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To: Arlington Zoning Board of Appeals  
Fr: Stephanie A. Kiefer, Esq.  
Re: ALR Thorndike Place 40B Comprehensive Permit  
Date: October 4, 2021

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Background

Arlington Land Realty, LLC (“ALR”) has offered to negotiate a mutually agreeable Memorandum of Understanding (“MOU”) with the Town of Arlington (the “Town”) with respect to a portion of ALR’s property, approximately 12 acres in size, which would not be further developed for residential, commercial or industrial uses. Such MOU is intended to set forth terms relating to, *inter alia*, the protection, rehabilitation and ongoing maintenance funding for the undeveloped portion of the ALR property and to confirm a cooperative effort on behalf of the Town and ALR.

To address those aspects of the intended MOU, which relate directly to the Applicant’s Thorndike Place 40B project proposal, consisting of a four-story 124-unit independent living building, twelve duplex-style ownership units, together with associated surface and garage parking, access drives and such other project amenities as depicted on the BSC Group plan set, titled “Thorndike Place Comprehensive Permit, Dorothy Road, Arlington Massachusetts,” dated March 13, 2020, revised through August 27, 2021 (the “Thorndike Place project”), we provide this description of the open space parcel components thereto.

The Applicant can clarify to the Board that the Thorndike Place project, as presented to the ZBA, includes the following commitments on behalf of ALR, subject to the timely receipt of a final Comprehensive Permit acceptable to the Applicant:

1. *Conservation of a portion of the ALR Property.*

ALR has offered as a component of its proposed Thorndike Place project, to record a perpetual restriction against future development on approximately a 12-acre portion (the “Open Space Parcel”) of the entire 17.7 acre ALR property. The area to be conserved is to be consistent with the BSC plan entitled “Proposed Conservation Parcel,” as revised through August 27, 2021.

2. *Assessment plan and removal of solid waste and invasive species.*

Over the past few months, ALR has proactively contracted for third party services to engage in removal of solid waste and needles/sharps disposed on the property by trespassers, in an amount of approximately \$100,000. Under those commitments, the first steps necessarily involves removal of needles/sharps from the ground. The work on the removal of the sharps began in the latter part of September, and will continue to advance

over the coming months together with removal of solid waste/former encampment sites. ALR has also worked together with the Somerville Homeless Coalition and Arlington Police Department to respond to the community issue of housing for homeless persons.

The Applicant recognizes that additional funds will be required to remove additional solid waste/debris and to prepare and implement a prioritized mitigation plan to reduce the invasive species population and provide for a replanting/rehabilitation within the Open Space parcel. While the final terms/mechanism to fund the same (e.g., escrow, letter or surety or bond) the same will be worked out in the expected MOU, ALR can confirm that as part of the 40B project, it will set aside/budget an additional \$100,000 toward planning and removal of solid waste/invasive species within the Open Space Parcel area, which would be a total investment of \$200,000 (inclusive of the amount that has already been committed/contracted for) by ALR to plan for removal solid waste and mitigation of invasive species on the Open Space Parcel. To provide assurance to the ZBA, the Applicant would offer that the additional \$100,000 be escrowed or bonded at the time of issuance of building permits for Thorndike Place.

3. *Ongoing maintenance of the Open Space Parcel.*

ALR continues to commit as part of the Thorndike Place proposal, that it will fund, over the course of a ten-year period, an annual contribution of \$25,000 for continued implementation/maintenance of the Open Space parcel. To provide assurance to the ZBA, the Applicant would offer that it would accept a condition of approval for Thorndike Place to include a \$25,000 annual maintenance budget for ten years upon issuance of the final certificate of occupancy.