 24, 2019 memo to the Board (which appears in the Board's Jan 28th packet) described my motivation for proposing Article 16: I wished to increase the inclusionary zoning requirements of Section 8.2 of the Zoning Bylaw, based on an expectation that the multifamily zoning proposals (if adopted) would facilitate development projects containing six or more residential units. At the time I proposed an additional "tier", whereby projects of 20 units or more would be subject to a 20% affordability requirement.

During the Board's meeting on February 25, 2019, several Board members expressed the opinion that the proposed changes to multifamily zoning would be better positioned as density bonuses, in exchange for the production of additional affordable units. I would like the board to know that the Planning Directors took this recommendation very seriously, and began to consider how the dimensional and density changes contained in the multifamily zoning articles might become density bonuses in Article 16. The Directors discussed this idea with the Zoning Bylaw Working Group during their meeting on February 27th. I also understand the topic was discussed with the Housing Plan Implementation Committee, though I did not attend their meeting.

After learning of this idea on February 27th, I began to collaborate with the Directors on a revised main motion for Article 16. The end result of this collaboration is what's before the board tonight. The basic tiering is still present, but the multifamily provisions are now density bonuses. Briefly stated, the article works as follows:

- Proposed developments of 4--5 units would be eligible for the density bonuses. The intent of this provision is to encourage more housing diversity from smaller projects (i.e., projects where six residential units may not be feasible). Note that such developments are not subject to the Zoning Bylaw's inclusionary provisions.
- Proposed developments that provide the minimum number of required affordable units are not eligible for density bonuses.
- Proposed developments that provide more than the required number of affordable units are eligible for density bonuses.

It is my understanding that Town Counsel and the Town Moderator have reviewed the new main motion, and believe that it falls within the scope of the warrant article language.

Thank you for your time and attention. I look forward to discussing Article 16 during Monday night's hearing.

Sincerely,

Stephen A. Revilak
111 Sunnyside Ave



Town of Arlington, Massachusetts

Meeting Minutes - from 1/28/19, 2/11/19, 3/04/19, and 3/11/19

Summary:

10:20 p.m. - 10:30 p.m. • Board members will review and approve meeting minutes

ATTACHMENTS:

Type	File Name	Description
▢ Reference Material	Agenda_Item_2_-_01282019_Draft_Minutes_ARB.pdf	01282019 Draft Minutes ARB
▢ Reference Material	Agenda_Item_2_-_02112019_Draft_Minutes_ARB.pdf	02112019 Draft Minutes ARB
▢ Reference Material	Agenda_Item_2_-_03042019_Draft_Minutes_ARB.pdf	03042019 Draft Minutes ARB
▢ Reference Material	Agenda_Item_2_-_03112019_Draft_Minutes_ARB.pdf	03112019 Draft Minutes ARB

Arlington Redevelopment Board
January 28, 2019, 7:30 p.m.
Town Hall Annex
Second Floor Conference Room
Meeting Minutes

This meeting was recorded by ACMi.

PRESENT: Andrew West, David Watson, Eugene Benson, Kin Lau

ABSENT: Andrew Bunnell (Chair)

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

Mr. West (Vice-Chair) called the meeting to order. Mr. West notified the group that the meeting was being recorded by ACMi. Mr. West noted the number of members of the public in attendance and reminded the group that while the public is welcome to participate this meeting is not a public hearing on zoning bylaw amendments.

Mr. West opened the meeting at 7:30 pm and turned to the first item on the agenda, the community engagement and outreach plan for 2019 Annual Town Meeting warrant articles.

Ms. Raitt began with an overview of the draft community outreach plan, similar to the recent recodification process, which includes neighborhood meetings targeted for Town Meeting Members at local schools tentatively scheduled on 3/27/19, 3/28/19, 4/3/19, and 4/4/19 at 7:00PM, Master Plan Implementation Committee, Housing Implementation Committee, the Residential Study Group, meetings with merchant associations (which are ongoing), property owners and associations. CHAPA held a meeting to discuss ways to engage people in the discussion, including the proposed multi-family and mixed use articles. The Department of Planning and Community Development is also requesting permission to email Town Meeting Members directly, the proposed targeted outreach includes: personal contact, email announcements, direct mailings, PowerPoint presentations, ACMi, Town Notice lists, media outlets, FAQ documents, expanded FAQ documents, and an amendment guide. Ms. Zwirko noted meeting schedules are still tentative; the dates have to be confirmed with the schools.

Mr. West asked how the March ARB hearings will be organized. Ms. Raitt explained that the meetings will be organized around articles with similar topics. Ms. Zwirko provided the publication dates for the hearing articles and legal notices. Mr. Watson noticed the Zoning Bylaw Working Group was not included with the list of committee meetings. Ms. Raitt is making the update to the outreach plan.

Mr. Watson stated that he is satisfied with the extensive outreach plan. There may still be groups who will be affected by the zoning changes in town that cannot attend evening meetings and hearings. Mr. Watson suggested that the DPCD work to identify these groups and consider adding some direct outreach to make sure they have an opportunity to participate in this discussion.

Mr. Benson said the plan looks very complete especially with the additions. He asked about the floodplain amendments. Ms. Raitt notified the board that Nathaniel Stevens, Chair of the Conservation Commission, will be at the next meeting on 2/25/19, to discuss those proposed amendments.

Mr. West asked about the graphic materials to support the warrant articles. Mr. Raitt and Ms. Zwirko said that the graphics will be available during public hearings in March and that MAPC is preparing the graphics. Mr. Benson asked if MAPC will also provide any updates or corrections to the graphics if the warrant articles are updated. Ms. Raitt confirmed corrections were included as part of MAPC's contract. Mr. Watson suggested getting the supporting graphics out to the public as soon as possible to avoid confusion.

Mr. Benson moved to accept the first item as amended, noting that meeting dates may change. Mr. Lau seconded and all

approved

Mr. West stated that the next two agenda items, Organizational Meeting – ARB Rules and Regulations Rule 2- Board officers and the ARB meeting schedule for March, will be addressed at the next meeting since the entire board is not in attendance.

Mr. West moved to approve the December 17, 2019 ARB meeting minutes, Mr. Watson seconded, all approved.

Mr. Benson noted a correction for the January 7, 2019 meeting minutes in the second paragraph that says all voted and approved instead of noting that Mr. Lau abstained. Mr. Benson moved to approve minutes with this amendment and all approved.

Mr. Lau moved to approve the January 16, 2019 minutes with amendments and all approved.

Ms. Raitt summarized the correspondence from Mr. Steve Revilak regarding Inclusionary Zoning Warrant Article amendment under section 8.2 as the number of units available increases so will the number of affordable units. Mr. Watson said he looks forward to discussing this amendment. Mr. Watson said he does not want to miss the opportunity to increase affordable housing while increasing density. Mr. West asked if Mr. Revilak's proposed amendment could be referred to another working group/committee. Ms. Raitt suggested the Zoning Bylaw Working Group is working on similar proposals.

Mr. Watson moved to refer the proposed Zoning Bylaw amendment submitted by Mr. Revilak to the Zoning Bylaw Working Group. Board voted all in favor.

Motion to adjourn. Board voted all in favor. (4-0)

Meeting Adjourned.

Arlington Redevelopment Board
February 11, 2019, 7:30 p.m.
Charles Lyons' Hearing Room,
Town Hall, 2nd Floor
Meeting Minutes

This meeting was recorded by ACMi.

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

ABSENT: David Watson

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

The Chair opened the meeting by notifying the group that the meeting was being recorded by ACMi. The Chair then tabled the Organizational Meeting until the meeting on February 25, 2019, when all board members are present.

The Chair moved on to the second agenda item, Proposed amendments to make minor administrative corrections to Floodplain District and Inland Wetland District sections of the Zoning Bylaw and discussions about Arlington Regulations for Wetland Protection Section 31, Climate Change Resilience.

The Chair introduced Nathaniel Stevens, Chair, Arlington Conservation Commission and Emily Sullivan, Environmental Planner/Conservation Agent who presented the proposed changes to the local Floodplain and Inland Wetland districts.

Mr. Benson asked for clarification of conservation district jurisdiction, specifically if it would still be defined as 200 feet. Mr. Benson asked to change the language in the proposal from all rivers, brooks, and streams, to all perennial rivers, brooks, and streams. Mr. West asked about the permitted structure uses within the district. Mr. Stevens said the Conservation Commission would address this issue. Mr. Lau asked if there were any vernal pools included in this category. Mr. Stevens explained that a vernal pool has not been identified in Arlington.

Mr. Benson and wanted to address the climate change projections. Mr. Stevens said definition of sea level rise may change at a later date along with FEMA regulations and other credible evidence. Mr. Benson asked for the language so that the ARB could incorporate the same changes. Ms. Raitt explained that the Department of Planning and Community Development is doing a crosswalk of regulations to avoid redundancies. Mr. Stevens introduced the Municipal Vulnerability Preparedness (MVP) and Ms. Raitt provided an overview of the MVP program, including funding, and the planning process. Mr. Stevens would like to include climate change resilience language to section 31, which includes stormwater drainage and planting plans. Mr. Benson asked if the conservation commission was working with the Town's Engineer's office to ensure regulations take the 100 year storm calculations into account. Ms. Sullivan said she is working with the Town Engineer's office on this issue.

The Chair introduced the third agenda item, Updates to existing Arlington Design Standards and Warrant Article requesting appropriation of funds to create Residential Design Guidelines.

Ms. Raitt reviewed warrant articles filed and approved with comments from the board January 28, 2019 amended outreach plan, hearing dates, and which warrants will be discussed at which hearing.

The Chair motioned to add another ARB meeting on March 27, 2019, after the public hearing is closed to allow board to review information before voting. Mr. Benson seconded, all voted in favor.

The Chair introduced the fourth agenda item, Updates to existing Arlington Design Standards and Warrant Article requesting appropriation of funds to create Residential Design Guidelines

Ms. Raitt gave an overview of the warrant article. Residential Study Group requested funds for a consultant to complete a study to create a process for design review. Mr. Raitt explained it would be a review of any home construction in the R0 and R2 districts. Mr. Lau asked if Design Review Committees exist in any other areas of Massachusetts. Ms. Raitt answered yes and explained a Design Review Committee would typically fall under the Planning Board. Ms. Zwirko explained the responsibilities of Design Advisory committees in other towns.

The board invited a member of the public, Steve Revilak, to comment. Mr. Revilak asked if the Design Review process in Watertown, MA would be a model for Arlington. Ms. Zwirko confirmed that Arlington would follow Watertown's model.

A member of public, Asia Kepka, asked about the appropriation and process for hiring a consultant. Ms. Raitt provided an overview of the Town's process.

The Chair moved on to the next agenda item, progress on master plan and housing production plan implementation, including current work of Master Plan Implementation Committee subgroups and working groups (Zoning Bylaw Working Group, Historic and Cultural Resources Working Group, Mill brook Study Group, and Residential Study Group.

Ms. Raitt presented the updated master implementation plan and table and gave an overview of the housing production plan. Next Master Plan Implementation Committee meeting is on Thursday, March 7, 2019 where the updated zoning bylaw amendments will be discussed.

Patricia Worden interjected that as a member of the Housing Implementation Committee the amendments were never discussed in the HPIC meeting.

Motion to adjourn. Board voted all in favor. (4-0)

Meeting Adjourned.

Arlington Redevelopment Board
March 4, 2019, 7:30 p.m.
Senior Center, Main Room, First Floor
Meeting Minutes

This meeting was recorded by ACMi.

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

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

The Chair opened the meeting at 7:30 pm and turned to the first item on the agenda, Public hearing for Town Meeting Article 17, signage. He stated all votes on bylaw amendments will be taken March 27.

Ms. Raitt introduced Roger Eastman with LWC, who is helping the town with the sign bylaw regulation. Mr. Eastman provided details concerning the project.

The Chair turned to the Board for questions. Mr. Watson stated that one section allowed leeway in signage content, while another allowed sign permit exceptions -- how does one know when a permit is needed?

The Chair referred the question to Doug Heim, Town Counsel, who stated he understood the beginning of the question. Mr. Watson stated that it was unclear how an applicant would know whether permit was needed to change an existing sign. Mr. Eastman stated this is to allow change of a commercial message on a sign to a noncommercial one without a permit. However, commercial to commercial would always require a permit. Mr. Watson requested that this clarification be included in the final bylaw wording.

Mr. Watson then requested clarification as to whether the ARB or Building Inspector determines final approval. Mr. Benson stated it would help to know under what circumstances the permit would be sent to the ARB.

Mr. Watson requested clarification of the duration of temporary A-frame versus other sign permits.

Mr. Watson asked if it is too restrictive to allow the property manager to determine which tenants would be allowed more than one temporary sign. Mr. Eastman stated this is a difficult issue that concerns primarily multistore strip malls, where there might be too many signs at once; and he could not find a better way around this to apply to less congested areas. Mr. Watson requested more explicit language, as he could not see how they could have multi-sign restrictions given the configuration of so many businesses in town. Some discussion ensued. Mr. Eastman agreed to clarify the distinction between shopping centers and individual stores.

Mr. Watson asked if regulations concerning inflatable balloons/spinners, etc. would affect holiday decorations; Mr. Eastman stated likely no. Discussion followed with Mr. Heim re commercial versus noncommercial/residential content.

Mr. Watson asked re: removal of possible historical signs for businesses no longer in existence. Mr. Eastman stated they would add reference to landmark/historical signs in that context. Mr. Lau asked if this applies to murals on buildings. Mr. Eastman stated the sign bylaw is consciously neutral on murals. Mr. Heim elaborated on possible special treatment of historical signage.

Mr. Watson asked how display restrictions might affect holiday lighting using lasers/projectors. Mr. Heim stated this issue requires further consideration. Mr. Eastman stated the regulations are intended for commercial displays rather than single family homes celebrating holidays.

Mr. Watson asked if sidewalk projection of signage is prohibited; Mr. Eastman stated yes. Mr. Watson stated he is not

sure he is in favor of this prohibition. He then stated he could not find a definition of “upright signs,” and Ms. Zwirko directed him to the definition. Mr. Watson stated he would submit typos.

The Chair stated he would also submit typos, and then opened the floor to public comment.

Chris Loreti stated he was confused about the “track changes” version. Ms. Raitt stated the changes were relative to comments from the Zoning Bylaw Working Group and from some board members. Mr. Loreti asked if the revised bylaw continues to offer protection against billboards. Mr. Eastman stated this was under “Prohibited Signs.” Mr. Loreti asked if LED signs were prohibited. Mr. Eastman stated very small LEDs (e.g., drive-thru notices) would be permitted. Mr. Loreti stated “permanent portable signs” should be prohibited/regulated, and that A-frame signs should be placed so as not to impede passersby.

Bob Radochia asked who is responsible for citing signage violations. Mr. Raitt replied the Building Inspector/Inspectional Services. He stated they are too busy to effectively control this. He then asked if store window signs were covered in the bylaw. Ms. Zwirko directed him to the section. He stated there was too much clutter on some windows, and this was not being addressed. He stated he would provide photos.

The Chair moved to Article 18, Inland Wetlands. Ms. Raitt stated the aim was to conform zoning with the Conservation Commission’s regulations. She stated that the Commission stressed that proposed zoning changes would not impact the Commission’s administration of the Massachusetts Wetland Protection Act and other regulations. She continued with further clarification, reading a letter from the Conservation Commission into the record.

Mr. Benson stated it was appropriate to have conforming regulations/definitions. Mr. Watson agreed but stated there is missing language in special permit process under 5.7.5.c., and gave the floor to Steve Revilak, who confirmed there is a missing paragraph. Ms. Raitt stated this would be reinstated.

The Chair invited public comments. None forthcoming, he moved to Article 19.

Ms. Raitt stated this warrant article is the same as Article 18, corrections to conform to Conservation Commission regulations. Mr. Benson stated he had supplied to the staff additional wording defining “perennial rivers, brooks, and streams.”

Beth Melofchik asked whether the Board is redefining wetlands with the insertion of “perennials.” Mr. Benson stated this was done to conform to Conservation Commission standards. Ms. Melofchik stated she was concerned about vernal pools; Mr. Benson stated they are not covered under this category. There are not vernal pools in Arlington. Ms. Melofchik asked if there are specific creeks and brooks that this applies to; Mr. Benson stated yes, every stream and brook in town except one that is caused only by heavy rainfall. Ms. Melofchik stated her concern that this change would benefit development along the Mill Brook corridor; Mr. Benson assured her it would not. He clarified the difference between vernal pools and intermittent streams and regulation thereof. Ms. Melofchik asked about the inconsistencies between the Conservation Commission and the zoning bylaw; Ms. Raitt stated that this is why the amendments are being proposed.

The Chair moved to Article 20, religious and educational uses. Ms. Raitt stated this article is intended to clarify the existing review process and amend existing bylaw sections to codify the process. She provided details and invited Mr. Heim to the podium. He referenced the Dover Amendment and discussed cases relating to these uses. Mr. Benson suggested several edits to clarify the order of application steps. Mr. Watson joined the discussion and Mr. Heim continued his explanation, with help from Ms. Raitt and Ms. Zwirko. Mr. Benson asked whether the staff or the Board should be doing the permitting work. Mr. Heim stated it is illegal for the Board to do so and provided further discussion of site plan reviews and recommended further review by the Board. Discussion followed. Ms. Raitt requested clarification of Board involvement in the process and how to avoid possible conflicts. Mr. Heim stated it was most critical to avoid making this a special permit under another name. Mr. Benson stated that if the work is done by the staff, and then the applicant does not appeal, there is no opportunity for public input; but if the Board does it, there would be a public hearing. The Chair corrected, stating it would not be a public meeting but an open hearing allowing for public comment. The Chair then opened the

floor for public comment.

Chris Loreti listed the problems he has with the amendment, including that the language for exemptions is not consistent, including whether a building would be a principal use. He stated the Board is making the administration of the process too difficult. Reasonable requirements are already in the zoning bylaw and are enforced by the Building Inspector, as is done by other towns. Applicants could appeal to the Zoning Board of Appeals. Mr. Loreti also disapproved of the applicant going before the Redevelopment Board or the Board of Appeals, and called this “board shopping.” He also questioned where the Redevelopment Board gets the authority to go beyond the dimensional requirements in the bylaw - the Board of Appeals has this power, but not the Redevelopment Board.

Carl Wagner stated his concern that environmental and other reviews would be lost, harming abutters.

The Chair then moved to Article 22. Ms. Raitt stated there were administrative corrections. The Chair opened the floor to public comments.

Chris Loreti stated he didn’t see the last change that was made appearing on the warrant article; he also stated it is out of scope. Mr. Benson asked for the citation; Ms. Raitt stated it was a date that should be in the Bylaw.

Steve Revilak clarified discrepancies in dates pointed out by Mr. Loreti.

The Chair stated the public hearing would stay open until March 27. He then moved on to election of the chairperson. Mr. Benson nominated Mr. Bunnell; seconded. Mr. Bunnell accepted. Board voted in favor (Mr. West absent). The Chair nominated Mr. Lau for Vice Chair. Mr. Watson seconded. Board voted in favor (Mr. West absent).

The Chair requested motion to adjourn. Mr. Lau so moved. Board voted in favor (Mr. West absent).

Meeting adjourned.

Arlington Redevelopment Board
March 11, 2019, 7:30 p.m.
Senior Center, Main Room, First Floor
Meeting Minutes

This meeting was recorded by ACMI.

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

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

The Chair opened the meeting at 7:30 pm and turned to the first item on the agenda, Public hearing Town Meeting articles 6-9.

Ms. Raitt gave a slide presentation, and the Chair opened the floor to public comment.

Rachel Stark asked for a guarantee of affordable housing. Erin Zwirko stated the affordable housing requirement in the zoning bylaw would still apply. On March 25, there will be a public hearing on Article 16 which proposes changes to inclusionary zoning that the ARB would consider.

Pat Deal stated her biggest concern is that her fellow Town Meeting members and the town residents have no idea about what's in store, there is a lack of information. She suggested deferring the matter for another year until citizens can be informed. She also stated her concern about unequal impact on lower-income citizens. She stated the articles seem to be coming from someone's cookie-cutter template of urban development that may not fully reflect Arlington's intentions.

Don Seltzer stated he was surprised that existing studies had not been made available to the public before the evening's meeting. He presented visualization studies, one showing a "fortress"-like structure and another showing a structure overshadowing a city block. He asked rhetorically whether these represented progress. He also stated the building of 4-5 story structures in the Heights would cast shadows blocking the sun entirely for several months, sending shoppers to the mall instead of local businesses.

Steve Revilak stated he thought the proposed changes would benefit the commercial districts. He stated the 1975 zoning regulations were designed to limit the town's population by limiting development in town to only expensive single-family homes. He stated one of the easiest ways to address the high cost of housing is preserving and developing more multifamily homes.

John Gersh agreed with Mr. Revilak that there is a housing problem but sees the articles as an extreme and quick solution that would not facilitate affordable housing and a few wealthy people would benefit from the changes.

Keith Schnebly asked rhetorically if buffers and open space are removed, would people still want to live in Arlington. He asked if any environmental impact studies had been done to address environmental changes. The Chair stated this is outside of the Board's scope; environmental impact is part of the environmental design review special permit process.

Patricia Worden generally stated that the proposed changes go against the Master Plan. The only kind of housing Arlington needs, she said, is affordable housing, and the Master Plan does not indicate that affordable housing requires decreased open space or increased density. She also stated the proposed changes would be disastrous for residential and commercial renters. She requested that "monster buildings" not be allowed in Arlington.

Michelle Nathan stated she has studied the proposals to learn who would really benefit from the zoning changes. She cited Belmont's Cushing Square as a negative example. Ms. Nathan didn't think there is enough citizen input into the housing production plan. She is concerned that the changes might push away existing small businesses and middle

income residents, and become a town of haves and have-nots. She stated she did not see provisions in place to prevent excesses by developers; and that Arlington should have a higher ratio of affordable units to high priced ones. She stated that the new development does not include commercial space, and is concerned that upper-floor open space would not be maintained. She is also concerned about being pushed out by increasing taxes. The Chair requested comments stay in scope.

Barbara Thornton stated that more people would like to move to Arlington than are able to; McMansion owners would benefit if the proposal does not pass, the kids who are in high school now will not be able to raise their kids in Arlington, which will turn into "Chestnut Hill"; fewer families and more expensive homes means fewer walk-in shoppers for small businesses; the visual impact of density can be addressed further as part of the project review process; the town cannot wait another year until more residents get the information, which has been available for some time; and she supports the articles.

Five-Minute Recess

Pam Hallett stated she was concerned that there is not enough community spirit or support for affordable housing in Arlington. The proposed changes will support the small businesses in town and help build community and diversity.

John Worden presented a brief history of zoning bylaws he had helped develop. He stated in 2018 the MAPC proposed the current articles; Article 6 is the worst. He stated Mass. Avenue would become a street wall and requested the Board reject this.

Elise Selinger spoke in favor of density, which creates opportunities for diversity of housing types and populations and, would encourage public transportation and walking, as well as supporting local businesses. She hoped for future discussion of inclusionary zoning.

Wynelle Evans stated that the people who are resisting the plan are not opposed to affordable housing, but the amendments do not give developers any incentive to provide affordable housing. She is also concerned about displacement due to higher rents caused by redevelopment. She is happy about the affordable housing that the Housing Corporation is building. She would prefer a higher ratio of affordable units to market rate. She is opposed to moving green spaces to roofs because it would make them accessible only to those who could afford it.

Jo Anne Preston had just come from a meeting of Tenants for a Livable Arlington, who she believed would be displaced by the new development. She would like to keep these middle-income residents in the town and expressed her opposition to the amendments.

Susan Stamps thinks that the town is supportive of Pam Hallett and the Housing Corporation of Arlington and the Arlington Housing Authority, and called for a lot more affordable housing. She stated this can be achieved by including deed-restricted units for households earning 50% of the area median income. She stated the zoning bylaws would allow developers to charge more for small units. She suggested language be discussed over the next year and addressed at the 2020 Town Meeting. She is also concerned about the loss of trees and open space, counter to the goals in the Master Plan, and requested the town look at the Master Plan as a whole and be consistent.

Kate Casa stated her support for the social and economic benefits of the proposed amendments.

Beth Elliott supports the proposed changes, stating the amendments would help preserve existing uses, and that more density will result in greater affordability. She briefly discussed the high expense and complicated economics involved in building affordable housing.

Asia Kepka stated she worked hard to buy a two-family and struggles to keep it. She lives next to a tall building and there are problems with lack of light and space, and with trash, noise, and access. She stated young couples and working people just starting out cannot afford to live in the town. She is not against affordable housing but hasn't heard examples of

towns where increased development created more affordable housing. She requested the Board try to preserve the community and not pave/build out of control, and look at the larger picture of environment, transportation, and housing. Aram Holman began to discuss the high school but was reminded by the Chair that this is out of scope. He stated the primary purpose of the amendments is not affordable housing but increasing town revenues by increasing density. Operating costs in the town are increasing, while residents' incomes are not. He stated the proposals would not settle Arlington's problems, but only slightly mitigate them; Arlington cannot build its way out of the fiscal bind, housing shortage in general, or affordable housing shortage, and renters and those on fixed incomes will eventually be forced out. He stated this may be legal but not ethical; Arlington's record over the years has not been good, and the Redevelopment Board had not been helpful in requesting affordable housing from developers. Mr. Holman stated his opposition to the amendments and suggested the following: a one percent real estate transfer tax, due by the seller at the time of sale, with the money to go toward affordable housing; Redevelopment Board members should be elected, rather than appointed; and he suggested the "canyonized" main drags of Mass. Ave. in Cambridge or Cambridgepark Drive as examples of what Arlington's future might be.

Karen Kelleher supports the articles; increased density will benefit the retailers and create mixed income housing. She favored more discussion of trade-offs rather than putting off the project.

Carl Wagner stated the articles do not follow the Master Plan and do not have enough community involvement. He favors postponement until more residents are sufficiently informed.

Chris Loreti stated the articles are not consistent with the Master Plan.

Steve McKenna supports the zoning changes and stated defeat would harm the town's most important developer, the Housing Corporation of Arlington. He stated the zoning bylaws would create opportunities for new businesses; growth for existing ones; much needed safer and modern housing stock; and more income for the town.

Adam Auster requested that when the Board comes before Town Meeting, they explain technical matters, hand out graphics, and reassure members as to allowable setbacks, etc.

Beth Melofchik stated she is frightened by the possibility of a "dead city" created by the articles, which deviate from the Master Plan, are environmentally unacceptable, and favor market rate real estate interests rather than affordable housing.

Peter Bloom requested better communication with people that are hard to reach, about how the zoning would affect the areas where they live. He suggested everyone in town receive a copy of the zoning map, and that space in the Town Hall lobby be used to provide easy access to information. He stated open spaces on balconies and roofs would not benefit the general public.

The Chair invited e-mail comments to the Board and to Ms. Raitt from attendees, and stated maps and other information are available on the town website. He stated the next hearing is Monday, March 18, discussing articles 10-14 and 21. The Board will deliberate on March 27.

Mr. Lau motioned to adjourn. Seconded; Board voted in favor.

Meeting adjourned.



Town of Arlington, Massachusetts

Correspondence received:

Summary:

Correspondence for ARB March 18 Meeting via email from Don Seltzer 03-16-19

Proposed changes to Zoning Bylaws will not mitigate climate change, will exacerbate heat islands, will imperil tree canopy via email from Beth Melofchik 03-18-19

Letter to the ARB via email from Nicholas Urie 03-19-19

Zoning Amendment Support via email from Kathryn Sivers 03-19-19

Comments on Articles 6 through 14 via email from Wynelle Evans 03-20-19

Letter via email from Beth Locke 03-21-19

Re: Changes to the Arlington Zoning Bylaws via email from Rose Udics 03-21-19

Presentation material for 25 Mar ARB hearing via email from Don Seltzer 03-21-19

Re: ARB consideration of Warrant article 16 via email from Patrick Hanlon and Catherine Farrell 03-22-19

Memorandum to the Redevelopment Board via email from John Worden 03-22-19

ATTACHMENTS:

Type	File Name
Reference Material	Correspondence_for_ARB_March_18_meeting_via_email_from_Don_Seltzer_03-16-19.pdf
Reference Material	Correspondence_-_Proposed_changes_to_Zoning_Bylaws_will_not_mitigate_climate_change__will_exacerbate_heat_islands__will_imperil_tree_canopy_via_email_from_Beth_Melofchik_03-18-19.pdf
Reference Material	Correspondence_-_Letter_to_the_ARB_via_email_from_Nicholas_Urie_031919.pdf
Reference Material	Correspondence_-_Zoning_Amendment_Support_via_email_from_Kathryn_Sivers_03-19-19.pdf
Reference Material	Correspondence_-_Comments_on_Articles_6_through_14_via_email_from_Wynelle_Evans_03-20-19.pdf
Reference Material	Correspondence_-_Letter_via_email_from_Beth_Locke_03-21-19.pdf
Reference Material	Correspondence_-_RE_Changes_to_the_Arlington_Zoning_Bylaws_via_email_from_Rose_Udics_03-21-19.pdf
Reference Material	Correspondence_-_Presentation_Material_for_25_Mar_ARB_hearing_via_email_from_Don_Seltzer_03-21-19.pdf

▢ Reference
Material Correspondence_-_RE_ARB_consideration_of_Warrant_Article_16_sent_via_email_from_Patrick_Hanlon_and_Catherine_Farrell_03-22-19.pdf

▢ Reference
Material Correspondence_-_Memorandum_to_the_Redevelopment_Board_via_email_from_John_Worden_03-22-19.pdf

Since January, the Redevelopment Board and residents have been asking for the promised Visualizations and Shadow studies, to better understand how the proposed zoning changes will impact neighborhoods. We have repeatedly been told that MAPC was working on them and they would be made available soon.

They finally did appear, belatedly, at Monday's hearing. What we saw was deeply disappointing. Rather than a meaningful visualization of an actual Arlington location, we were shown some casual artist's sketches of a fictional neighborhood in a fictional city. Nothing about the streets, the settings, the scale of the surrounding buildings bore any resemblance to Arlington. It was a Sim City fantasy world.

A few particular criticisms:

- Most of the background buildings have been depicted as large three story flat roofed structures in order to suggest a uniformity of shape and scale. In reality, these side streets feeding the main corridors are residential with one and two family homes
- All of the lots are shown as being square, with generous setbacks. In reality, many lots have a narrow dimension
- The example building shown does not even conform with the MAPC vision of an extended street wall with minimal gaps. Instead we are shown an isolated building surrounded by open landscaped lots
- Many of the sidewalks shown in these images are unnaturally wide for Arlington
- The residential model is a careless edit of the mixed use business district version. The artist even left in the sidewalk cafe
- The residential model has zero setback front yards
- The balconies overhanging the sidewalks are inconsistent with Arlington's zoning laws.
- The upper story setbacks are not reflective of the proposed changes

The only thing 'Arlington' about these drawings is the small label in the lower corner.

Ten depictions of the same building from slightly different angles is not useful content. It is simply filler material to hide the shallowness of the submitted work product.

The shadow study examples are even worse. Also set in some Sim City neighborhood, they lack any dimensional information. Some of the shadows shown

are clearly inaccurate for our latitude - perhaps it was meant to be Sim City, Florida. The only useful information to be obtained from this 'study' is that winter shadows are longer than those of summer.

As a resident, I am disappointed that our tax dollars have been wasted on this useless nonsense. For our Board members, I hope that your professionalism has been offended by such an unsatisfactory work product being submitted from our consultant so late in the decision process. It adds nothing to our understanding of these proposed zoning changes and the impact on Arlington neighborhoods. It also raises questions of the technical expertise of our consultants and how seriously they have attempted to understand Arlington's neighborhoods beyond some lines on a zoning map.

If a developer applying for a special permit for a single building had submitted such materials for consideration, I expect that the Board would have politely told him to come back when it had been done properly. In this case, with the serious overhaul of our zoning laws and the intrinsic character of the town at stake, it is orders of magnitude more important to be deliberate in the approval process and to get it done right.



Don Seltzer
Irving St

From: "Andrew Bunnell" <ABunnell@town.arlington.ma.us>
To: "Jenny Raitt" <JRaitt@town.arlington.ma.us>
Date: Mon, 18 Mar 2019 09:55:07 -0400
Subject: Fwd: Proposed changes to Zoning Bylaws will not mitigate climate change, will exacerbate heat islands, will imperil tree canopy

From: Beth Melofchik <tankmadel@yahoo.com>
To: "abunnell@town.arlington.ma.us" <abunnell@town.arlington.ma.us>, "klau@town.arlington.ma.us" <klau@town.arlington.ma.us>, "dwatson@town.arlington.ma.us" <dwatson@town.arlington.ma.us>, "awest@town.arlington.ma.us" <awest@town.arlington.ma.us>, Adam Chapdelaine <achapdelaine@town.arlington.ma.us>, Marie Krepelka <mkrepelka@town.arlington.ma.us>
Date: Sat, 16 Mar 2019 14:43:10 +0000 (UTC)
Subject: Proposed changes to Zoning Bylaws will not mitigate climate change, will exacerbate heat islands, will imperil tree canopy

Dear Chairman and Members of the Arlington
Redevelopment Board:

Governor Baker's recent testimony 2-6-2019 before the
Committee on Natural Resources, US House of
Representatives, in Washington DC emphasized the need
for:

climate-smart infrastructure, and nature-based solutions that protect
public health, safety, and property. This is absent from the proposed
Zoning Bylaws. Also absent:

right-sizing culverts to accommodate increased stream flow from more
intense storms;
restoring floodplains along rivers and streams to prevent flooding;
employing nature-based solutions such as wetland restoration in
urban areas to absorb increased runoff during storms;
upgrading combined sewer overflows to separate wastewater from
storm water to ensure cleaner water and fewer flooding events
involving untreated sewage;

Does Arlington's democratic process serve the community or outside groups?

Speakers at the March 11 ARB hearing, link below, succeeded in illustrating what the Density Articles, Articles 6-15, represent:

overreach by a subset of interests - real estate
environmental degradation

Nothing in Articles 6-15 guarantees Affordable or affordable housing.

The most strident voices in support are a real estate developer and an individual who lives surrounded by Conservation Land.

Don Seltzer has graphics illustrating what Metropolitan Area Planning Council (MAPC) and Citizens' Housing and Planning Association's (CHAPA) proposed changes would create. (Minute 34)

Keith Schnebly, (Minute 48)

Wynelle Evans (1:31:00)

Chris Loretta presents keen analysis on what the Master Plan presents and what others claim.(2:07:00)

Those are the highlights from March 11, 2019. Other citizens spoke up defending the existing Bylaws, pointing out that some parts of

town, R0-R3, will not be affected at all, easy for some people to advocate change in other people's neighborhoods. In which neighborhoods do each of you live? Will you be left with any trees?

Why are Metropolitan Area Planning Council, (MAPC), and Citizens' Housing and Planning Association, (CHAPA), attempting to subvert our Town's democratic process? They interfere in the deliberative committee process. Who funds them?

The Town's Office of Planning and Community Development is lead by a 9 year employee of MAPC and a member of APA.

There is nothing, NOTHING in the proposed Bylaws that defends the environment, protects our existing tree canopy, mitigates extreme heat or addresses storm water run off. Climate resiliency is absent.

This directly contradicts Jennifer Raitt's testimony in Washington DC Wednesday March 13, 2019 on behalf of the American Planning Association, (APA).

Kind regards,
Beth Melofchik
Russell Street

[Redevelopment Board Meeting - March 11, 2019 - Arlington Community Media, Inc.](#)

From: "Jenny Raitt" <JRaitt@town.arlington.ma.us>
To: "Nicholas Urie" <nicholas.urie@gmail.com>
Cc: <abunnell@town.arlington.ma.us>, <KLau@town.arlington.ma.us>,
<DWatson@town.arlington.ma.us>, <ebenson@town.arlington.ma.us>,
<MMuszynski@town.arlington.ma.us>
Date: Wed, 20 Mar 2019 07:07:56 -0400
Subject: Re:

Nicholas,

Thank you for your comments.

Best,
Jenny

Jennifer Raitt
Town of Arlington
Director of Planning and Community Development
781-316-3092

On Mar 19, 2019, at 8:36 PM, Nicholas Urie <nicholas.urie@gmail.com> wrote:

Dear Arlington Redevelopment Board:

I'm writing to express my support of the proposed zoning changes allowing greater development density. As a resident of Arlington Heights I think it is important that the town increase and diversify our housing stock. I welcome the addition of more people to our lovely town.

Thoughtful development will help address a number of problems in our town and the greater Boston area more generally. Developing more 6 unit buildings will create by default more affordable housing units and will help (even if in a small way) the regional housing shortage. More density means more amenities, too! I love walking down to Mass Ave and finding a vibrant scene. Greater development will increase Arlington's offerings and will attract business that will make Arlington a more vibrant, enjoyable place to live.

On a personal note, I love living in Arlington with my wife and young daughter. I would hate to see the town try to freeze development and limit it's potential in an effort to preserve a bygone sense of what Arlington should be.

Many thanks,
Nicholas

+1 (617) 460-1939
nicholasurie.com
36 Sutherland Rd.

Arlington, MA 02476
USA

Please note: This communiqué may contain misspellings, grammatical errors, disorganized sentence structure, and may or may not contain a coherent theme. Please overlook my stylistic snafus and know that if you can discern the message it is sincere.

Kathryn,

Thank you for your comments.

Best,
Jenny

Jennifer Raitt
Town of Arlington
Director of Planning and Community Development
781-316-3092

On Mar 19, 2019, at 7:54 PM, Kathryn Sievers <kathrynsievers@gmail.com>
wrote:

Dear Arlington Redevelopment Board,

Thank you for your long and thoughtful labors in pursuit of a more dynamic and inclusive Arlington, increasing our housing stock in a way that enriches all of Arlington.

I have seen many "contractor specials" go up that created *larger* houses but not usually better housing for the community. The new Housing Production Plan, on the other hand, incentivizes developing Arlington in a way that enriches all of us, not just the people who live in the newly-created housing. It paves the way for private money to develop Arlington in a way that cultivates a more vibrant community, and hopefully welcomes a more diverse income set to Arlington as well.

Prior to buying my home in Arlington Heights in 2015 I rented in Brookline for six years. My small accommodations were a delight to me, despite not being forever mine, and I contributed to the community in meaningful ways. I welcome the addition of more people to Arlington (people who choose Arlington have great taste!), particularly in denser buildings along the Mass Ave corridor. I want to see more people on the sidewalks, in the restaurants, in the shops, riding the bus, and enjoying the library with me. Our local businesses will further flourish, more businesses will be able to come, and regular people like you and me and our new future neighbors will have an even more wonderful place to call home because of each other.

I'm looking forward to this change!

Sincerely,

Kathryn Sievers
36 Sutherland Rd

From: Wynelle Evans <evco7@rcn.com>
To: ABunnell@town.arlington.ma.us, EBenson@town.arlington.ma.us, KLau@town.arlington.ma.us, DWatson@town.arlington.ma.us
Date: Wed, 20 Mar 2019 17:09:41 -0400
Subject: Comments on Articles 6 through 14

Dear ARB Members:

Thank you for your work, and for your patient listening at the lengthy public forums.

I wanted to send my comments in written form; they are similar to those made at the March 11 and 18 hearings.

My understanding is that Articles 6 through 15 have two intents: one, to promote more housing by reducing current zoning restrictions, with the intent that, along with more market-rate units, we will see an increase in affordable units; two, to make Arlington more attractive to commercial tenants.

Intent One:

These proposed Bylaw changes would allow builders to build more units overall, but still avoid the trigger for including an affordable unit, by decreasing required lot sizes. I mean absolutely no disrespect to builders by stating this. They are in business to make a profit, and if they can avoid building affordable units, they'd be foolish not to do so. A recent article about the housing crunch in the Boston Globe makes this further point:

"Although we laud the legislation's focus on zoning reform, it is likely that very little of the housing built under this legislation will result in homes that the families we work with can afford," said Metro Housing Boston, an affordable-housing and homeless services nonprofit in Boston. "In a state with finite room to grow, every lot developed with a market rate apartment eliminates the opportunity to develop an affordable one."

As I've mentioned at both hearings so far, and in a previous ARB meeting, this development will also mean the inevitable displacement of current tenants, whether of apartments or small businesses, when the properties they occupy are redeveloped. If they are able to wait out that construction period and want to stay in Arlington, it's highly likely that the rents for the redeveloped spaces will be out of reach for many of them.

We also have not addressed the pressures that this population growth will put on Town services. We're already looking at the largest debt exclusion in our history to fund the overdue rebuild of AHS, pressures on our schools, worsening traffic, and all the other issues that come with being a desirable place to live.

Intent Two:

I've been thinking about the issue of "vibrancy" in mixed-use areas, and how these proposed amendments may or may not encourage more businesses to come to Arlington. One of the "for" arguments advanced at the first ARB public forum was that Arlington doesn't provide a welcoming location for small businesses because our commercial spaces are simply too small.

So when I am out and about, I've been paying attention to what lively town centers look like, and I'm not sure that idea holds up. Belmont, for example, has some very small storefronts, many of which have been in business for well over a decade. Davis Square is home to many small storefronts, ditto Concord, and I'm sure others.

The town centers of Belmont, Concord, Lexington, Davis Square, Woburn, etc. also max out at one or two stories, with a few three-story buildings sprinkled into the mix, as opposed to the five stories and increased heights proposed for some districts here.

Yet somehow these places don't have the large number of empty storefronts that plague Arlington Center. As others have pointed out, the ground-level retail space in the new mixed-use building by AHS is still vacant, though the market-rate apartments above look to be occupied. One Town Meeting Member I know has speculated that the rents for the apartments are high enough that the owner can afford to leave the retail spaces empty indefinitely. Since this is a good example of what kinds of structures we could expect to see more of if these amendments are passed, it's important to consider what's happening with it.

Finally, despite the many hearing and outreach events the Planning Department has created, there is still a lack of knowledge that these proposed changes are in the works. (There's a related issue here, about how to engage an entire town, and not one I have a clue about how to solve.) But Town Meeting Members need adequate time to fully understand the consequences, intended and unintended, of these amendments. Our Planning Department has acknowledged that they are behind on providing visual materials on what would be allowed, and the Redevelopment Board has expressed significant concerns about the lack of these materials. I think visualizations, even 3-D models, are necessary to help residents and TMMs grasp what is being discussed, **before** they are asked to vote on these Articles.

It is my hope that your Board will vote "no action," so that the effects of these Articles can be studied and disseminated much more comprehensively in the coming year.

Thank you for your time and attention to these extremely significant issues.
Wynelle

Wynelle Evans
20 Orchard Place
Arlington, MA 02476
781.643.4547 office
781.859.9291 mobile
evco7@rcn.com



March 18, 2019

Ms. Jenny Raitt
Town of Arlington
Redevelopment Board
730 Massachusetts Avenue
Arlington, MA 02476

Dear Ms. Raitt,

The Arlington Chamber of Commerce believes that the Town's proposed zoning by-law amendments present a strong model for growth. At a time when some of the Town's long term businesses have shut their doors and retail spaces sit vacant, the status quo is not sustainable. In order to ensure the prosperity of our town, we must adopt a more flexible approach to zoning which encourages new commercial and residential development.

By encouraging increased mixed-use development at all income levels along Arlington's commercial corridors, we put the town in a position to attract new and diverse businesses while continuing to sustain our current economic base. In turn, this development will help to spur public and private revitalization in our business districts.

We are in full support of the Town's forward-looking Master Plan, approved at the 2015 Town Meeting, to stimulate quality development and economic growth and we have encourage supporters to join us by attending and voicing their opinions at the Redevelopment Board's public hearings this month.

Sincerely,

Beth Locke
Executive Director
on behalf of Chamber Board of Directors

From: "Jenny Raitt" <JRaitt@town.arlington.ma.us>
To: "Rose Udics" <udigom@rcn.com>
Cc: <EBenson@town.arlington.ma.us>, <ABunnell@town.arlington.ma.us>,
<KLau@town.arlington.ma.us>, <DWatson@town.arlington.ma.us>,
<MMuszynski@town.arlington.ma.us>
Date: Thu, 21 Mar 2019 07:52:19 -0400
Subject: Re: Changes to the Arlington Zoning By-Laws

Rose,

Thank you for your comments.

Best,
Jenny

Jennifer Raitt
Town of Arlington
Director of Planning and Community Development
781-316-3092

> On Mar 20, 2019, at 7:14 PM, Rose Udics <udigom@rcn.com>
> wrote:
>
> Dear Redevelopment Board Members:
>
> I am writing in regard to the proposed changes to the
> Arlington Zoning
> By-Laws. As you may know, there has been a robust discussion
> of the pros and
> cons of these changes on the Arlington e-mail list, and much
> of what follows
> is what I posted there today, March 20, 2019, and within the
> past week or
> so.
>
> Here are my concerns:
>
> Some people are arguing for more structural density, but
> creating more
> apartments above storefronts will add to Arlington's already
> high population
> density. No guarantees are in the proposed guidelines to
> ensure that new
> apartments/condos will be affordable for the majority of
> Arlington residents

> who want to keep living here. The Boston Globe reported very recently that
> about 15% of the people looking for housing in Massachusetts are actually
> from the New York City area, where living costs are even higher. So, we
> residents are competing for affordable spaces in our town with people who do
> not even live in Massachusetts yet. Bidding wars will continue to drive up
> costs for the new housing spaces. Arlington does not need more people. We
> must advocate hard for mass transit lines to be extended to other parts of
> the state where more space for office and housing is abundant.
>
> That being said, a high percentage (60-75%) of housing units in any
> appropriately sized new or remodeled smaller buildings should be required to
> be affordable, in order to close the affordability gap. We do not need any
> more luxury-level units until this gap has been filled. At least 33% of
> those new, affordable units should be suitable for mobility-impaired and/or
> disabled people, including seniors. This means one-floor living spaces, with
> universal design, elevators and ramps, and no stairs, for easy access into
> and within the building to any shared facilities (e.g., laundry). All
> affordable units must come with at least one parking space, for those who
> need to drive to jobs, as many do. Not everyone can walk far (to a municipal
> lot overnight), bike, or take public transportation. Heart, lung,
> orthopedic, and balance conditions can make a having a car and close access
> to parking for it a necessity. See the "Affordability Mismatch" section of
> the Master Plan (though its data are now outdated) at
> <https://www.arlingtonma.gov/home/showdocument?id=28425>); also see
> Recommendation 5: "Study and plan for increasing the supply of smaller,

> over-55 active senior market-rate housing and for
affordable/subsidized
> housing to meet Arlington's population trends" (p. 89), and
the section on
> parking.
>
> Zoning changes should encourage and financially assist
homeowners of larger
> single-family homes to convert them to 2-3 affordable-rate
> condos/apartments, if they so desire, perhaps in collaboration
with the
> Housing Corporation of Arlington or similar entity. Disallow
owners of
> existing homes to create "McMansions" on the same lot, whether
by teardown
> or "remodeling" loopholes, if additional affordable housing
units are not
> also created.
>
> I have witnessed the destruction of a Cape-style house in my
neighborhood
> (on Kenilworth or Robbins Ave., near the corner of Gray
Street), where one
> wall and an interior stairway were the only parts of the house
remaining
> (for months), until a completely new and greatly expanded
house, with a huge
> two-car garage, was built on the same lot, with a bit of the
old foundation.
> That is not remodeling but essentially all-new construction.
This has
> crowded the adjacent house, throwing it in to deep shadows
that did not
> exist before. The new house is out of character with the rest
of the homes
> on the street, though developers just completed two other huge
houses (with
> two-car garages) adjacent to it. Developers should not be
permitted to do
> this, and from talking with my friends and neighbors, I
believe that most
> Arlington homeowners in the various neighborhoods are against
more of these
> McMansions being built, crowding the lots without adding any
more housing
> units. Permitting additional parking garage space is unfair to
lower-income

> people deprived of even one space for parking in affordable housing where
> they live.
>
> Some proponents of the proposed changes to the by-laws have used the Capitol
> Theater block as an example of "good" "street-wall" density, finding the
> mixed-used theater building "architecturally pleasing" (I agree), with its
> three stories, not five. Are new, more densely built structures required by
> the proposed by-law changes to be "architecturally pleasing" and three
> stories, not five? (No.) The Capitol Theater area "works" in part because
> the entire block has a certain look to it. If we could be certain to gain
> attractive office spaces and storefronts in lower buildings, with wide
> sidewalks, in-ground large shade trees (not on balconies or in planters),
> bike racks, and benches, then we might have some added "vibrancy" from such
> density-vibrancy as the word promoted to describe a pleasant amount of
> activity (commercial and residential).
>
> We know from the Arlington High School rebuild project that what is pleasing
> to some is unacceptably ugly to others. Burlington's Master Plan process
> included surveying town residents and employees (I was one) on what type of
> buildings they favored in "gateway" commercial areas, showing pictures of a
> number of styles and a range of "cutesiness" vs. austere streetscapes (e.g.,
> Ye Olde Ice Cream Shoppe - type signage with sculpted old-style gas-lamppost
> lighting, flowered planters, and park benches vs. office boxes built to the
> sidewalk's edge, little or no greenery along building faces, industrial-look
> bare-bulb-type lighting, and slab benches), and other features, including
> various types of sidewalks and tree/shrub lawns/strips of

various widths
> along curbing.
>
> Arlington, if I recall, had a similar online survey several years ago. Are
> residents to be fully informed of the "look" that will be the aim of any new
> development? Look at Main St. and Mt. Auburn Ave. in Watertown Square to see
> what structural density to the edges of sidewalks gets you-traffic noise,
> fumes, and dust, little or no shade, etc. It's unpleasant for walking, and
> challenging to live in spaces above stores. Look at Arlington Center's and
> Arlington Heights's mish-mash of storefront signage. What does it say to
> visitors about those areas and our town? Vibrant? Confused? Interesting
> blend of diversity and interests? Whatever-have the signage recommendations
> been followed and enforced? Compare those areas with the Capitol Theater
> area's (which is mostly cohesive and pleasing).
>
> Where can we now read the Todreas Hanley Associates Commercial Revitalization Plan for Arlington, in which they wrote (in what year?) that
> they "provided retail tenant recruitment portfolio; initiated retail
> development and lease discussions with major retailers and developer." (One
> developer, or is that a typo?) Who are the "major retailers" and developer?
> <http://todreashanley.com/Arlington.htm> Shops are closing and spaces remain
> vacant throughout Arlington. Are current empty-store owners not renting
> spaces, holding out to sell them to that developer or others, as is
> happening in Boston?
>
> Note that a lot of the data on which the Master Plan was developed is
> already outdated. Things have changed a lot in the past decade, with Amazon
> fueling the closing of mall stores and smaller shops

nationwide. What is the
> plan for ensuring the new storefronts are actually filled with
goods and
> services Arlington actually needs now? We have plenty of pizza
shops, bank
> branches, nail salons, and massage parlors, but adding beer
parlors and pot
> shops alone are not going to help raise the level of commerce
to a higher
> plane. Are there zoning changes to enable lab/tech spaces to
be built, of
> sufficient size to attract mid-sized companies here? This
would help to take
> the property-tax pressure off small businesses and homeowners.
The point is,
> there needs to be a community discussion about what people of
all ages and
> income levels need and want in stores and new spaces before
assuming that
> merely a denser wall of stores and offices will add to
"vibrancy."
>
> Some have mentioned parking lots as a way to create a more-
vibrant vibe
> here. The only "vibrancy" I could see from that would be in
requiring new or
> existing garages or lots (e.g., behind St. Agnes and Not Your
Average Joe's)
> to be covered with solar panels. That would provide current
residents with
> some shade and protection from ice and snow and would generate
actual
> energy. Newton and Watertown are already moving in that
direction with
> regard to solar panels over municipal and private lots.
Requiring new and
> rehabbed construction to include solar panels (as Watertown is
now requiring
> in its new by-laws) AND keeping street-level green space
around buildings
> should also be in the by-laws. Street-level green space, to be
enjoyed by
> all who are walking or biking by, is critical to healthy and
psychologically
> beneficial urban/inner suburban living. Balcony planters and
roof-top
> gardens cannot benefit the public on the street. In-ground

shade trees help
> control heat, absorb some fossil-fuel - generated carbon
dioxide, and clean
> the air of some pollutants. Other green space on the ground
surrounding
> buildings absorbs noises, rain, and snow melt. Furthermore, we
must begin to
> address global warming/energy use challenges ASAP by requiring
> energy-efficient buildings (well-insulated, with energy-saving
and/or
> energy-generating devices).
>
> My apologies for such a long letter, but I wanted to explain
in some
> detail why the proposed changes to the by-laws are
insufficiently detailed
> to protect the interests of existing residents, whether they
are homeowners
> or renters, fully mobile or not, or young adults or older
adults, who want
> affordable housing so that they can remain in the town they
have cared
> about, contributed to, and in which they have friends and
families they
> would not want to leave. We cannot "just move elsewhere" in a
region that is
> facing all of the affordability and transportation challenges
that Arlington
> now faces. Arlington should not become denser while other
parts of the state
> remain relatively unbuilt or inaccessible. And Arlington
should not become
> denser without closing the affordable housing gap and
attracting mid-sized
> companies, not smaller stores.
>
> Thank you for your efforts on behalf of the residents and for
considering
> the points I have raised.
>
> Sincerely,
>
> Rose Udics
> 77 Fountain Road
> Arlington
>
> <winmail.dat>

Shadow Examples for Arlington, MA

*Solar Altitude and Azimuth data from US Naval Observatory site
All times shown are Eastern Standard*

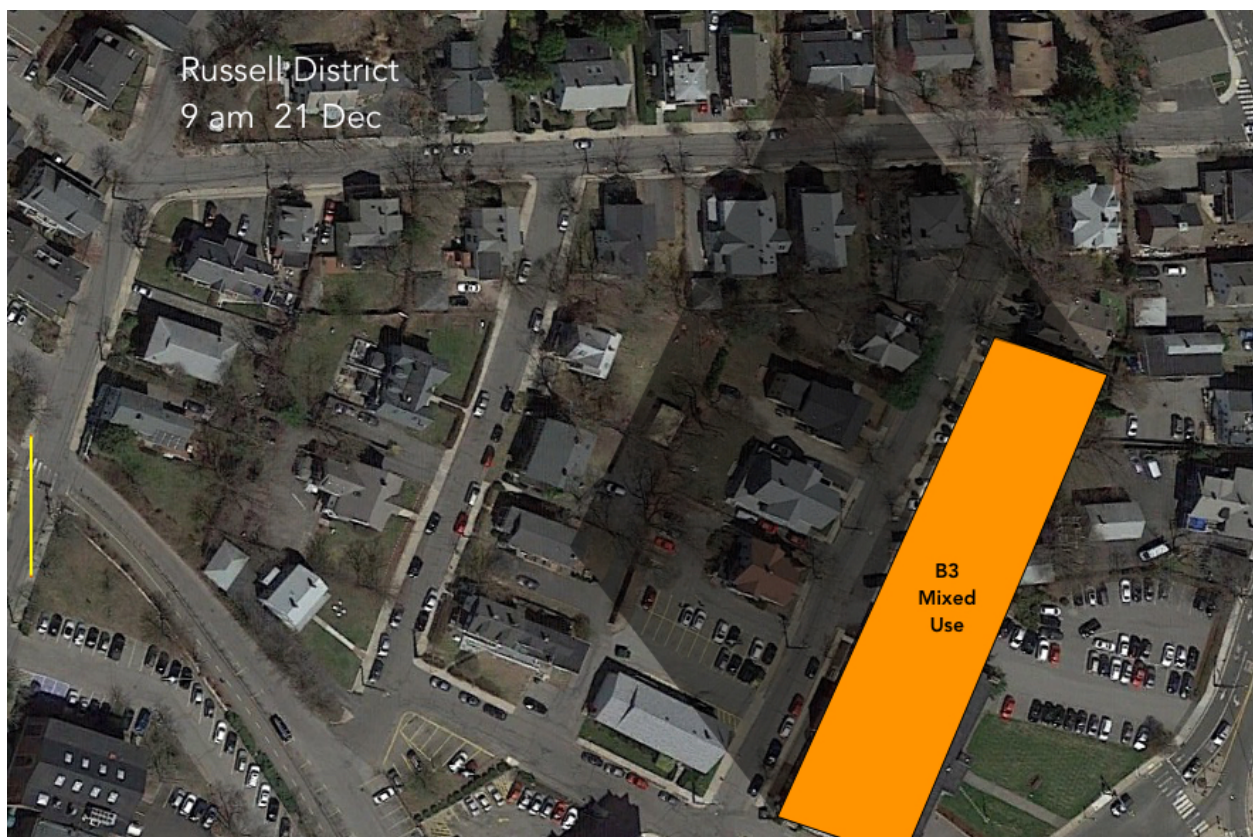


Garden apartments on Broadway, R5

Under proposed zoning changes to max height, yard setback, and upper story step back, shadows will be approximately 30% longer than currently allowed.



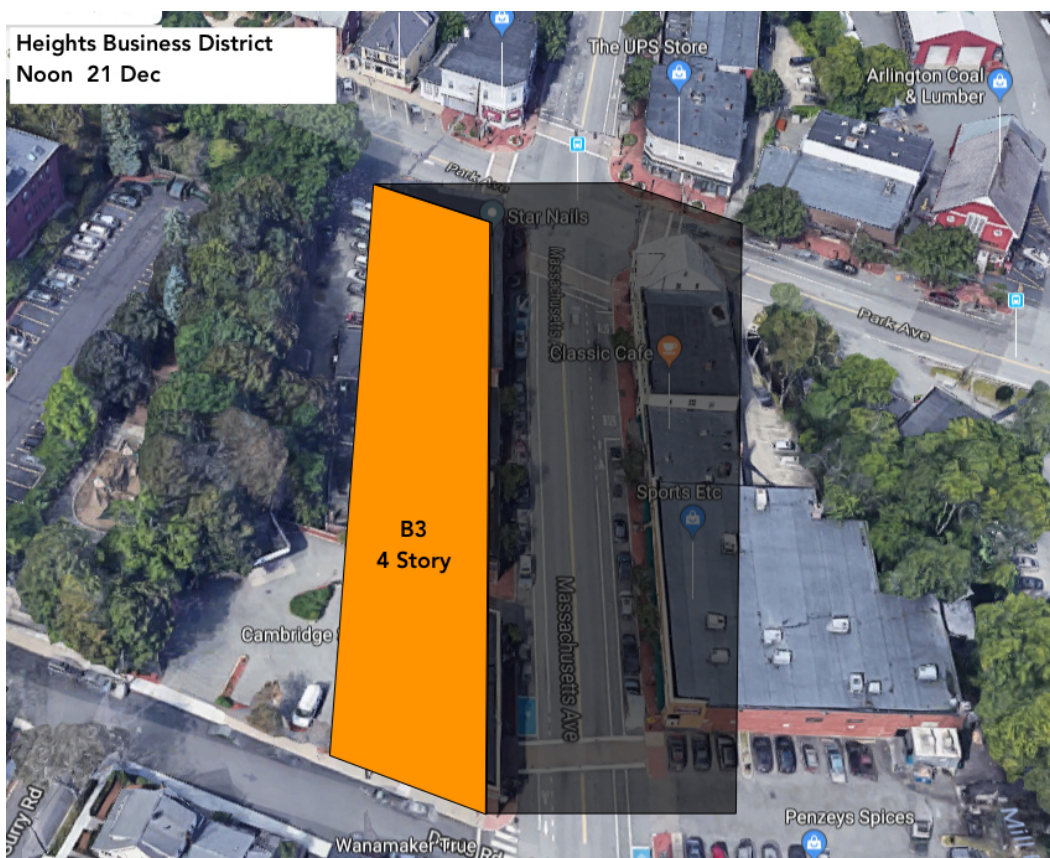
Summer St, Fresh Pond Seafood, B4
20% longer (height buffer zone)



Russell Historic District
50% longer (max height and height buffer zone)



Allen St small apartments
57% longer (max height and height buffer zone)



Arlington Heights Business District
50% longer (max height, upper floor stepback, and height buffer zone)

March 22, 2019

Jennifer Raitt
Director, Arlington Department of Planning and Community Development and
Ex Officio Secretary of the Arlington Redevelopment Board
730 Massachusetts Avenue
Arlington MA 02476

Re: ARB consideration of Warrant Article 16

Dear Ms. Raitt:

In April, Town Meeting will have the opportunity to realize the vision of Arlington's future that is set forth in the Master Plan of 2015 (Your Arlington, Your Future) and the Housing Production Plan that was adopted by the Arlington Redevelopment Board and Board of Selectmen in 2016 and subsequently approved by the state. This is a critical moment. Many voices have been raised in opposition not just to the details of the proposed amendments to the Zoning Bylaw but to the vision that those amendments are trying to realize.

Without commenting here on the details that have been discussed in prior hearings, we do wish to voice our support for the overall vision of the Master Plan, which calls for more intense commercial and residential development along Arlington's transportation corridors. We think Town Meeting had it right in 2015 when it endorsed the Master Plan, and we encourage the ARB to stay the course.

At its public hearing on March 25, the ARB will be considering Warrant Article 16, which was proposed by Steve Revilak and 10 citizens:

"To see if the Town will vote to amend the Zoning Bylaw by increasing the affordability requirements contained in Section 8.2 AFFORDABILITY REQUIREMENTS, such that a greater number of affordable units would be required for certain projects; or take any action related thereto."

The bylaw language that you are currently considering to implement this article would strengthen Arlington's inclusionary zoning bylaw by requiring housing projects of 20 or more units to devote 20% of those units (as opposed to 15%) to affordable housing. The warrant article, however, is more general than this. It basically calls for increasing the obligations of certain housing projects to provide housing that is affordable to low and moderate income people. There are many ways of doing this, but in one way or another it must be done.

Arlington desperately needs housing for low and moderate income households. Skyrocketing market prices for housing have made living in Arlington practically impossible not only for low income, but also for middle class households. The Master Plan and Housing Production Plan both recognize this problem, as do most Arlington residents.

As a practical matter, the town will not be able to deliver a substantial number of affordable housing units without first providing opportunities for higher density development. The critical need is to ensure that higher density development really does provide affordable housing. An efflorescence of luxury apartments will not address the need.

We are convinced that the way forward – the quid pro quo for encouragement of higher densities – is to encourage builders to provide more affordable housing in their projects by strengthening the inclusionary zoning provisions of the bylaw, as the proposed Article 16 would require.

We are grateful to the proponents of Article 16, Steve Revilak and his co-signers, for putting this issue on the table. We strongly support taking advantage of his warrant article to move the ball forward on affordable housing.

Please share this letter with the members of the ARB in conjunction with the hearing scheduled for March 25, 2019.

Very truly yours,

Patrick Hanlon (Town Meeting Member Precinct 5)

Catherine Farrell (Town Meeting Member Precinct 5)

**Written Testimony of John L. Worden III regarding Zoning Articles
in the Warrant for the 2019 Annual Town Meeting**

6, 7, 8, and 9: If there is anything more lacking than affordable housing in Arlington, it is open space. Articles 6 through 9 seem designed to further reduce the small amounts of open space now required for buildings, and do nothing to increase affordable housing possibilities. In both of these respects, these articles are inconsistent with the goals of the Master Plan to preserve open space and increase affordable housing.

Counting roofs and balconies as open space is absurd. This exception, combined with the elimination of the usable open space requirement, effectively halves the amount of open space needed for townhouses in the R4 and R5 zoning districts. Indeed the reduction of lot sizes to the ridiculous level of 5,000 feet will give developers the perfect excuse to do 5 unit buildings, so nothing affordable will be required.

In addition, promoting the conversion of one and two family homes in the B1 zoning district to mixed uses up to 45 feet and 4 stories high is entirely inconsistent with the historical goal of maintaining these structures in the form of one and two family homes as they were constructed. For these four articles, the recommendations of the ARB should be **no action**.

10: This is just a giveaway to developers: add a storey and require the set back at that level, instead of the level below. The setbacks should be on all elevations of the building, and I may make an amendment at Town Meeting to achieve this slightly preferable result.

11: Reducing the buffer areas is a really bad idea, unfair to neighbors who live in abutting houses. One of the members of Arlington Residents for Responsible Redevelopment has done shadow studies showing that the combination of increased height and reduced buffer will greatly increase the shadowing of neighboring houses. Obviously, MAPC and/or CHAPA should have done such studies before proposing such a drastic change; if they failed or were afraid to do so, it shows an incredibly insensitive and arrogant attitude towards the people of Arlington who happen to live near the target zones. This should be recommended for **no action**.

12: Making it clear that there are two “front yards” which is the case in residential zones is sound, particularly if the front yards are not reduced. However, there should be added to the proposed language the following: *provided that such setbacks shall not be less than the average set backs on the block adjoining the corner lot*. If such language is not in the recommended vote, I will move an amendment at Town Meeting in order to achieve that result. As pointed out at the public hearing, it’s one thing to have a one story building on the corner of a residential street, and quite another to have a five-story one.

13: This seems unnecessary, since under Article 14, if approved, the special permit granting authority can effectuate a reduction where, and to the extent appropriate. Where

the average Arlington household has 1.8 cars (the Planning Dept. said 1.4 but that doesn't seem to line up with the numbers). It seems to me that you have to provide for that .8 or .4 car somewhere, and there should also be spaces for guests, etc.

14: If required parking is to be reduced (which will add to the pressure for on-street parking), there should be some percentage or minimum number of "fly-wheel" spaces for occasional over night guests, deliveries, repair men, and the like. Part of the program should be the institution of a system of utilizing the excess parking places, e.g. those revealed in the cherry-picked half dozen parking lots in the report presented at the hearing.

15: If you should, against the recommendation of the Residential Study Committee, and two previous Town Meetings, go ahead with accessory apartments, the present proposal should be amended in several respects:

1. The house envelope must be defined as what existed as of February 14, 2019
2. The unit must be affordable.
3. The lease must be for a minimum of one year.
4. No additional parking place will be required, as long as the tenant's vehicle can be accommodated on the premises.
5. If the premises is sold, the new owner must apply for a new permit, should a Continuation of the apartment be desired.
6. A condition of the permit must be that any employee of the Inspectional Services Dept. or the Planning & Community Development Dept. may have full access to inspect the premises for conformity with the permit, upon 24 hours notice, without the necessity of a warrant or court order.
7. If the terms of the permit are violated, the permit will *ipso facto* expire, and the accessory unit removed.

If the substance of such conditions is not included in the recommended vote, I will file an amendment to add them. The preferable recommendation on the Article is **no action**.

16: The concept is good, but it doesn't go far enough; change *0 to 5* to *0 to 4* and change *6 to 19* to *5 to 19* and add, after 15% affordable units, (*minimum of one*)

24 and 25: I endorse these Articles as necessary and logical changes.

Thank you for considering my thoughts. Kindly include this in the records of your hearings.

John L. Worden III
Town Meeting Member, Precinct. 8

March 20, 2019