

Arlington Redevelopment Board
Monday, December 20, 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 and Kelly Lynema, Assistant Director

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, Continued Public Hearing for Docket #3348, 833 Mass Ave. The Chair introduced Robert Annese, Mr. Annese gave an update regarding the latest hearing with the Historical Commission. Mr. Annese said he gave the Historical Commission an overview of what it would take to restore the façade and the Board's informal vote in favor of demolishing the building. Mr. Annese said that he suggested that the Historical Commission should speak with the Board. Mr. Annese said that the building has been sided again and there are new windows on the way. Mr. Annese said that a demolition request has been filed with the Town and in the meantime the façade is being restored as the Historical Commission requested. Mr. Annese said that at this point the applicant's preference is that the building comes down and will request a demolition permit. Mr. Annese said he was hoping that something could be worked out between the Board and the Historical Commission so Mr. Annese does not have to go back and forth before the Boards and be faced with the two year prohibition. The Chair said that she does not have much sympathy that Mr. Annese and the applicant have to go back and forth between the Boards considering the number of years this property has been neglected. The Chair said the Board has been consistent that the Mr. Annese must work with the Historical Commission to comply with the repair of the exterior after the siding was taken down without permission and that Mr. Annese and the applicant go through appropriate channels to pursue a demolition permit and comply with any necessary demolition delays the Historical Commission requires. The Chair suggested that now that the demolition application has been filed the next step is feedback from the Historical Commission to review any contingency they might put in place regarding a demolition delay or any additional requirements for the façade restoration at this time. The Board would then close this hearing and reopen when an application for construction on this site is received from the applicant. Mr. Lau said he would like to add that during the demolition delay the Board would like to receive plans for the new designs to start the review as soon as possible.

The Chair opened the floor to public comment.

With no members of the public in queue to speak the Chair closed the floor to public comment.

Mr. Lau moved to close Special Permit Docket# 3348 833 Mass Ave., Mr. Benson seconded, approved 5-0.

The Chair introduced the second agenda item, review of December 6, 2021 meeting minutes.

Mr. Benson approved the meeting minutes for December 6, 2021 as amended, Mr. Lau seconded, approved 5-0.

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

JoAnn Robinson, Chair of the Historical Commission, said she was having technical issues with Zoom and will submit a letter to the Board. Ms. Robinson then called into the meeting to say that the Historical Commission would approve moving the building forward and allow construction behind the "Atwood House" and Ms. Robinson said that she was unable to speak. Ms. Raitt said that the only thing that the Board voted on was closing the hearing for Docket #3348. Ms. Robinson said she

feels it is premature to get rid of the Special Permit because that is what is motivating the Historical Commission's moves to preserve the house. Ms. Robinson said that she has had support to preserve the house and has not been able to present that information and would like the opportunity to do that. Ms. Robinson said a flied demolition application is not appropriate at this point because the Historical Commission is in the process of working with the applicant/owner to do the restoration of the exterior of the house. Ms. Robinson said that the Historical Commission would not entertain a demolition permit at this point. Ms. Robinson said that she spoke with Mike Ciampa, Director of Inspectional Services, and Ms. Robinson said she thinks that is how the procedure will move forward. The Chair said that in closing the Special Permit, all of the conditions of the Special Permit still are maintained, the applicant is not just not required to come in front of the Board on a regular basis, as if the Special Permit was open. The Chair said that if any development be proposed on this site then the applicant would be required to file a Special Permit application and come in front of this Board for review. The Chair said that it is the Board's understanding that the Historical Commission is required to review and act on a demolition permit when filed, the Board has no authority of items that come in front of the Historical Commission. The Chair said that all of the original conditions of the closed Special Permit remain. Mr. Ciampa said that the bylaw states that when a demolition commences without permission the moratorium starts upon that action. Ms. Robinson said that the Historical Commission postponed a demolition hearing in July because the owner/applicant agreed to renovate the exterior instead of applying for a demolition permit. Ms. Robinson said she still feels that there might be some common ground that the Boards can work on. Ms. Robinson wanted to know if there is a member of the Board that would work with the Historical Commission. The Chair said that as the project moves forward what the Board indicated to the applicant was that the Board would work with the Historical Commission to review the elements of historical character that are to be maintained. Mr. Benson asked Ms. Robinson about Ms. Robinson's statement that the Historical Commission relies on this Special Permit. Ms. Robinson said over the years the Historical Commission has tried to work with the Board to preserve this house. The Special Permit specifically states that the house would not be demolished and that is why the Historical Commission and the Board should work together on a solution. Mr. Benson said he has a different reading of the Special Permit that does not prohibit the demolition but requires the property owner to come back to the Board for permission if they plan to go through with a demolition. Ms. Robinson said the interpretation is different then what the Historical Commission believed was in the Special Permit. Mr. Benson suggested that the Board send a letter to the Historical Commission explaining the Board's Special Permit. Ms. Robinson said that she understood that there was a 24 month deadline included with the Special Permit. The Chair said that deadline pertained to actions taking place within 24 months and was silent after that time. Ms. Robinson said the Board had been asked to review that. Ms. Robinson said that the Historical Committee has identified that this house has intrinsic value and had hoped to work with the Board. The Chair said that she is not aware of any requests that came before the Board until the Board asked to reopen this case a year and a half ago. Mr. Lau said that he has been in the Board for 6 years and has not heard of anyone from the Historic Commission reaching out to the Board about this project. Mr. Lau said the Board has pushed the owner to get something done. Mr. Lau said that the Board would consult with the Historical Commission as soon as the applicant presents plans. Ms. Robinson said that the Historical Commission worked through the office of the Building Inspector but does not think those requests were translated. The Chair said that the Board wants to do the right thing for the town to make sure that this property is redeveloped and work closely with the Historical Commission to review proposals from the applicant/owner. With no other members of the public in queue to speak the Chair closed the Open Forum portion of the meeting.

Mr. Revilak moved to adjourn the public portion of this meeting in order to move into Executive Session, Mr. Lau seconded, approved 5-0.

Mr. Lau moved to reopen the meeting in Executive Session to approve meeting minutes for the Executive Session held on

October 4, 2021, Ms. Tintocalis seconded, approved 5-0.

The Board will then adjourn after Executive Session.

DRAFT