



Town of Arlington, Massachusetts
Department of Planning & Community Development
730 Massachusetts Avenue, Arlington, Massachusetts 02476

Public Hearing Memorandum

The purpose of this memorandum is to provide the Arlington Redevelopment Board and public with technical information and a planning analysis to assist with the regulatory decision-making process.

To: Arlington Redevelopment Board

From: Kelly Lynema, Acting Secretary Ex-Officio

Subject: Environmental Design Review, 464 Massachusetts Ave, Arlington, MA
Docket #3702

Date: June 23, 2022

I. Docket Summary

This is an application filed on June 1, 2022, by Deep Cuts LLC (Deep Cuts Deli & Brewery), 472 High Street, Medford, MA to open Special Permit Docket #3702 in accordance with the provisions of MGL Chapter 40A § 11, and the Town of Arlington Zoning Bylaw Section 3.4, Environmental Design Review. The applicant proposes to establish a restaurant and operate a brewery as an Artisanal Fabrication facility in the basement of the existing building, and to replace the signage at 464 Massachusetts Avenue. The opening of the Special Permit is to allow the Board to review and approve the project under Section 3.4, Environmental Design Review and Section 6.2, Signs. The applicant has also requested a reduction of the on-site parking requirement to zero (0) spaces under Section 6.1.5. Finally, although the submitted materials indicate that applicant is proposing a new restaurant on the site in conjunction with the artisanal fabrication use, since this site was previously used for a restaurant, the continuation of the restaurant use does not require additional approval from the Arlington Redevelopment Board.

Materials submitted for consideration of this application:

- Application for EDR Special Permit and Impact Statement dated May 27, 2022
- Floor Plans and Signage details dated May 31, 2022

II. Application of Special Permit Criteria (Arlington Zoning Bylaw, Section 3.3)

1. Section 3.3.3.A.

The use requested is listed as a Special Permit in the use regulations for the applicable district or is so designated elsewhere in this Bylaw.

The artisanal fabrication use is allowed in the B-5 Central Business District. The applicant is proposing to locate a small-scale brewery in the basement of the existing building. The definition of “Artisanal Fabrication” under Section 2 includes the production of alcohol. The Board can find that this condition is met.

2. Section 3.3.3.B.

The requested use is essential or desirable to the public convenience or welfare.

A restaurant has operated in this location for many years. The applicant’s intention is to continue the restaurant use and to add a small brewery/artisanal fabrication facility in the basement of the existing structure. This artisanal fabrication use will complement and enhance the restaurant use in the Central Business District. The Board can find that this condition is met.

3. Section 3.3.3.C.

The requested use will not create undue traffic congestion or unduly impair pedestrian safety.

A restaurant has operated in this location for many years, and there are no exterior alterations other than signage. The artisanal fabrication facility will function in conjunction with the restaurant use and will not create any additional traffic or pedestrian safety impacts in the area. The Board can find that this condition is met.

4. Section 3.3.3.D.

The requested use will not overload any public water, drainage or sewer system or any other municipal system to such an extent that the requested use or any developed use in the immediate area or in any other area of the Town will be unduly subjected to hazards affecting health, safety, or the general welfare.

A restaurant has operated in this location for many years without overloading any public utilities. The artisanal fabrication/brewery operation is designed to capture as much reusable water as possible. The Board can find that this condition is met.

5. Section 3.3.3.E.

Any special regulations for the use as may be provided in the Bylaw are fulfilled.

No special regulations are applicable to the proposal. The Board can find that this condition is met.

6. Section 3.3.3.F.

The requested use will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the health or welfare.

The use does not impair the integrity or character of the neighborhood. The Board can find that this condition is met.

7. Section 3.3.3.G.

The requested use will not, by its addition to a neighborhood, cause an excess of the use that could be detrimental to the character of said neighborhood.

The proposed use is similar to the previous restaurant use, with the exception of the creation of a small brewery/artisanal fabrication facility which will serve to draw more activity to the Central Business District and contribute to the liveliness of the commercial district. The Board can find that this condition is met.

III. Environmental Design Review Standards (Arlington Zoning Bylaw, Section 3.4)

1. EDR-1 Preservation of Landscape

The landscape shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal, and any grade changes shall be in keeping with the general appearance of neighboring developed areas.

The existing building on the site covers the vast majority of the parcel. Currently, there is limited open space and no landscaped areas. No exterior changes are proposed. The Board can find that this condition is met.

2. EDR-2 Relation of the Building to the Environment

Proposed development shall be related harmoniously to the terrain and to the use, scale, and architecture of the existing buildings in the vicinity that have functional or visible relationship to the proposed buildings. The Arlington Redevelopment Board may require a modification in massing so as to reduce the effect of shadows on the abutting property in an R0, R1 or R2 district or on public open space.

There are no changes to the exterior of the building other than a new paint color on the trim and the addition of new signage. The Board can find that this condition is met.

3. EDR-3 Open Space

All open space (landscaped and usable) shall be so designed as to add to the visual amenities of the vicinity by maximizing its visibility for persons passing by the site or overlooking it from nearby properties. The location and configuration of usable open space shall be so designed as to encourage social interaction, maximize its utility and facilitate maintenance.

There is currently no landscaped or usable open space on the site. The only area of the site not covered by structures is the access alley between the buildings. This area will remain open for access to trash/recycling collection and deliveries. The Board can find that this condition is met.

4. EDR-4 Circulation

With respect to vehicular and pedestrian and bicycle circulation, including entrances, ramps, walkways, drives, and parking, special attention shall be given to location and number of access points to the public streets (especially in relation to existing traffic controls and mass transit facilities), width of interior drives and access points, general interior circulation, separation of pedestrian and vehicular traffic, access to community facilities, and arrangement of vehicle parking and bicycle parking areas, including bicycle parking spaces required by Section 6.1.12 that are safe and convenient and, insofar as practicable, do not detract from the use and enjoyment of proposed buildings and structures and the neighboring properties.

Currently, there are no on-site parking spaces and there is no room on the property to create these spaces. The site is occupied by two buildings, separated by an alley between the buildings for vehicular access through the site. The alley will be maintained to allow for loading, deliveries and trash and recycling collection. The primary use as a restaurant will function similarly to the previous restaurant use, which was permitted without the provision of off-street parking. The proposed additional use of a small brewery (artisanal fabrication facility) will not be open to public and will not generate additional parking demand. The site is adjacent to available on-street parking along Massachusetts Avenue and the public parking in the Russell Common Parking Lot. The ARB has jurisdiction to eliminate the number of parking spaces required by the Zoning Bylaw under Section 6.1.5.

5. EDR-5 Surface Water Drainage

Special attention shall be given to proper site surface drainage so that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Available Best Management Practices for the site should be employed, and include site planning to minimize impervious surface and reduce clearing and re-grading. Best Management Practices may include erosion control and stormwater treatment by means of swales, filters, plantings, roof gardens, native vegetation, and leaching catch basins. Stormwater should be treated at least minimally on the development site; that which cannot be handled on site shall be removed from all roofs, canopies, paved and pooling areas and carried away in an underground drainage system. Surface water in all paved areas shall be collected in intervals so that it will not obstruct the flow of vehicular or pedestrian traffic and will not create puddles in the paved areas.

In accordance with Section 3.3.4., the Board may require from any applicant, after consultation with the Director of Public Works, security satisfactory to the Board to insure the maintenance of all stormwater facilities such as catch basins, leaching

catch basins, detention basins, swales, etc. within the site. The Board may use funds provided by such security to conduct maintenance that the applicant fails to do.

The Board may adjust in its sole discretion the amount and type of financial security such that it is satisfied that the amount is sufficient to provide for any future maintenance needs.

There will be no changes to the exterior of the building or surface water run-off as a result of this proposal. The Board can find that this condition is met.

6. EDR-6 Utilities Service

Electric, telephone, cable TV, and other such lines of equipment shall be underground. The proposed method of sanitary sewage disposal and solid waste disposal from all buildings shall be indicated.

Existing underground utility services of gas, water, and electricity will remain, and no new utility services are anticipated as a result of this proposal. The Board can find that this condition is met.

7. EDR-7 Advertising Features

The size, location, design, color, texture, lighting and materials of all permanent signs and outdoor advertising structures or features shall not detract from the use and enjoyment of proposed buildings and structures and the surrounding properties.

The project site is in the Business Sign District. The Applicant submitted a sign package with two signs proposed:

- One non-illuminated wall sign in the center of the primary sign band above the main entrance measuring 25.5 square feet. The sign is to be installed at a sign height of approximately 15 feet.
- One non-illuminated secondary wall sign in the center of a separate sign band above the egress door measuring 6.25 square feet. The sign is to be installed at a sign height of approximately 15 feet.

The total number of wall signs exceeds the maximum allowable by right in the Business Sign District. The total sign area is within the allowable square footage for wall signs. The proposed signage is designed to be similar to what was previously at this address. The location of the signage will not change, and the proposed signage is smaller in area than the existing signage.

8. EDR-8 Special Features

Exposed storage areas, exposed machinery installations, service areas, truck loading areas, utility buildings and structures, and similar accessory areas and structures shall be subject to such setbacks, screen plantings or other screening methods as shall reasonably be required to prevent their being incongruous with the existing or contemplated environment and the surrounding properties.

No exterior changes are proposed to the structure. Vehicular access for deliveries and/or loading and trash/recycling collection will be through the alley at the rear of the building. Although the trash receptacle cannot be seen from a public way, the Applicant may want to consider screening it from the adjacent property's parking lot as much as practicable. The Board can find that this condition is met.

9. EDR-9 Safety

With respect to personal safety, all open and enclosed spaces shall be designed to facilitate building evacuation and maximize accessibility by fire, police and other emergency personnel and equipment. Insofar as practicable, all exterior spaces and interior public and semi-public spaces shall be so designed to minimize the fear and probability of personal harm or injury by increasing the potential surveillance by neighboring residents and passersby of any accident or attempted criminal act.

No exterior changes are proposed for the site. The artisanal fabrication operation will be confined to the basement of the existing building and will not be accessible to the general public. The Board can find that this condition is met.

10. EDR-10 Heritage

With respect to Arlington's heritage, removal or disruption of historic, traditional or significant uses, structures or architectural elements shall be minimized insofar as practical whether these exist on the site or on adjacent properties.

The building and property at 699 Massachusetts Avenue is listed on the *Inventory of Historically or Architecturally Significant Properties in the Town of Arlington*, and is under the jurisdiction of the Arlington Historical Commission. The Historical Commission will review the signage and this permit shall be conditioned on their approval.

11. EDR-11 Microclimate

With respect to the localized climatic characteristics of a given area, any development which proposes new structures, new hard surface, ground coverage or the installation of machinery which emits heat, vapor or fumes shall endeavor to minimize insofar as practicable, any adverse impacts on light, air and water resources or on noise and temperature levels of the immediate environment.

According to the Applicant, the brewing system will vent steam in accordance with applicable Building Codes and Town Bylaws. The system will only be used periodically for two to three hours at a time, two to four times a week. The Board can find that this condition is met.

12. EDR-12 Sustainable Building and Site Design

Projects are encouraged to incorporate best practices related to sustainable sites, water efficiency, energy and atmosphere, materials and resources, and indoor environmental quality. Applicants must submit a current Green Building Council Leadership in Energy and Environmental Design (LEED) checklist, appropriate to the type of development, annotated with narrative description that indicates how the LEED performance objectives will be incorporated into the project.

The proposed use is similar to the previous use. However, the Applicant has stated that they are committed to incorporating additional sustainable business practices into the operation of the new restaurant and brewery/artisanal fabrication facility, including but not limited to, installing LED lighting and smart thermostats, capturing and re-using 90% of the excess water from the brewing process, and collecting and composting spent grains from the brewery to be converted into use-able energy. The Board can find that this condition is met.

IV. Conditions

A. General

1. Any substantial or material deviation during construction from the approved plans and specifications is subject to the written approval of the Arlington Redevelopment Board.
2. The Board maintains continuing jurisdiction over this permit and may, after a duly advertised public hearing, attach other conditions or modify these conditions as it deems appropriate in order to protect the public interest and welfare.
3. Snow removal from all parts of the site, as well as from any abutting public sidewalks, shall be the responsibility of the owner and shall be accomplished in accordance with Town Bylaws.
4. Trash shall be picked up only on Monday through Friday between the hours of 7:00 am and 6:00 pm. All exterior trash and storage areas on the property, if any, shall be properly screened and maintained in accordance with Article 30 of Town Bylaws.