

Arlington Redevelopment Board
Monday, September 9, 2019, 7:30 p.m.
Town Hall Annex, Second Floor Conference Room
Meeting Minutes

This meeting was recorded by ACMi.

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

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

The Chair called the meeting to order and notified all attending that the meeting is being recorded by ACMi.

The Chair informed all in attendance that there were some schedule changes for this meeting. Agenda item number 4, the Housing in Arlington presentation, has been tabled until the October 7, 2019 ARB meeting as requested by Town Manager. The Chair said that the applicant for item number 2, the continued public hearing for docket #3348 for CVS at 833 Mass. Ave., has requested to continue their hearing until the October 7, 2019 meeting.

Mr. Lau motioned to continue the public hearing for docket 3348 until the October 7, 2019 meeting. Mr. Watson seconded, all voted in favor 5-0.

The Chair then introduced the first agenda item, Environmental Design Review, Public Hearing for Docket #3606, for First House LLC.

Mike Bettencourt who represents First House LLC introduced himself and Jim O'Rourke, and Tom Bernzoni. Mr. Bettencourt would like to open a pub style restaurant at 1314 Mass. Ave., the location of the former Five and Dime. Mr. Bettencourt said that the planned establishment will be similar to Mr. O'Rourke and Mr. Bernozi's establishment in Winchester.

The Chair said that he thinks this is a good use of an existing space. He asked how the applicants plan to mitigate smoke, noise, and food smells so they do not negatively impact the residents living above. Mr. O'Rourke said that ventilation with filters will be placed on the roof and it is efficient and quiet. The Chair asked about the plan for trash removal. Mr. O'Rourke said he is working with the landlord and the restaurant will obtain their own dumpster if necessary. The Chair asked about the plan for parking since the applicants will need a parking variance by the Board of Appeals because the restaurant has no off-street parking. Mr. Bettencourt said that the applicants plan to post signs in the restaurant stating that cars may be towed if parked in lots or spaces in neighboring private lots.

Mr. Lau asked how trash will be removed. He also asked about cooking oil storage and removal, and suggested that Mr. O'Rourke verify that oil can be stored in the building. Mr. Lau asked whether the front windows are operable. Mr. O'Rourke said that the windows be sliding, screened, with clear aluminum frames. Mr. Lau asked if bar lights will be hung in the front windows of the restaurant. Mr. O'Rourke stated that they do not plan to have any in Arlington. Mr. Lau asked what the required parking is and about the applicant's parking reduction request. The required parking is one space for every four seats, and Mr. Bettencourt said that they need to reduce the parking requirement to zero. Mr. Lau recommended that they consider employee parking, incentivizing employees to take public transportation or bike to work, and perhaps provide a shower facility for employees which would strengthen the variance request.

Mr. Watson stated the Heights is a walkable and bike-able area with a connection with the Minuteman Bikeway by Park Ave. Bike parking and bike rack availability is limited in the Heights. Mr. Watson said the Board may consider requiring the applicant to install bike parking a condition of the special permit. Mr. Watson said that the bike parking requirement for employees should be two long term spaces, preferably indoor secure bike parking, and suggested that the applicants consider a shower facility and lockers for employees who bike to work. Mr. Watson asked Ms. Raitt if there have been other restaurants who have requested the same parking variance in the past. Ms. Raitt said she found three cases on Mass. Ave with similar requests to the Board of Appeals to reduce the parking requirement to zero. Mr. Watson said that he feels that this restaurant could be a very nice addition to the neighborhood.

Mr. Benson said he agreed that the restaurant could be a nice addition to the neighborhood and the Town. Mr. Benson asked about section 12 of the applicant's proposal, sustainable building and site design. Mr. Bettencourt said

they will be able to present materials and design in the future. Mr. Benson said he would like the applicants to consider mini-splits for heating and cooling as an option and to provide a LEED checklist.

Ms. Zsembery said she is also very supportive of this as a business use in the Heights and that she is supportive of the applicant's future request for parking relief. Ms. Zsembery suggested painting the sign band on the storefront to match the building, similar to other businesses in the area. Ms. Zsembery asked if the existing storefront windows will be replaced. Mr. O'Rourke said that they will be replacing the windows with similar materials in black. Ms. Zsembery asked about loading. Mr. O'Rourke said that there is a second egress at the back of the building where deliveries will be made. Mr. O'Rourke said they expect two early morning food deliveries per week between 6:00 a.m. and 7:00 a.m.

The Chair opened the floor to comments from the public.

Bob Radochia asked what the hours of operation and if they plan to have live music. Mr. O'Rourke said the bar hours will be from 11:00 a.m. to Midnight and there are no plans for live music.

Sam D'Agostino asked about the parking. Ms. Zsembery said that she noted the parking availability in the Heights on her drive home from work at night. Ms. Zsembery found that there were still spaces available on Mass. Ave. and there was plenty of parking available on Park Ave. Mr. Lau said he agrees with Ms. Zsembery, but it is more difficult to find parking around noon. Mr. D'Agostino said he is concerned about restaurant customers parking in the area for extended periods of time. The Chair said that at the peak time for the restaurant will be later in the evening, when parking is available.

Mark (last name unclear on recording) noted that people double-park on Surry Road. He asked about future intersection changes at Paul Revere Road and how that might affect parking. The Chair explained that the applicant will need to apply to the Board of Appeals for a parking variance, which will coordinate with the Transportation Advisory Committee. He asked whether a variance is needed for the restaurant to stay open later than other businesses in the area.

Mr. D'Agostino's real estate partner from Sandwich, MA, is also concerned about parking and that if customers cannot get spaces, they will go somewhere else.

The Board discussed the following conditions:

- 1) Site plan including plans for the dumpster and landscape plan.
- 2) Advertise parking information, which should be included on website and on location, directing patrons and employees to available parking.
- 3) Roof plan with rooftop units and screening.
- 4) Transportation demand management plan.
- 5) Updates to sign band and painting.
- 6) Fulfillment of LEED by providing the checklist and consider energy efficient measures as part of the interior renovation.
- 7) Contribution to bike parking in the business district.

Mr. Lau moved to approve docket 3606 with the listed conditions as provided by the Director. Ms. Zsembery seconded, all voted to approve 5-0.

The Chair closed public hearing docket 3606. The Chair then opened the floor for the Open Forum portion of the meeting.

Patricia Worden stated that the Arlington Affordable Housing Task Force [which is now the Housing Plan Implementation Committee] found that Arlington needs affordable housing and senior housing. Ms. Worden said that additional market rate housing threatens the town financial stability. Development focus should be on commercial units instead of residential development, which pressures the schools. Mixed-use zoning should require at least 50% of the building for commercial uses. Ms. Worden also noted that the Residential Study Group was established to study the tear downs in Arlington. Ms. Worden recommends reviewing the information on page 88 of the Master Plan, which

recommends floor area ratio specifications should be instituted in the R1 and R2 districts, setbacks be increased for residential zones, and to add the definition of foundation to the zoning bylaw.

Don Seltzer brought a presentation regarding the Town Manager's housing presentation that was rescheduled to October 7, 2019. The Chair asked Mr. Seltzer to submit his information for the Board to review and to be included with the documentation for the October 7th meeting.

Jennifer Susse said that many people in town care about having housing diversity to create the kind of dynamic, inclusive town we want to live in. For both moral reasons and because of the housing crisis every community has to do their part. Ms. Susse said the most successful projects have had at least a year of big public forums to allow the community to express their concerns and to hear each other's perspectives.

Aram Hollman said he is concerned about Town Government and he gave the following examples: 1) The Redevelopment Board approved Article 16 then held [what Mr. Hollman called] an illegal meeting to change the vote to no action. 2) He is concerned that the Town recently found it owns the property where the former Disabled American Veterans club is located and later sold that property to a former Town Assessor. 3) In August someone found that the approved bylaws were not submitted to the Attorney General as required following Town Meeting. The laws cannot be implemented or enforced until the bylaw has been submitted. Mr. Hollman said these are examples of failure of Town Government.

Jo Anne Preston said she wishes the zoning changes that have been introduced will increase diversity but she feels the changes will actually reduce diversity. Ms. Preston said the current apartments on Mass. Ave. that are naturally occurring affordable housing will be replaced with luxury housing. She feels mixed-use is not mixed-use but luxury apartments with empty storefronts underneath in order to get some special zoning considerations, such as 887 Mass Ave. Ms. Preston said that she likes the ARB's focus on community participation and hopes other committees will do the same. Ms. Preston said that she feels that other meetings have been far too managed with outside groups running the meetings, which does not allow residents to express their options. Ms. Preston said that moving forward we have to have authentic community participation.

Wynelle Evans spoke about displacement in regards of housing plans. She said that an unintended consequence may be a net loss of affordable units. Ms. Evans said that there are no provisions in the current housing production plan to protect existing residents and small businesses. The garden apartments along Broadway and Mass. Ave. are targets for developers to be demolished in order to build new with market rate units. Ms. Evans said according to 2017 US Census community survey median rent in Arlington was \$1,593.00 per month and the 2018 HUD rent levels for a two-bedroom unit was \$1,647.00. Ms. Evans said right now Arlington has apartments renting below HUD rates that will be wiped out. Ms. Evans asked the board to keep this in mind and think about ways to protect the people who live here now. Ms. Evans added that 39% of the occupied units in Arlington are renters and of those 21% are seniors.

Alex Bagnall says he supports the ARB's efforts in the re-examination of Arlington's zoning. Mr. Bagnall said our country has used zoning laws as a racially explicit method of excluding people from communities. Up through 1968 and in 1972 Arlington declared moratorium on development and in 1974 recodified it's zoning to be exclusionary. Mr. Bagnall said the last 45 years of that zoning regulation has given Arlington the inflated housing prices we have now have and has resulted in the economic segregation. The current zoning plan needs to be reexamined in the light of that and affects that that has had. Mr. Bagnall said that the developers have built most of Arlington and to vilify them is a bit unfair.

The Chair closed the Open Forum portion of the meeting and introduced the last agenda item, the 7/1/2019 Meeting Minutes.

Mr. Benson said he feels that the meeting minutes should be more detailed; the minutes are more general than what he would like. Mr. Benson said that the minutes should include the specificity of changes that have been voted upon.

Mr. Benson moved to accept the minutes of 7/1/2019 Mr. Lau seconded, all voted to approve 5-0.

The Chair introduced meeting minutes for 7/22/2019. The Chair motioned to accept the 7/22/2019 minutes as amended. Mr. Benson moved to approve, and Mr. Watson seconded, all voted to approve 5-0.

The Chair clarified for future meetings that anyone who would like to speak during open forum is more than welcome, but if there are any materials to be presented that those materials be included as part of the agenda. The Chair said that he would like the Board and staff to have time to review any materials in advance so the Board is able to ask responsible and appropriate questions. Mr. Watson said that he thinks that this policy should also apply for public comment during public hearings. Mr. Benson suggested that this information about submitting materials for meetings be included on the ARB website. Mr. Benson also suggested implementing a time limit for each speaker during open forum.

Mr. Lau asked if he can request documentation ahead of the 10/7/2019 public hearing for 833 Mass. Ave. Mr. Lau said he would like to review police reports for the last 3 years at the neighboring property. Ms. Raitt said she plans to provide a memo from inspectional services including health and public safety commentary for the property. Ms. Raitt said that she will ask the police department if they can provide something in more detail.

The Chair moved to adjourn Mr. Lau motioned to adjourn and Ms. Zsembery seconded, all voted to approve 5-0.

Meeting Adjourned