

Arlington Redevelopment Board
Monday, June 7, 2021, 7:00 PM
Meeting Conducted Remotely via Zoom
Meeting Minutes

This meeting was recorded by ACMi.

PRESENT: Rachel Zsembery (Chair), Eugene Benson, Kin Lau, and Melisa Tintocalis

STAFF: Jennifer Raitt, Director of Planning and Community Development

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

The Chair explained that this meeting is being held remotely in accordance with the Governor's March 12, 2020 order suspending certain provisions of the Open Meeting Law G.L. c. 30A, Section 20. This order from Governor Baker allows for meetings to be held remotely during this time to avoid public gatherings.

The Chair introduced the first agenda item, Docket #3650 190 & 192-200 Massachusetts Avenue Continued Public Hearing. John Murphy gave an overview of the changes to the plans for 190 & 192-200 Mass. Ave. Mr. Murphy said that one floor was removed, the façade for the commercial space was changed to bring more attention to the ground floor, the tenant entrance was moved to the old bank entrance door on Mass. Ave., and the look of the building was changed to include a brick design on the residential floors as suggested by the Board. The Chair said that the FAR must be addressed to move forward with the process. The Chair said the residential space should be less than 50% of the building, possibly including office space, going to the ZBA or going the 40B route. Ms. Raitt said the FAR is still double what it should be and the Board cannot review the other design issues until the FAR is addressed. Ms. Raitt said that the Board has to take into consideration the vitality of the businesses in this business district. Mr. Lau said he is disappointed that this application has come so far and there is still an issue with the FAR so this project does not meet the criteria for the ARB to review. Mr. Lau asked if the Board is able to approve changes to the FAR allowances for this project. Ms. Raitt said that the FAR issue was communicated with the applicant before coming before the Board. Ms. Tintocalis asked for details so she knows what the Board can and cannot address. Mr. Benson said he agrees with Ms. Raitt and The Chair regarding the business issue and the FAR issue. Mr. Benson read a memo from Town Counsel that addresses the Board's ability to grant bonus FAR considerations. Mr. Benson said that this project does not meet the criteria to be able to grant a bonus FAR due to the size and because the principal use is residential. Ms. Raitt said that the B3 business district is not an allowable district within 5.3.6 in the Town Bylaw for this FAR. Mr. Lau said that the Board should have a screening process so that projects that do not meet Town Bylaw criteria do not come before the Board. Mr. Annese said that he thinks that the Board has more power than they have been exercising. Mr. Annese asked why projects on Mass. Ave. go before the Board if the Board cannot grant relief. Mr. Annese said he does not see a 40B site fitting in with this area. The Chair opened the floor to public comment.

Kellie Doherty said that this is a project on Chandler Street not Mass. Ave., the impacts will be to Chandler Street. Ms. Doherty said that the residents are concerned that if the project that does get approved it should be done well and keeps everyone happy.

Catherine 31 Chandler Street said she wanted to address the statement that neighbors were adequately informed. She said that was not the issue and she said a number of her neighbors were not informed about the meeting with the developer.

Elaine Maynard 13 Chandler Street said she lives adjacent to the proposed structure. Ms. Maynard said she takes issue with the comment that the neighborhood meeting went "fine". Ms. Maynard said that the changes that were promised to the Chandler Street community were not made to the plans. Ms. Maynard said she is concerned about the impact of the

communities and the neighbors that abut the site. Ms. Raitt said that the applicant and developer's meeting had nothing to do with the Town and was not part of the permitting process.

Jonathan Josephs 15 Chandler Street did not hear from the applicant that the meeting was being held. Mr. Josephs said that the Town has reasons for zoning laws and asked why the developer does not develop a project that meets the zoning laws. Mr. Josephs said that the four story portion at the back does not fit the neighborhood as four stories would not fit on Mass. Ave.

Rachel Roth 16 Chandler said it seems that the developer should build a 3 story building to meet the FAR. Ms. Roth said that the issue of lighting came up during the neighborhood meeting and would like to know more about the overnight lighting. Ms. Roth said she would like more information about the garage lights and warning alarms. Ms. Roth said she feels that excessive lights and alarms would not be appropriate on a neighborhood street. Ms. Roth thinks that everyone in the area should get a notice not just the 300 foot abutters. Ms. Raitt said that the abutters' notices that are generated by the Assessor's office are mailed to abutters within 300 feet as required by law. Ms. Raitt said that she is not aware if the applicant and developer's meeting had the same parameters regarding their notices.

Stephanie Hansel 23 Cleveland thanked the Board for taking the FAR into account. Ms. Hansel said that this is a small lot and the proposed structure is a dense, large project. Ms. Hansel said that the Town's zoning bylaws prevent overbuilding on small lots. Ms. Hansel asked to please listen to the community. Ms. Hansel said that the community has quality of life issues, density issues, and safety issues regarding the proposed project.

Don Seltzer of Irving Street said that you cannot build a five-story building almost as big as the lot itself. Mr. Seltzer suggested a three story mixed-use building with commercial on the first floor, offices on the second floor, and third floor residential apartments. Mr. Seltzer said that he feels the size of the building he proposes will be financially viable. Mr. Seltzer asked the developer how many Group 1 apartments are included with these plans.

Steve Revilak 111 Sunnyside said the changes to the Mass. Ave. and Lake Street building designs are appreciated.

Mr. Lau made a point of order that the Board has rules regarding decorum at its meetings that includes members of the public not using Zoom emoji's or gestures to comment while another member of the public is speaking.

Chris Loreti 56 Adams Street wanted to address why large projects go in front of the ARB if they cannot grant relief. Mr. Loreti said that the reason for going in front of the Board is for a more detailed Environmental Design Review. Mr. Loreti asked about the options that were provided to the developer by the Department.

Alham Saadat 62 Magnolia Street asked to think about the impacts to local neighborhoods and streets, it takes a commitment to increasing all types of housing including smaller units. Ms. Saadat said that walking past empty businesses is depressing, take community vibrancy into account. Ms. Saadat said that access to smaller units allows for different types of neighbors in Arlington. Ms. Saadat said think about the larger impact to the community.

Ryan Jacobs 62 Chandler Street said that he is pro-density and said that this region is lacking housing and diversity of housing. Mr. Jacobs said that he hopes that the Developer finds a way to create the type of density that makes sense for the district. Mr. Jacobs asked to consider the number empty storefronts, without a critical mass of residents there is not the vibrancy that the businesses need.

The Chair closed the floor to public comment. The Chair asked for the list of options for the applicant for next steps. Ms. Raitt said that the Department raised the FAR and other issues with the applicant and that the FAR must be addressed to come back before the Board. Ms. Raitt said another direction is using the 40B option or go to the ZBA for relief. Ms. Tintocalis asked what the applicant was thinking after these comments. Mr. Benson asked if the applicant is interested in coming to Town Meeting to look into changing the zoning and come back to the Board in the fall. Mr. Murphy said that he does not think the applicant will continue this hearing. Mr. Murphy said that it would not make economic sense to build a smaller building with fewer residential units. Mr. Annese said that he does not want the Board to vote this project down this evening. Mr. Annese suggested getting another date so the applicant has time to decide what to do before the Board votes, Mr. Annese said he does not want to vote this down and not be able to come before the Board for another two years.

Mr. Benson moved to continue this Public Hearing for Docket #3650 to the July 26, 2021 meeting, Mr. Lau seconded, approved 4-0.

The Chair introduced the second agenda item, Committee Appointment.

The Board approved of Jagat Adhiya's appointment to the Envision Arlington Standing Committee. The Chair moved to the next agenda item until Mr. Adhiya could join the meeting.

The Chair introduced the third agenda item, Town Meeting recap. The Chair said that all of the Board recommendations were supported by Town Meeting, with amendments to article 38 and article 35. Ms. Raitt said that a lot of articles were carried forward from 2020 and Ms. Raitt said she does not see that number of articles coming up in the future so the Board will be able to implement some of the plans that we are working on. Ms. Raitt said that zoning amendments should arise from two of the current plans the Department is working on such as the Housing Production Plan and the Open Space and Recreation Plan. Ms. Raitt reminded the Board that the Net Zero Action Plan and Connect Arlington, the Sustainable Transportation Plan were completed and will be endorsed by the Select Board at a forthcoming meeting. Ms. Raitt said that the Board will discuss committee involvement and appointments at the next meeting. Mr. Benson said that the Chair and Ms. Raitt did a great job representing the Board during Town Meeting. Mr. Benson said that in addition to the height change in the industrial zones the FAR was also changed with the approved article amendment. Mr. Lau said he would like to echo Mr. Benson's comment and thanked the Chair and Ms. Raitt for helping to get these articles passes. Mr. Lau suggested an organized retreat with the Department to discuss upcoming projects. Mr. Lau asked about the status of the gubernatorial nominee for the fifth Board member. Ms. Raitt said that there will be a candidate announcement soon.

Ms. Raitt asked the Board if they have any questions regarding Jagat Adhiya's appointment to the Standing Committee. The Chair said that Mr. Adhiya would be a welcome voice on the committee.

Mr. Benson moved to appoint Mr. Jagat Adhiya to the Envision Arlington Standing Committee, Ms. Tintocalis seconded, approved 4-0.

The Chair introduced the fourth agenda item, ARB Meeting Schedule July through December 2021. Ms. Raitt gave the Board an update regarding the state of emergency and possible in person meetings. Ms. Raitt said that meetings would resume in the second floor conference room in the Town Hall Annex if meeting in person. Ms. Raitt said that meetings will begin at 7:30 p.m. again as of the July 12, 2021 meeting.

Mr. Lau moved to approve the Board's meeting schedule from July through December 2021, Ms. Tintocalis seconded, approved 4-0.

The Chair introduced the fifth agenda item, Meeting Minutes (for 4/8/21, 4/26/21, 5/3/21, and 5/17/21).

Mr. Benson moved to approve the 4/8/21 meeting minutes as amended, Mr. Lau seconded, approved 3-0 (Ms. Tintocalis abstained as she was absent).

Mr. Lau moved to approve the 4/26/21 meeting minutes as amended, Mr. Benson seconded, approved 4-0.

Ms. Tintocalis moved to approve the 5/3/21 meeting minutes as amended, Mr. Lau seconded, approved 4-0.

Mr. Lau moved to approve the 5/17/21 meeting minutes as amended, Mr. Benson seconded, approved 4-0.

The Chair introduced the last agenda item, Open Forum. The Chair opened the floor to public comment.

Steve Revilak said he came across a 1955 Arlington Zoning Bylaw with a map dated 1946 while reviewing a ZBA case. Mr. Revilak said that the way commercial property was zoned was very different than zoning now. Mr. Revilak said that business district was along Mass Ave., Broadway. Mr. Revilak said that there used to be a lot more land used for Business and Industrial districts. Mr. Revilak suggested going back to review the 1946 Zoning Map for frame of reference and for some ideas. Ms. Raitt said that she would forward the 1946 Zoning Map to the Board.

As there were no other members of the public in queue to speak the Chair closed the Open Forum portion of the meeting.

Mr. Lau moved to adjourn, Ms. Tintocalis seconded, approved 4-0.

Meeting adjourned.