

February 16, 2021

Via Email

Christian Klein, Chair  
Arlington Zoning Board of Appeals  
51 Grove Street  
Arlington, MA 02476

**RE: ZBA Docket #3515 /Thorndike Place, Arlington, MA  
Responses to DPCD Memorandum, dated January 8, 2021**

Dear Chairman Klein,

The Applicant, together with the input from John Hession, its Civil Engineer/BSC Group; Scott Thornton, its Traffic Engineer/Vanasse & Associates, Inc.; and Gwen Noyes and Arthur Klipfel, Oaktree Development, provide the following responses to the January 8, 2021 memorandum submitted to the Board by Ms. Raitt on behalf of the Department of Planning and Community Development (“DPCD”). Subsequent to the date of the DPCD memorandum, the ZBA held a public hearing on architecture and urban design on January 26 and a staff working session on February 4. In response to comments received at those meetings, the Applicant is proposing updated building, parking and site plan modifications shown on the attached architectural plans and site plan sketch as listed below<sup>1</sup>:

- Reduction in building height along Dorothy Road;
- Reduction to number of dwelling units to 172 units;
- Reduction in parking to a ratio of 1.12 spaces per unit or 193 spaces, inclusive of:
  - Parking for four (4) vehicles and one accessible van in the front courtyard;
  - 10 parking spaces in the western surface lot; and
  - The balance of the parking (179 spaces) in the covered garage;
- Relocation of the Children’s Play Area to the west side of the building;
- Inclusion of an accessible pedestrian connection from the southwest courtyard to the relocated Children’s Play Area and surface parking; and
- Inclusion of a potential Bluebikes docking station adjacent to the surface parking area.

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<sup>1</sup> Should the Applicant be required to seek an appeal to the Housing Appeals Committee as a result of the Board’s decision on the application, the Applicant reserves the right within such appeal to advance the 176-unit project as presented to the Board.

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The modifications identified above are included in our responses. For your ease in review, the DPCD comment is provided followed by the Applicant's response thereto.

**Conservation and Environmental Amenities**

**Comment:** The Applicant should consider placing a Conservation Restriction (CR) on the undeveloped portion of the property to protect the open space in perpetuity. The CR could then be managed by the property owner, Conservation Commission, and a nonprofit entity such as the Arlington Land Trust. In the CR Management Plan, the Applicant could create a phased restoration plan for the entirety of the protected open space. The phased restoration plan should prioritize invasive species removal and management, as well as understory revegetation. The Applicant should consult with the Conservation Commission on appropriate restoration species. This phased approach would enhance the site over time, creating higher quality habitat and better functioning resource areas.

**Response:** *As part of the Thorndike Place project approval for a 172-unit project, the Applicant proposes conveying the fee to parcel of the project site to be permanently protected as conservation land, with an ability for limited passive use (i.e., trails as may be permitted by the Conservation Commission). The proximate area of the conservation parcel is shown on the attached Proposed Conservation Parcel plan. This proposed parcel consists of the balance of the entire site that is not otherwise included within the limit of construction and the compensatory floodplain storage areas associated with the work in floodplain, access to the conservation parcel is publicly available via Parker Street and Edith Street.*

*As stated within the prior public hearings, the Applicant contemplates donating the conservation parcel as part of the comprehensive permit to the Town of Arlington to be held in perpetuity for conservation and open space purposes. As way of a roughly similar example, Elizabeth Island, a 2-acre island in Spy Pond was sold in 2010 for \$250,000.00 by the private owner, Elaine Sacco (Sacco) to the Arlington Land Trust, Inc. (ALT). The deed from Sacco to ALT is recorded at the Middlesex (South) Registry of Deeds, Book 56030, Page 501. As Grantor, Ms. Sacco restricted ALT's use of the land for noncommercial purposes and for use as a bird sanctuary. The following year, in April 2011, ALT granted a Conservation Restriction to the Town of Arlington through the Conservation Commission and the Mass Audubon Society. At that time, the Town of Arlington paid \$22,000 to the ALT to acquire the conservation restriction. For those two acres, ALT and the Town of Arlington expended a total of \$272,000 to ensure the two-acre island was conserved in perpetuity.*

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*Here, the Applicant proposes an outright conveyance of the conservation parcel to the Town or its non-profit designee, subject to a commitment that the parcel be retained in perpetuity as open space, to be conveyed to the Town contemporaneous with the issuance of building permits for the proposed multifamily development.*

*Likewise, the Applicant is willing to make a one-time contribution of \$100,000 to assist in the funding of the following prioritized topics to be incorporated into staged plans for the land: a) relocation assistance/services for the homeless population (Arlington Police HOT or associated service entities); b) areas of historic trash/dumping cleanup in the vicinity of the homeless encampments; c) revegetation with seedlings of those areas most severely disturbed; and d) invasive species management and other areas of priority restoration. Similarly, the Applicant recommends that an oversight committee be formed to prioritize such actions to remediate the natural environment in response to historic dumping and/or human impacts on the natural environment and that a representative of the Applicant be a standing member of such committee. The term of this working group would extend until the conservation parcel is deemed stabilized and is funded with a predictable, publicly funded 'maintenance budget'. The Applicant would agree to making an annual contribution in an amount up to \$25,000 annually for ten (10) years to assist in the planning and management of the conservation parcel, with the first annual contribution commencing on the one year anniversary of the final certificate of occupancy.*

**Comment:** As part of the CR, the Applicant should consider a trail system through the protected open space. Trails could be created with a combination of natural materials (e.g. mulch or stone dust) or boardwalks and should be designed to minimize resource area impacts. The Applicant should aim for an ADA compliant trail network. The trails should connect to the Minuteman Bikeway and Alewife Greenway. The Applicant should consider the Alewife Greenway and Alewife Wetlands Area as design models. The trail system should include signage for wayfinding, ecological identification, resource area identification, history of area, and climate change design considerations.

**Response:** *Reference is made to the response above. As stated above, the Applicant proposes that the Town be deeded the open space parcel. The proposed use of a portion of the open space parcel for trails to connect to the Minuteman or Alewife Greenway would be supported by the Applicant, subject to reasonable restrictions on the proximity of trails to the proposed project, to ensure privacy of the residents.*

**Comment:** Ornamental vegetation proposed around the buildings should be native species. The Applicant should consider reducing the amount of lawn turf onsite, and maximize natural meadow and pollinator gardens throughout the developed portion of the site.

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**Response:** *The proposed plant palette included on the Planting Plan (Sheet L-100) includes lowland native species and native varieties, and is intended as examples of what a final planting plan will include. As presently shown on the Planting Plan, there is very little lawn turf proposed. Proposed groundcovers are also shown on the Planting Plan.*

**Comment:** The Applicant should consider installing a community garden area as an onsite amenity and community-building asset for residents. The Applicant can refer to the Magnolia Park Community Garden.

**Response:** *One of the goals of the site design and proposed planting plan was to minimize the area of site disturbance; limiting it to the minimum required for the building, necessary site improvements and floodplain compensatory storage. As much of the natural landscape as possible will be preserved in its natural state. In the future, a community garden could potentially be located on the proposed town-owned Conservation Parcel if supported by the neighborhood and Conservation Commission.*

**Comment:** Where feasible, the Applicant should consider installing porous pavement for pathways, sidewalks, and parking areas to reduce localized stormwater flooding and to reduce stormwater pollution.

**Response:** *The emergency access drive and pathway connecting the southwest courtyard to the children's play area and Dorothy Road as well as the walk continuing around the building to the east and back up to Dorothy Road are proposed to be porous pavement. The Town Engineer has requested the sidewalk along Dorothy be 5-foot wide concrete. Overall, paved surfaces within the project site have been minimized in the current site design. The surface parking and children's play are not proposed to be porous pavement since the proposed underground stormwater infiltration system is located beneath them. Other paved surfaces associated with the project are limited to the access drive, garage ramp and sidewalks connecting the surface parking lot to the public sidewalk on Dorothy Road.*

*The two courtyard areas on the north side of the building and the courtyard at the southwest corner of the building are located on the garage roof and do not have direct contact with the ground. As those three courtyards are above the garage roof, porous pavement is not an option.*

#### **Circulation, Parking, Access, and Connections:**

**Comment:** First and foremost, the number of parking spaces per housing unit is very high and we recommend reducing it to an allocation of fewer than 200 spaces. The

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Applicant should consider compact car spaces and reduce the size of surface parking areas.

*Response: The number of proposed parking spaces (239) as shown on the November 3, 2020 plan set met the Town of Arlington zoning requirements for 176 units. Subject to the Board's willingness to approve a waiver, the Applicant is amenable to reduce the parking to fewer than 200 spaces as requested by the Town Planner. The Applicant will reduce the parking ratio to approximately 1.12 spaces/unit, as such ratio had been referenced by the Town Planner during the February work session. The ratio takes into account a balance of accommodating the TAC's suggestion of a lower parking count and also provides appropriate number of spaces for the residential tenants and their guests. The Applicant proposes that under such a parking reduction, the west surface lot would be reduced to provide for 10 parking spaces and the front courtyard to provide parking for four (4) vehicles and one accessible van. The balance of the parking spaces would be in the garage.*

**Comment:** The Applicant should clarify on Garage Level Plan the number of bike parking spaces in each area. There is one reference to the Bicycle Room and the number "108" next to it, which is lower than the 144 spaces proposed.

*Response: Under the 2016 Arlington Zoning Bylaw, Section 8.13, bicycle parking requirements are based on the number of parking spaces, specifically one (1) bicycle parking space per 15 motor vehicle parking spaces. Assuming the Board seeks the reduction in parking spaces as referenced above, the Applicant is able to accommodate approximately 176 interior bicycle spaces to be aggregated in a secured area adjacent to the east side entrance door. The Applicant is also including an area adjacent thereto to allow for bicycle repair/maintenance.*

**Comment:** The Applicant should clarify that the ingress/egress method is the same as vehicles; some residents may use the elevator or walk bikes out using east side garage door.

*Response: Residents are expected to use the east side garage door to exit and re-enter the bicycle storage area. The elevator serves the garage and secure bicycle storage area.*

**Comment:** The Department recommends that the "5' wide gravel path" (Layout & Materials Plan) connecting east side garage door to asphalt path/sidewalk is paved with same materials as asphalt path under the assumption that some residents may use this entry to the garage as pedestrians or cyclists. Porous materials would be preferred, see note in prior section.

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**Response:** *The 5-foot path accessing the east side garage door will be paved with porous asphalt.*

**Comment:** The Applicant should clarify details of bike parking design to align with Arlington Bicycle Parking Guidelines. Bike parking that requires a person to physically lift a bicycle to park it is not permitted. Review dimensional guidance from Bicycle Parking Guidelines to ensure enough space is provided for 144 bike parking spaces.

**Response:** *Under the 2016 Arlington Zoning Bylaw, Section 8.13, bicycle parking requirements are based on the number of parking spaces, specifically one (1) bicycle parking space per 15 motor vehicle parking spaces. The 2016 Zoning Bylaw likewise provides that a bicycle rack, or bicycle storage fixture or structure accommodate 6 feet by 2 feet, is secured against theft by attachment to a permanent surface and does not obstruct motor vehicle or pedestrian traffic. Bylaw, Section 8.13(c). The Applicant has reviewed the subsequently enacted bicycle parking guidelines adopted after the permit application had been filed and is amenable to adjusting the interior bicycle parking layout to ensure all bicycle spaces do not require a tire to be raised for storage. See attached bicycle parking layout plan. The number of bicycles that will be provided for is 176.*

**Comment:** On the Layout & Materials Plan, an accessible ramp and stairs is shown on the south side of the building, but it is not clear where this goes to. There is no door shown on this section of the plan and no door shown at this location in the Garage Level Plan. The Applicant should clarify what this ramp connects to for understanding why a ramp and stairs are needed.

**Response:** *The accessible ramp and stairs provides a connection between the southwest courtyard/amenity space and the children's play area and surface parking area on the western side of the building. The children's play area had originally been located to the southeast of the building. Based upon feedback during the work session, the Applicant has relocated the play area to the southwestern side of the lot, where it will also receive better sunlight. A path to the children's play area extends from the southwest courtyard as well as a sidewalk connection along the westerly side of the access drive and hatched crosswalk to the sidewalk along the frontage of the building and main entrance.*

*As shown on the plans, the elevation of the southwest courtyard is el.=13.0 and the ground at the emergency access drive where the walk from the courtyard ramps down to it is about el. 10.0. The accessible ramp and a separate stair heading east provide connections between the elevated courtyard and the at-grade pedestrian walkway/fire lane.*

**Comment:** The Applicant should show entry and exit doorways with accessible sidewalk pathways to access the street or around the building. Of particular note are doorways on



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the east side of the building and the doorway on the southwest side of the building near the garage entrance.

**Response:** *The building main entrance/exit and south courtyard entrance/exit will be fully accessible and connected with an accessible walkways to access the street and around the building as shown on the site plan. The building will be provided with the required overall number of exits, including the required number of accessible exits. All of these will connect to the Public Way but not every exit doorway will be connected via accessible pathways in the cases where a ramp will not be possible or practical due to grading around the building. Where ramps are not provided, accessible exits will be designed as an Accessible Area of Refuge in accordance with Building Code requirements. In the case of the two doorways mentioned above, there will be stairs from the exterior landing down to finished grade to connect to walkways to access the street.*

**Comment:** The Department recommends an accessible sidewalk connection on the west side of the building to connect the south courtyard to the outdoor parking area.

**Response:** *An accessible path will connect the southwest courtyard to the (relocated) children's play area on the western side of the building and to the surface parking area*

**Comment:** The sidewalk along Dorothy Road should be a minimum 5' wide and constructed of concrete, not asphalt. All other outdoor walkways should be at least 5' wide.

**Response:** *The public sidewalk in Dorothy Road will be 5-foot wide concrete and all other walkways on-site will be a minimum of 5-feet in width.*

**Comment:** The crosswalk connecting the west outdoor parking area to the building should be a continental or zebra-style crosswalk instead of only parallel lines. In addition, the curb ramps for this crosswalk are offset in the Layout and Materials Plan. They should be directly across from each other to the extent practicable.

**Response:** *A continental-style crosswalk will be provided connecting the building to the surface parking lot and the location of the proposed pedestrian ramp on the west side of the building will be relocated to align with the proposed crosswalk crossing the site access drive.*

**Comment:** Crosswalks should also be included across the driveway aprons for the small parking area in the front of the building if it is assumed that frequent drop-offs and deliveries will be done in this area.

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**Response:** *In response the Town Engineer comments, concrete sidewalks and driveway aprons will be installed at the courtyard parking area along the property frontage on Dorothy Road.*

**Traffic Impact Assessment (TIA) Report**

**Comment:** The Department agrees with BETA Group regarding the scope of the TIA and the methodology for determining current traffic volumes, adjusted due to COVID-19.

**Response:** *So noted.*

**Comment:** Figure 2 of existing conditions notes the crosswalk for the Minuteman Bikeway crossing of Lake St but does not identify whether it is a signalized or unsignalized intersection. Existing conditions should be updated to note that this is now a signalized intersection.

**Response:** *At the time of the initial report preparation, the crosswalk was not signalized. However, Figure 2 has been updated to shown signalized conditions.*

**Comment:** Figure 2 of existing conditions and other street network diagrams exclude a number of streets in the neighborhood, and erroneously show Mary Street ending at Burch Street in the east and Littlejohn at the south, and Burch Street ending at Dorothy Road. Mary Street ends at Margaret Street in the east and Wilson Ave in the south, and Burch Street ends at Edith Street. Include Osborne Road and Edith Street in the analysis as they will likely be used by cyclists and pedestrians for accessing the Minuteman Bikeway and Thorndike Field.

**Response:** *The network diagrams are schematic in nature and only intended to show the vehicle volumes at study area locations. The intersections referenced in the comment were not counted and are not included in the level-of-service summary of the report. The intention of the analysis was to show the most straight-forward connections from Lake Street through the neighborhood to the Project site. The intersections that were requested to be included in the study area were analyzed and these locations indicate all of the project traffic impacts. The intersection of Littlejohn Street with Dorothy Street and the Project site driveway was analyzed, as standard practice is to analyze new site driveway intersection locations.*

**Comment:** As part of the existing intersection signage and geometry, note that the north/eastbound approach to Burch Street from Lake Street has a red and white sign that says “Thorndike Field Parking” with an arrow directing traffic down Burch Street.



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**Response:** *So noted.*

**Comment:** The Department agrees with BETA Group's comment T32 regarding timed entry restrictions, with clarification that Burch Street does not have an entry restriction. Reference note above that signage directs traffic down Burch Street to get to Thorndike Field parking.

**Response:** *The revised analysis submitted on VAI's January 15, 2021 response letter to BETA's comments, has all entering site traffic entering the neighborhood via Margaret Street. A discontinuance of the turning restrictions is not proposed.*

**Comment:** The TIA recommendation to install a 23-dock Bluebikes station in the vicinity of the existing Bluebikes station at Magnolia Field/Minuteman Bikeway should be clarified to explain a more specific location, or if it would be adding to the existing Bluebikes station. Alternatively, the Applicant could work with the Town to identify the exact location and number of docks in consultation with Bluebikes staff.

**Response:** *After consultation with both Bluebikes and the Town of Arlington TAC, it was determined that the best location of the proposed 23-dock Bluebikes station would be on the Project site. The exact location of the station- on or off-site- will be determined in continued consultation with Bluebikes and the Town of Arlington. A possible on-site location that we believe meets the public access and solar requirements for Bluebikes is indicated.*

**Comment:** The intersection of Dorothy Road and Littlejohn Street is currently Stop-controlled on only one approach: Dorothy Road approaching Littlejohn. The approach from Littlejohn to Dorothy Road is uncontrolled. For the TIA recommendation to put the project driveway under Stop sign control, it is unclear if the approach from Littlejohn Street to Dorothy Road/project should also be put under Stop sign control.

**Response:** *The intention is for the operations of Dorothy Street to remain under STOP-sign control and for Littlejohn Street to remain as a free movement. The Project site driveway will be placed under STOP-sign control but the operations for the other two approaches will remain unchanged, in order to retain similar movements as exist today.*

### **Design**

**Comment:** The Department appreciates the inclusion of an upper story step back, particularly how far it steps back fronting Dorothy Road. However, it is not clear if that space will be used as outdoor space for the residents (plan only indicates roof below). This should be clarified as there may be sound impacts if used for common space.

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**Response:** *The Applicant is presenting an optional step-back of the building, which would allow for the front three “tabs” of the building fronting on Dorothy Road to be two stories in height, with a modest private deck above those areas. The decks would be associated with an individual unit and would not be common space. The somewhat larger roof areas adjacent to the 4th floor sections would have narrow decks close to those 4<sup>th</sup> floor units, leaving the majority of that roof inaccessible. There is no common rooftop deck.*

**Comment:** Consideration should be given to the building color scheme. Improvements to accent colors denoting where the main entrances are located and other key locations of building interest could be emphasized with alternate colors. We believe the building design is an improvement from the prior design choices.

**Response:** *The Project’s architect has further refined the colors and materials of the structure’s elevations. Updated renderings will be provided at the February 16 public hearing.*

**Comment:** Additional renderings, including improved street view, would be helpful in conducting this review.

**Response:** *Please see response above.*

**Comment:** While the Applicant has made some interesting choices for sustainable design, including modular design and blue roofs, we recommend that the Applicant consider more recent goals set by the Town to achieve net zero greenhouse gas emissions by 2050, including fossil fuel free infrastructure, solar, and other considerations to reduce building emissions

**Response:** *The Applicant has committed to construct the multifamily building to a LEED Silver or LEED Silver Equivalent standard. The building will include all energy-efficient heat pump heating and cooling; high heat and sound insulation; water saving plumbing fixtures, color-corrected LED lighting, non off-gassing materials and energy star appliances.*

**Comment:** Outdoor space around the building is minimal and should be improved or enhanced.

**Response:** *The outdoor space around the building is focused on the four courtyard areas and the children’s play area. As stated previously, one of the goals of the site design and proposed planting plan was to minimize the area of site disturbance; limiting it to the*

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*minimum required for the building, necessary site improvements and floodplain compensatory storage. As much of the natural landscape as possible will be preserved in its natural state. The reduced impact of development space “lawn” areas not only preserves the existing viewscape of the vegetated areas to the south and east of the building, but is also mindful of the project’s proximity to existing outdoor resources meant for community use, engagement and enjoyment such as the Minuteman Bikeway, Thorndike Field, Magnolia Park, the Alewife Greenway and other nearby outdoor recreation opportunities.*

### **Affordable Housing**

**Comment:** While we appreciate the responses to the Town’s Housing Production Plan (HPP) adopted by the Select Board and Redevelopment Board in 2016, the Applicant does not address why they are unable to match the Zoning Bylaw inclusionary requirements at a minimum, particularly lowering the prices and incomes for rental units.

**Response:** *Under Section 11.08 of the 2016 Zoning Bylaw, residential projects with six or more units and subject to Environmental Design Review are subject to inclusionary housing provisions, in which 15% of the total number of units are to be made available as affordable units. The Arlington Bylaw defines “affordable units” in the rental context as priced for rent not to exceed 30% of income of a household at 60% median income and an eligible household as one whose income does not exceed 70% Area Median Income (AMI) as defined by the Department of Housing and Urban Development, as adjusted for household size*

*Thorndike Place exceeds the Town’s target of 15% affordable, and instead is subject to the programmatic requirements of Chapter 40B, in which the number of affordable units is 25%. Under 40B, rental pricing is established not to exceed 30% of the income at 70% median income and eligible households include those earning up to 80% AMI. Applicant’s 40B project is actually more inclusive – under the Town’s 15%, only 26 affordable units would be required (or a payment in lieu); under Chapter 40B, 43 affordable units are provided and all units (172 based on the reduced unit count) are counted toward Arlington’s SHI. It is also noted that reliance solely on the inclusionary zoning provisions of the Zoning Bylaw creates a void for housing options for those families whose income is above at or below 80% AMI but not below 70% AMI.*

*By providing a greater number of affordable units than would be required under local inclusionary zoning, and by filling the void in affordability at 80% AMI and below, the Applicant’s adherence to Chapter 40B’s affordability provisions is recommended. Any request for affordability more expansive than Chapter 40B cannot be addressed until the*

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*Applicant has an opportunity to review proposed conditioning of the comprehensive permit as a whole.*

**Comment:** Further, per the Town's Inclusionary Zoning requirements, the Department recommends that the Applicant clearly show that the affordable units are dispersed throughout the development and comparable to market rate units in terms of quality and character, room size, and external appearance. Parking for affordable units should also be comparable in location and appearance to parking for market rate units.

**Response:** *Per Chapter 40B Design Guidelines, the affordable units will be comparable to the quality and character to market rate units. The Applicant is amenable to showing the suggested location of the affordable units as dispersed throughout the building, but it is noted that the approval of the same rests with MassHousing. Parking for all residents will be the same; assigned parking spaces are not anticipated at this time.*

**Comment:** The Applicant should provide the Affirmative Fair Housing Marketing Plan to determine the market for these homes.

**Response:** *An Affirmative Fair Housing Marketing Plan is required for submittal by the Developer for review and approval by MassHousing together with its submittal for Final Approval from MassHousing. The Applicant is amenable to agreeing upon a condition of the comprehensive permit to provide a courtesy copy of the AFHMP to the Board, with the understanding that the submittal of an AFHMP is a programmatic issue*

### **Conclusion**

The Applicant looks forward to the upcoming continued hearing on the Thorndike Place project and will be available to clarify any of the above responses should the same be of assistance to the Board.

Sincerely yours,

*/s/ Stephanie A. Kiefer*

Stephanie A. Kiefer

Encl.

cc: Marta Nover, BETA Group  
Paul Haverty, Esq.  
Jenny Raitt, Director of Planning and Community Development