

From: "Thomas W. Falwell" <Tfalwell@cominsnewbury.com>
To: Kelly Lynema <KLynema@town.arlington.ma.us>
Cc: "Mark Santini (mark@santiniinc.com)" <mark@santiniinc.com>, "Gary Santini (gary@santiniinc.com)" <gary@santiniinc.com>
Date: Thu, 31 Mar 2022 13:03:24 +0000
Subject: RE: 34 Dudley Street

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Good morning Kelly:

We note that I too was guilty of a typo, in my case in my email of yesterday. When I referred to Brattle Street in my proposed question #3, I meant, of course, to refer to Dudley, not Brattle Street.

Thank you.

Tom

Thomas Wray Falwell, Esquire

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From: Thomas W. Falwell

Sent: Wednesday, March 30, 2022 4:32 PM

To: Kelly Lynema <KLynema@town.arlington.ma.us>

Cc: Mark Santini (mark@santiniinc.com) <mark@santiniinc.com>; Gary Santini (gary@santiniinc.com) <gary@santiniinc.com>

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Thank you, Kelly. We will likely have substantive, supplemental opposition that we will file prior to the April deadline. In looking at the ARB website docket, I note the posting of the Department's Report to the Board dated March 24th. I have reviewed it at this time only briefly, but in the discussion about parking I note an apparent typographical error at the bottom of Page 7. It states: "*The parking reduction, if granted, would require 24 parking spaces total rather than the 24 proposed by the*

Applicant.” The applicant proposes 11 as set forth on the table on Page 8. You may wish to correct the report in that regard. In the report, the Department states: “Exceptions to Maximum Height Regulations: As the proposed building exceeds 39 feet or three stories, the Applicant must meet additional development standards. The residential buffer requirement does not apply to the Industrial District.” I believe, however, that Section 5.3.19 Reduced Height Buffer Area does apply. Will this be addressed?

I also note that although the applicant’s presentation on the 28th is available by a link to it, our Memorandum in Opposition has not been uploaded and a link provided to it. Similarly, it appeared from the public comments that other responses and materials were provided to the Board (i.e. the photographs of the Route 2 garage showing alternative wall treatment to the applicant’s proposal) but they as well are not posted with a link. Please explain why this has not been done.

Additional questions we would like to be included in the follow-up questions to be presented to the applicant are:

1. We assume that fill will be required at the rear of the site to raise the rear of the structure to conform to the present elevation at the front of the building. This would raise the rear of the building from the present grade and exacerbate the height and mass of the structure when viewed from the adjacent public spaces. Although I presume that is dealt with in the purview of the Conservation Commission in terms of filling within the buffer zone, I think it is relevant to the Board’s deliberations (the issue was raised by one Board member). We would ask the applicant how high the rear of the building is being raised when measured from the present grade.
2. How will the Project be redesigned in order to provide not less than 25% of the parking spaces required under Section 6.1.4?
3. The applicant proposes to limit the length of trucks using the facility to 24 feet. Will the applicant provide an analysis that establishes that a 24’ truck can make the turning radius in or out of the loading bays and when exiting on to Brattle Street when cars are often parked on both sides of the street, especially directly across from the facility?
4. Has the applicant’s plan been reviewed and vetted by the Fire Department in terms of getting its equipment in and out of the site in the event of a fire?
5. How will the applicant keep customers from using the dumpster as they indicated it would only be for the building staff? The experience at Arlington Self Storage shows that customers frequently dispose of items after accessing their storage unit.
6. The applicant should be required to redo their traffic study and utilize the months of historical highest use. They used the months of lowest historic use, which were also compiled at the height of the pandemic. Their own figures from the Waltham facility illustrate that the average customers per day during peak months of use are in excess of 300% higher than in the months utilized.

Tom

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From: Kelly Lynema <KLynema@town.arlington.ma.us>
Sent: Wednesday, March 30, 2022 10:34 AM
To: Thomas W. Falwell <Tfalwell@cominsnewbury.com>
Cc: Mark Santini (mark@santiniinc.com) <mark@santiniinc.com>; Gary Santini (gary@santiniinc.com) <gary@santiniinc.com>
Subject: RE: 34 Dudley Street

Hi Tom,

While the applicant will not be returning to the Board until 4/27, the sooner you can get the comments to us the more likely they will be able to respond to them as part of that hearing. However, if you only want to submit the questions/concerns as part of the public record for that hearing and want to ensure that Board members have time to review them prior to the hearing, then we will need them by Friday, April 22.

Thank you,

Kelly

Kelly Lynema, AICP
she/her/hers
Assistant Director
Department of Planning and Community Development
Town of Arlington
direct: 781-316-3096
klynema@town.arlington.ma.us

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From: "Thomas W. Falwell" <Tfalwell@cominsnewbury.com>
To: Kelly Lynema <KLynema@town.arlington.ma.us>
Cc: "Mark Santini (mark@santiniinc.com)" <mark@santiniinc.com>, "Gary Santini (gary@santiniinc.com)" <gary@santiniinc.com>
Date: Wed, 30 Mar 2022 14:01:43 +0000
Subject: RE: 34 Dudley Street

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Good morning Kelly:

I wondered about the timeline for the Department sending the "list" of questions/concerns to the applicant. We have several to propose and at least one question which I asked and that the Chair said would be addressed, but was not among those she listed on Monday. Thank you.

Tom

Thomas Wray Falwell, Esquire*Comins & Newbury LLP**9 Damonmill Square, Suite 4D**Concord, MA 01742**(978) 341-0222**(978) 341-0655 (fax)*

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From: Kelly Lynema <KLynema@town.arlington.ma.us>

Sent: Monday, March 28, 2022 2:55 PM

To: Thomas W. Falwell <Tfalwell@cominsnewbury.com>

Cc: Mark Santini (mark@santiniinc.com) <mark@santiniinc.com>; Gary Santini (gary@santiniinc.com) <gary@santiniinc.com>

Subject: Re: 34 Dudley Street

Confirmed! Thank you, Tom. We will get this posted with tonight's agenda as correspondence received.

Kelly

Kelly Lynema, AICP

she/her/hers

Assistant Director

Department of Planning and Community Development

Town of Arlington

direct: 781-316-3096

klynema@town.arlington.ma.us

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From: "Thomas W. Falwell" <Tfalwell@cominsnewbury.com>

To: "klynema@town.arlington.ma.us" <klynema@town.arlington.ma.us>

Cc: "Mark Santini (mark@santiniinc.com)" <mark@santiniinc.com>, "Gary Santini (gary@santiniinc.com)" <gary@santiniinc.com>

Date: Mon, 28 Mar 2022 18:49:13 +0000

Subject: 34 Dudley Street

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Kelly:

See attached PDF of a Memorandum of Opposition for filing and inclusion in the record for the above-captioned property and tonight's ARB public hearing. Please acknowledge receipt of the Opposition and post same to the Board's website as appropriate.

Please call or email me with any questions.

Thank you.

Tom

Thomas Wray Falwell, Esquire

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