

Arlington Redevelopment Board
Monday, January 3, 2022, 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, Public Hearings. The first hearing this evening is continued Public Hearing Docket #3665, 645 Massachusetts Avenue. A letter was received from the applicant requesting a continuation until January 24, 2022.

Mr. Lau moved to continue the hearing for Docket #3665, 645 Mass. Ave to the next meeting on January 24, 2022, Mr. Benson seconded, approved 5-0.

The Board reconvened at 8:15 p.m. and the Chair introduced the second Public Hearing, Docket #3520, 117 Broadway. Ms. Lynema reviewed the Department's memo for the Board. The applicant requesting signage approval at this time, the applicant is requesting a greater number of signs and greater sized window signage than what is allowed. The window graphics are designed to allow more privacy for the customers of Arlington EATS. Andi Doane, Executive Director of Arlington EATS, explained that because the windows are low to the ground the graphic is intended to be visually pleasing, hide the back of appliances, and respect the privacy and dignity of the guests that come to Arlington EATS. Broadway is a busy street and the window graphics are located on a curved window facing the street where privacy blinds will not fit.

Mr. Lau asked Michelle Phelan, designer from 96 Point, about the window graphics location in relation to the housing lobby entrance. Ms. Phelan said that the housing lobby on Everett Street will not have graphics. Mr. Lau said that he is concerned that the ground floor with blinds and graphics and will look like dead space, walled off space from the street. Ms. Phelan said that the graphics are perforated and will allow light to pass through the screening at night. Mr. Benson said he is excited that Arlington EATS is moving to this space.

Mr. Benson asked about the plans for screening above the graphics and Ms. Doane said that there will be blinds in those windows. Mr. Benson asked if the graphics would fade over time or stay vibrant. Ms. Phelan said that the graphics are treated with a UV protectant to prevent fading.

Ms. Tintocalis asked if the awnings were also part of this request. Ms. Doane said that awnings have already been approved with the building permits. Ms. Tintocalis asked that with the bright fruits and vegetables if Ms. Doane is concerned that people passing may come in thinking the space is a corner market. Ms. Doane said that is fine, people who may stop by might become volunteer or donor in the future.

Mr. Revilak said that he preferred option number two and that the plans look good. The Chair asked about the main entry sign panel for the Arlington EATS lobby and if that sign was unlit. Ms. Doane said that the landlord would not allow external lighting so the sign was designed with a white background to help with visibility. The Chair said that additional window

screening has been approved in the past and as Ms. Lynema stated in the memo, the screening is important for privacy. The Chair said that she also prefers plan number two. Mr. Benson asked if there will be a building number on the Broadway side to identify the street address. Ms. Doane said that the awning will have the address on the Broadway side of the building. Ms. Tintocalis said that she is a big proponent of sidewalk activation and asked if Ms. Doane had thought of having any sidewalk activity while still respecting Arlington EATS guests' privacy. Ms. Doane said that is a great suggestion and she would welcome any ideas. Ms. Tintocalis said that she was thinking about outdoor bistro seats and planters that draw people in.

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, Ms. Tintocalis, and Mr. Benson all agreed that they prefer plan option number two.

Mr. Lau moved to approve the amended package for Docket 3520, 117 Broadway, Mr. Benson seconded, approved 5-0.

The Chair introduced the second agenda item, continued preliminary discussion of zoning amendments. Ms. Raitt introduced James Fleming who has some additional ideas to discuss with the Board. Ms. Raitt said that she will have draft warrant articles for the Board to review before their 1/24/22 meeting. Mr. Fleming said he would like to discuss the bylaw use regulations for business districts, eating and drinking establishments for restaurants. Mr. Fleming said that two types of restaurants described, either below or above 2,000 square feet in size, with those above 2,000 square feet requiring a Special Permit. Mr. Fleming stated that 2,000 square feet is not a very large space and is a hindrance to opening new restaurants in new spaces, not necessarily in spaces that were already used as restaurants.

Mr. Benson asked if Mr. Fleming if this bylaw has prevented any restaurant openings in town. Mr. Fleming said he is not aware of any. Mr. Benson said that Board review is helpful to discuss parking and how customers will queue up. Mr. Benson said that unless there is evidence of barriers to opening restaurants Mr. Benson said he does not see the need for a change. Mr. Lau said that a restaurant larger than 2,000 square feet is a good sized restaurant, Mike Ciampa, Director of Inspectional Services, confirmed that size would accommodate roughly 40 seats, which is larger than a starting point for a new/less established restaurant.

Ms. Tintocalis said that she appreciates the intention behind Mr. Fleming's suggestion and would like to hear more from the Town Economic Development Coordinator regarding this issue. Ms. Tintocalis said in her experience that reviews are a cost issue and would like to try to support one of the industries that has been hardest hit during the epidemic. This might be something to look into a little closer in case there is a threshold that we are missing in Arlington. The Chair asked if Ms. Tintocalis would like the Department to look into these reviews and see if there are applicants that have been affected. Mr. Revilak said he is very supportive of the idea but would like to also like to get a weigh in from the Economic Development Recovery Task Force weigh in. The Chair said getting feedback from the Economic Development Coordinator and that reviews for larger establishments are helpful since plans such as for trash removal and for parking ensure that the establishments have considered all the items related to their site.

Mr. Fleming asked about the additional effort required for an establishment to receive a Special Permit. Mr. Revilak said a lot of the cost is in time and certainty, the process can take, if everything goes smoothly, up to two months. Mr. Fleming asked about the benefit for having the larger restaurants reviewed. Ms. Tintocalis said that reviews for larger establishments include parking and traffic circulation plan reviews. Ms. Tintocalis said that there is uncertainty say for a business owner signing a lease, committing to the agreement with the possibility that the business may not receive a Special Permit to allow the business to operate and legal costs for representation. Mr. Lau said that larger the restaurant

the greater the impact of the community so the parking, traffic, trash removal, and even kitchen exhaust plans should be reviewed to see how it would affect the neighbors. Mr. Lau said that in construction the length of construction time generally is the same length of time it will take for permitting, for example a one year build should expect one year for permitting to be completed. Mr. Fleming asked if with conversions from previous use with no new construction if there will still be this uncertainty. Mr. Lau said he agrees that the bylaw encourages smaller restaurants because a permit is not required. Mr. Benson said it does take extra time for a permit but applicants usually have a good idea, after talking with Ms. Raitt and Ms. Lynema in the department, of what is required of the applicant to receive a permit. Mr. Benson said that the applicant usually signs a lease that is contingent upon being granted their Special Permit. Mr. Fleming said he spoke to a first time business owner who did not know where to start and did have to hire council to assist her with the process. The Chair said that this issue has been brought up in Economic Development Recovery Task Force meetings to see if there is a way to simplify the process for applicants. The Department is working with the Select Board to address many other permitting hurdles to opening businesses in Arlington, especially restaurants. Mr. Revilak said performance standards would be preferable to permitting but there is much more to that than square footage calculation.

Mr. Fleming said he would like to see more restaurants in Arlington but, for example, in Mr. Fleming's neighborhood all of the business spaces are occupied. After reviewing a 70 year old business zoning map Mr. Fleming said that he found that the business district was zoned on 100 feet on either side of Mass. Ave., the entire length of the town. Mr. Fleming would like to fill in a particular gap in business zoning in the Capital Square area. Mr. Lau said that he is concerned about the current residents that purchased land in the R2 and R3 zones to have the zoning changed to a business district and the possible property value changes.

Mr. Benson said if this is zoned B3 he would also be concerned about property value changes and does not know what the long term implications would be. Mr. Benson said that the change would make Mass. Ave. zoning slightly more uniform. Ms. Tintocalis asked if Mr. Fleming had spoken with the property owners. Mr. Fleming said he has not heard back from the owners after reaching out to them. Ms. Tintocalis said engaging the property owners would be the first step so they are aware of what would trigger change. Ms. Tintocalis said the intention aligns with the Master Plan and could possibly be considered a pilot for the town. Ms. Tintocalis would look for support from the property owners.

Mr. Revilak confirmed with Mr. Fleming that the intention of this rezoning recommendation is to make the business district more contiguous and allow for the possibility for the properties to be redeveloped as commercial property in the future. Mr. Revilak said it is very important to talk to the owners, from the perspective of Town Meeting if owners were opposed that would create a large obstacle to overcome. Mr. Revilak said that rezoning might increase the property value but he does not mind giving back to the business district what was taken away a generation ago. Mr. Fleming asked to review the process with the Board and Ms. Raitt said the procedure is included with the zoning bylaw and she can assist with questions. Ms. Raitt said that she would like to know more about the history of the parcels to check for issues of concern. The Chair said that Mr. Fleming should contact the property owners before going too far down the path. Ms. Raitt said that limited outreach to abutters was the downfall of the previous zoning change request and Mr. Fleming should take that seriously under advisement.

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

Don Seltzer requested that the list of the Town's 40B properties be made available to assist with public discussions related to the Housing Production Plan, affordability, 40B, and Arlington's subsidized housing inventory list. Ms. Raitt said that the list is the subsidized housing inventory is included with the prior Housing Production plan as an appendix and will be an appendix in the updated Housing Production Plan. Ms. Raitt said that the subsidized housing inventory is on the subsidized

housing page. Ms. Raitt said she will follow up with Mr. Seltzer to assist.

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

Meeting adjourned.

DRAFT