

**Arlington Redevelopment Board**  
**Monday, November 15, 2021, 7:30 PM**  
**Meeting Conducted Remotely via Zoom**  
**Meeting Minutes**

This meeting was recorded by ACMi.

**PRESENT:** Rachel Zsembery (Chair), Eugene Benson, Kin Lau, Melisa Tintocalis, Steve Revilak

**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, Public Hearings. The first Continued Public Hearing for the evening is for Docket #3665, 645 Massachusetts Avenue. The Chair explained that the applicant for Docket #3665 has requested that their application be withdrawn without prejudice. Attorney Bob Annese asked if he would be able to withdraw this application without prejudice, if not he would like to request a new hearing date. Mr. Annese said that he would like to start the application process anew since he was brought in after the application was filed. Mr. Annese said that he might not bring a client's application to the Board if there is a four person Board again. Mr. Annese said that he has not had a request for an application to be withdrawn without prejudice since he started in the 1970s. Mr. Benson said he thinks that Chapter 40A, Section 16 is clear that Mr. Annese cannot withdraw and file again without Board permission. Mr. Benson said that if Mr. Annese asked the Board to vote on withdrawal and the Board will not withdraw without prejudice, then the application is a continuation and must have a unanimous decision made by four members of the Board, as Mr. Revilak was not yet appointed to the Board. Mr. Benson said that he does not think that this is a good precedent to make. Mr. Benson said only because of this special circumstance would he vote to allow withdrawal without prejudice. Ms. Tintocalis said she is concerned that the exact same application will be filed again. Mr. Annese said he is not sure if there will be any changes and Mr. Annese has ideas about the new presentation to the Board, including changes to bicycle parking. The Chair asked the Board if they have any concerns approving considering the special circumstances of having only four Board members at the time of the original hearing. Ms. Tintocalis said that she does not support Mr. Annese's request to withdraw without prejudice. The Chair then asked Mr. Annese when he would like to schedule to continue the hearing.

Mr. Benson moved to continue the hearing for Docket #3665, 645 Mass. Ave., to the January 3, 2022 meeting, Mr. Lau seconded, approved 4-0 (Mr. Revilak did not vote as he was appointed to the Board after the first hearing date).

The Chair introduced the second Continued Public Hearing for Docket #3348, 833 Massachusetts Avenue. Mr. Annese updated the Board on the client's meeting with the Historical Commission. Mr. Annese said that the Commission would like to see the building retained. Mr. Annese said he showed two options that were presented to the Board and Mr. Annese said he feels that the Historical Commission preferred the option to move the existing building closer to Mass. Ave. Mr. Annese asked what the Board would prefer to do. Mr. Annese reminded the Board that there is a third option, that Mr. Noyes waits two years for demolition approval. Mr. Annese said if the existing building is moved towards Mass. Ave. the lot is narrower and might cause architectural problems and problems keeping the side porch. Mr. Annese said that if the building is moved forward there will be more residential units including affordable units. Mr. Annese said that the commercial space would most likely be an office, not a retail space due to the restrictions with neighboring tenant, CVS. Monty French, Architect for the project, said that moving the house closer to Mass. Ave. and adding to the rear of the building would yield the most units. Mr. Annese said that in his experience the Historical Commission usually rules on the exterior of the building, and he thinks that the Board should make the determination where the building is placed on the lot. The Chair reminded the Board that at the last hearing they identified option two as their preferred option, to move the building forward and creating mixed-use space, if the Historical Commission would waive the demolition delay. Mr. Lau asked if the Historical Commission was against waiving the demolition delay. Mr. Annese said he did not ask the Historical Commission about waiving the demolition delay, Mr. Annese said he would prefer direction from the Board before asking the Historical Commission. Mr. Lau said he still prefers

option two with more street activation, and a mixed-use building. Mr. Lau said he does not want a wrapped house without siding on the site for two years so the demolition delay must be waived. Mr. Benson said that pulling the building forward and allowing for a larger building is better for the streetscape and the town. Mr. Benson said that the Commission has allowed historical houses to be moved in the past. Mr. Lau said that he feels moving the existing building forward would not activate the streetscape, that new development is needed to suit Mass. Ave. Ms. Tintocalis said that she also supports bringing the building forward as long as the building is functional and creates housing. Mr. Revilak said he agrees with Mr. Lau. The Chair summarized that the Board needs to understand if the demolition delay will be waived by the Commission to move forward with the preferred proposal, if the demolition delay is not granted the Board will select the option which includes moving the building forward. Mr. Annese said that the Historical Commission's preference is to see the entire building as is moved forward. Mr. Annese said that he can wait the two years for the demolition delay if necessary. Mr. Lau asked Mr. French if the building is moved forward if it can also be lowered to create a more welcoming streetscape. Mr. French said that the sewer line might not allow the building to be lowered. Mr. Lau said that the first floor is about 6 feet from the ground and that he does not want to see a large foundation or wall right on Mass. Ave. Mr. French said that the stormwater and sewer lines would have to be redesigned to lower the building. Ms. Tintocalis asked if the Board could support moving the building forward, as the Historical Commission prefers, with the addition in the back and plans for an activated streetscape, so the project can proceed. Mr. Revilak said that an elevated entry may work with the streetscape. Mr. Benson said that he did not support the plan to move the building forward because the residents would have to use the CVS parking lot to access the back of the building. Mr. Benson said that if Mr. Annese and his client feel demolition is best option Mr. Benson would support that option and Mr. Annese and his client must submit plans for the new building to the Board as soon as the demolition approval is granted. Mr. Benson said that way the plans can be approved by the time the demolition delay ends. Mr. Lau said he supports Mr. Benson's suggestion. Mr. French said that a tree lined walkway to the rear of the building was added to the plans after the plans were reviewed by the Board. The Chair reminded the Board that the goal for this project is to ensure that this project moves along as expeditiously as possible considering the length of time this building has been sitting neglected, while working with the goals of the Historical Commission, and in the spirit of the original special permit to retain a portion for the building if possible. The Chair said that accessibility options will have to be addressed if the building is moved forward. The Chair reviewed the Board's three options and asked the Board to rank the options: option one is pulling the existing building forward, option two is to pull a portion of the building forward and add the addition behind, option three is demolition with a new building situated closer to the sidewalk. Mr. Benson said he supports pulling the building forward but said he is afraid that may not be a viable zoning option due to the lot lines. Mr. Benson said he also supports the Board's third option, he would like Mr. Annese to ask the Historical Commission to waive the demolition delay and build a new building situated closer to the sidewalk. Mr. Lau said that he agrees with Mr. Benson that he does not think is possible to move the building forward, so he supports the third option, as long as the new building includes historical references that reflect that area of Mass. Ave. The Chair said that option three could happen more quickly if Mr. Annese is granted the demolition delay waiver, otherwise option two and three could take the same amount of time. Ms. Tintocalis said her first choice is option two and then option three. Mr. Revilak said that option three is also his preference and option two is his second choice. The Chair said she would like to see a portion of the existing building retained, option two. Mr. Lau said he does not think that option two is feasible, he appreciates that the building is old but he would rather see a nice new building. Mr. Lau said that the Board will have to approve plans for the new building so they will have say in the look of the new building. The Chair stated that a majority of the Board would like to see a new building with historical references, to go forward with the demolition delay. It does not seem that it is feasible to retain a portion of the building, such as the façade, to move forward due to the lot lines.

Mr. Benson moved to continue this hearing until December 20, 2021 when Mr. Annese can return with the results of the Historical Commission's ruling on the demolition delay, Mr. Lau seconded, approved 5-0.

The Chair introduced the second agenda item, Continued preliminary discussion of zoning amendments. Ms. Raitt gave a summary from the Zoning Bylaw Working Group meeting. Ms. Raitt said that many of the recommendations from the last two zoning audits remain priorities. Ms. Raitt said that she feels that the first recommended item listed: reducing the overall number of zoning districts to address infill development and ease the use of the bylaw: address setbacks, dimensional standards, building height maximums, FAR, and minimum lot area per dwelling, and a map amendment, will be important. Ms. Raitt said this item is mainly focused on the business districts, which aligns with the Board's priorities. Ms. Raitt said that the next item is reduction of the number of uses requiring special permits which makes the bylaw overly restrictive, confusing

and impractical for the purposes of determining build out and growth. Ms. Raitt said that this would involve an evaluation and study into impediments to the bylaw. Ms. Raitt said that there was not a lot of agreement within the working group regarding the next item; amend the Special Permit for large additions section for clarity and updates. The next item was to address parking issues throughout the bylaw, including parking in front setbacks, maximum instead of minimum parking requirements, greater parking reductions for residential and some commercial uses. Ms. Raitt said that the working group had varying feelings regarding this issue. The next item is included with the Board's goals to amend the Environmental Design Review process, including conducting a study of special permits granted, incorporating staff review of smaller projects, and creating an easier to use table to determine appropriate criteria. The working group believed that further analysis is needed; this aligns with the Board's goals. The next items need more study and clarification, they are: add regulations for solar, add regulations for short term rentals, and add transfer of development rights. The last item Ms. Raitt reviewed was to amend standards for townhouses, the working group agreed that there are more areas needed to build this type of housing. Mr. Lau said he is very supportive of the first and fourth items and is interested in the fifth item, to streamline the Environmental Design Review for smaller projects. Mr. Lau said he is wary of the "add solar" zoning suggestion being used to inhibit development. Ms. Tintocalis asked if the first item was dimensional, Ms. Raitt said that it was dimensional and intended to reduce the number of districts not the total area of them. Mr. Benson said that as districts are looked at then uses must also be addressed. Mr. Revilak said he agrees with reducing the number of zoning districts and perhaps making the business districts larger than they are now. Mr. Revilak said that the current zoning districts do not make sense and does not have a forward looking plan for the future. Mr. Revilak said that he agrees that there should be Environmental Design Reviews in the business districts for new construction but does not think it is necessary for changes of use in existing buildings as it is required today. The Chair said that she agrees with Mr. Revilak. The Chair said that some of the items the Board has started working on, like the parking suggestion, would be helpful to have the zoning reviewed in its entirety. Ms. Raitt said that she has ideas that address street trees and ground level storefront activation that she would like to vet before presenting to the Board. Ms. Raitt said that the first item, due to the necessary outreach that would be involved, could be more realistically be prepared for a fall Town Meeting rather than this spring. Ms. Raitt said that this discussion could be continued at the next meeting.

The Chair introduced the third agenda item, Update on Arlington Housing Plan. Ms. Raitt said the final forum reviewed the final draft, goals, and strategies to put in place. Ms. Raitt said that she expects to have a draft of the plan ready for Board and public review on November 29<sup>th</sup>. Ms. Raitt said that the extra Board meeting on December 16<sup>th</sup> will be devoted to discuss the Housing Plan. Ms. Raitt said it might be helpful to have a joint Select Board and Redevelopment Board meeting to talk over how to move forward after the plan is adopted by both boards. The Chair asked about the goals for moving any of these items to meet this year's Town Meeting. Ms. Raitt said that she is not sure at this time. The Chair suggested a joint meeting with the Zoning Board of Appeals since that Board to discuss the ZBA's perspective. Ms. Raitt suggested asking the ZBA Chair to attend a Board meeting.

The Chair introduced the fourth agenda item, 10/25/21 Meeting Minutes.

Mr. Benson moved to approve the 10/25/2021 meeting minutes as amended, Mr. Lau seconded, approved 4-0 (Ms. Tintocalis abstained as she was absent on 10/25/21.)

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

Eliza Burden said that she is a member of the Tree Committee and wanted to point out that the Tree Committee is trying to address the areas of town with the greatest heat island effect, which includes the area along Mass. Ave. Ms. Burden asked that the Board leave as much room as possible for street trees when considering zoning and Environmental Design Reviews.

James Fleming asked about townhouses as a use in residential districts. Mr. Fleming asked if the zoning would allow adjoining/party walls, like are common in the Back Bay area of Boston, and if so what is keeping the town from allowing it. Mr. Revilak said that there is only one place in town where single family attached homes are allowed. Mr. Benson said that he thinks that the bylaw does allow an adjoining wall. It is the dimensional requirements that are required that prohibit building townhomes that meet the bylaw. The Chair said that the Board would love to have a discussion if this is something that Mr. Fleming is interested in. Ms. Raitt said that she will let Mr. Fleming know where to find the zoning proposal and townhome study done in 2019.

With no other members of the public in queue the Chair closed the floor for public comment.

Mr. Lau moved to adjourn, Ms. Tintocalis seconded, approved 5-0.

Meeting adjourned.

DRAFT