



## TOWN OF ARLINGTON

DEPARTMENT OF PLANNING and  
COMMUNITY DEVELOPMENT

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### M E M O R A N D U M

To: Jennifer Raitt, Director, Department of Planning and Community Development  
From: Ali Carter, Economic Development Coordinator  
Date: September 23, 2021  
Re: History of Commercial Vacancies at 455 Mass Ave

At Special Town Meeting in the fall of 2016, Town Meeting members voted to institute a bylaw that required owners of commercial and industrial properties in Arlington to register any vacant units in their buildings after 21 days of vacancy. In 2018, the bylaw was revised by Town Meeting to extend the allowed vacancy period to 90 days. Property owners with units vacant for 90 days or more are required to register the vacant unit with the Town and to pay a \$400 registration fee. Failure to register within 30 days of notification results in a fine of \$100 per day. Waivers may be granted at the joint discretion of the Director of Planning and Community Development (DPCD) and the Director of Inspectional Services if property owners can make a valid claim of financial hardship or if they are willing to activate their vacant storefront with public art or a temporary "pop-up" use.

To enforce this bylaw, the DPCD has tracked commercial and industrial vacancies in Arlington carefully since December 2016 when the bylaw was formally approved by the Attorney General's office. When the COVID-19 pandemic began, the enforcement of the bylaw was temporarily suspended by the Select Board under the State of Emergency issued by the Commonwealth of Massachusetts on March 10, 2020. Enforcement of this bylaw was reinstated 90 days after the end of the State of Emergency, which was on September 13, 2021.

There are currently three commercial vacancies in the property at 455 Massachusetts Avenue in Arlington Center.

1. **457 Massachusetts Avenue** was last occupied by Papa Gino's. It has been vacant since November of 2018, and registration was required in February of 2019. The property received a one-year waiver of the vacant storefront bylaw registration fee for display of public art in the storefront windows. Shortly after this waiver expired and further action was to be taken, the pandemic hit, and the enforcement of the bylaw was suspended. On September 15, 2021, DPCD sent a letter to 2-14 Medford Street LLC, the owner of the property, notifying them to register this and one other unit within the building for the vacant storefront registry.
2. **455 Massachusetts Avenue** was last occupied by Abilyn's Frozen Bakery. It has been vacant since October 2019. The property owner, 455 Mass Ave, was required to register the property by January 2020. The suspension of the bylaw enforcement in March 2020 due to the COVID-19 State of Emergency extended the allowed vacancy period, and the owner would not have been required to re-register the vacant unit in September 2021. However, in the proposal currently before the ARB, this space is intended to be repurposed into a lobby for the second story

residential units. Therefore, the owner has not been asked to add this unit to the vacant storefront registry at this time.

3. **8 Medford Street** was last occupied by the Artful Heart Gallery. It has been vacant since May 2021. On September 15, 2021, DPCD sent a letter to 2-14 Medford Street LLC, the owner of the property, notifying them to register this and one other unit within the building for the vacant storefront registry.