

Arlington Redevelopment Board
Monday, October 17, 2022, at 7:30 PM
Community Center, Main Hall
27 Maple Street, Arlington, MA 02476
Meeting Minutes

This meeting was recorded by ACMI.

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

STAFF: Claire Ricker, Director of the Department 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 introduced the first agenda item, discussion of potential zoning amendments to bring to Town Meeting or Special Town Meeting, including MBTA Communities. Ms. Ricker said that she would like to use the recommendations document that was reviewed at the Board's retreat to select the amendments that the Board would like to support, including MBTA Communities implementation. Ms. Ricker said that she would like to know what the Board's priorities are in order to get started. Ms. Ricker highlighted transfer of development rights and exploring options to create a 40R smart growth overlay, both of which relate back to MBTA Communities. Ms. Ricker said she would also like to discuss implementation of the Arlington Heights Action Plan recommendations, which includes consolidating business districts.

The Chair reviewed the list of zoning bylaw amendment recommendations that the Board discussed at their retreat, including: review open space requirements, setback requirements, setback and step back requirements on new construction with multiple frontages, clarify the 100% stormwater treatment on-site in the Industrial District requirements, reconsider the allowable use of self-storage in the Industrial District, review the discrepancy between the FAR definition in the Zoning Bylaw and the Building Department definitions, potentially modifying the FAR calculations in the R2 districts, look at a potential overlay district on Broadway, expand or review some uses for the Industrial District, move forward with a 40R district, the prohibition of one story buildings on Mass. Ave., and the transfer of oversight of the Board's properties to the Facilities Department.

Mr. Benson said that there are many zoning recommendations that the Board should pursue but which should be included as part of MBTA Communities Zoning, for example 40R. Mr. Benson pointed out that the Connect Arlington Plan, the Arlington Heights Neighborhood Action Plan, the Net Zero Action Plan, and the Fair Housing Action Plan never came to the Board for input or approval. Mr. Benson said that he has more concerns about those plans instead of the Master Plan and the Housing Implementation Plan where the Board had a lot of input. Mr. Benson said that he would like to focus on the following: no more single story buildings on Mass. Ave. and Broadway, open space in the Business Districts, development along Mass. Ave. and Broadway as mentioned in the Housing Production Plan, parking in front setbacks, reviewing inclusionary zoning, removing self-storage facilities as an allowed use in the Industrial District, evaluating if Environmental Design Review should include a criterion for climate adaptation and mitigation, allowing additional height for buildings constructed or rehabbed in flood zones. Mr. Benson listed the following items that need to be changed for clarification: what type of residential would be allowed in the Industrial District, updating the Industrial District zoning if the Attorney General's office approves the solar roof bylaw, providing specific details in the stormwater treatment and retention regulations for the Industrial District, updating Section 3.1B to meet the Attorney General's feedback, and correcting references to Section 0 in Section 5.3.21D, which should be updated to Section 5.5.2A.

Ms. Tintocalis and Mr. Lau agreed that they would like to organize the proposed changes into categories, such as MBTA

Communities, changes to mixed-use, residential housing, etc. and prioritize those categories.

Ms. Tintocalis asked about the process for Special Town Meeting for MBTA Communities. Ms. Lynema reviewed the draft timeline for the MBTA Communities planning process. Ms. Lynema said that the Department applied for technical assistance to draft the zoning overlay and technical aspects of the proposed amendment, and the Department, the Board, and perhaps a working group would create and implement a plan for community engagement and feedback. Exploring whether there are ways to incorporate recommendations from other plans into MBTA Communities zoning should also be considered, such as: meet additional Master Plan recommendations, advance other zoning recommendations, and tie in economic development and commercial revitalization goals. After a period of engagement and listening to the community, the working group would prepare an existing conditions report and engagement summary for a second public meeting. A technical assistance consultant would create three or more scenarios that meet compliance, which would be presented to the community at the end of May for additional community feedback. The final plan recommendations would be prepared over the summer and presented to the public before entering the Town Meeting process.

Ms. Tintocalis said that the zoning and policy recommendations include a lot of pieces that can be incorporated into accomplishing more than just the MBTA Communities compliance. Perhaps we could also incorporate a new zoning district with form based code that incorporates the housing and mixed-use pieces but with the design component, 40R, the Housing Production Plan, Connect Arlington, Net Zero, etc.

Mr. Revilak said he would like to work together with the Select Board so both Boards can agree on a direction. The Chair said that the Select Board has not chosen to take a position on zoning bylaw amendments in the past but the Board can ask again. Mr. Revilak said he would like to offer the Select Board the opportunity to give their opinion. Mr. Revilak said that for the MBTA Communities that the Select Board's involvement would be important, that the broader the buy in the better chance the Board has of succeeding. Mr. Revilak said that there are zoning amendments that can be considered as part of the MBTA Communities zoning and not brought to Town Meeting next spring. Mr. Revilak said that Board should consider height minimums in the business districts and Business Districts consolidation as recommended by the Arlington Heights Districts Plan for Spring Town Meeting.

Ms. Ricker said that she thinks that now is the time to build a coalition to get people onboard, especially if the recommendation for MBTA Communities zoning is to be more thoughtful and comprehensive than what is just required to achieve compliance in order to receive MassWorks funding. Ms. Ricker said that is why the Board and Department are looking at a longer planning process and schedule.

Ms. Ricker asked about the transfer of the Board's properties. Mr. Lau said that the Board would like to continue to oversee their properties, such as working with potential renters, but would like to transfer the maintenance and upkeep of the properties to the Facilities Department. Ms. Ricker said that she will have to have additional conversations with the Facilities Department.

Mr. Benson asked what goes into the Action Plan submission for MBTA Communities, which is due to Department of Housing and Community Development (DHCD) by January 2023, and what is the process to prepare that Action Plan. Ms. Lynema said that the submission is fairly simple and includes the Town's schedule and steps for creating the zoning recommendation for Special Town Meeting.

The Chair said that she agrees with Mr. Benson, that the Board should identify which zoning amendments should be included with MBTA Communities and which should be advanced to Annual Town Meeting in the spring. The Chair said that the following items would be included under clarifications: clarification around artist mixed-use rather than other

residential use in industrial districts, aligning Industrial District zoning with the solar bylaw if approved by the Attorney General, the stormwater retainage and treatment on-site, correcting the Section 3.1B provision that is in conflict with the Attorney General's letter, administratively correcting where the zoning bylaw references Section 0 instead of Section 5.5.2(A), and aligning the definition of FAR with the standard used by Inspectional Services.

The Chair said she categorized the issues into three sections.

- General uses: this includes items identified by Mr. Benson for the Industrial Zone
- Residential Housing: parking in front setbacks, FAR limits in the R2 district given that 0.35 did not make sense for 18-20 Belknap, studying the effectiveness of the inclusionary zoning bylaw and considering density bonuses
- Business Districts: creating an overlay district on Mass. Ave. and Broadway (potentially included with MBTA Communities), height minimums, consolidating the Arlington Heights Business Districts, reviewing open space in the business districts, reviewing set back and step-back requirements for buildings with multiple frontages.

Mr. Lau said that the Board should focus purely on housing for MBTA Communities.

Mr. Benson said he would like to include the business districts items for Town Meeting in April.

Ms. Tintocalis asked if the business district category items could be accomplished by the creation of a new zoning district. The Chair said that the Board could do that by prioritizing the consolidating of the Arlington Heights Business District. The Chair said that consolidating the Arlington Heights Business District could be handled as a pilot program, or while also working to rectify challenges in other business districts.

Mr. Benson said that he thinks that it is a lot more work to create new business districts and should not be done while working on MBTA Communities.

Ms. Tintocalis asked staff how mixed-use would be included in MBTA Communities and whether housing would be considered in a business district.

Ms. Ricker said that she is not sure why the Board would go through the exercise of a zoning map change only to revisit it when creating an MBTA Communities overlay. Ms. Ricker said an exception would be if similar zoning amendments would be expected as part of MBTA Communities.

Ms. Tintocalis said that the Board could telegraph a message to community by focusing on MBTA Communities and make meaningful changes to the zoning.

The Chair said a challenge is that historically when there has been a large change at one time nothing gets approved or moves forward. The Chair said that her preference is to work on things to unlock the potential of these sites to encourage development, since it is unknown how MBTA Communities will vet out.

Mr. Lau said taking incremental steps involving the public has been well received, as opposed to just presenting the public with a plan. Mr. Lau said that he would like the Board to have more input in the creation of the plan than in the past.

Ms. Ricker asked if the Board would like regular update meetings with a working group. The Chair said more communication and education is preferred.

Mr. Revilak said with three members of the Board also members of the working group, using the New Business portion of

Board meetings to review updates is a logical approach.

Mr. Benson said that he would like to have a discussion about appropriate uses in the industrial zone. The Chair said that discussion would be moved forward to another meeting with additional information from staff.

The Chair reviewed her list for business districts so the Board could rank the projects, which include: overlay district on Mass. Ave. and Broadway (also included with MBTA Communities), height minimums, consolidating the Arlington Heights Business Districts, reviewing open space in the business districts, and setback and step-back requirements for buildings with multiple frontages.

Mr. Benson said that he would like to look at the business districts town wide. Mr. Revilak said that the public process that was used for the Arlington Heights Neighborhood Action Plan is a useful starting point.

Mr. Benson said that the Board is not doing anything about affordable housing outside of MBTA Communities and that is a shame. The Chair said that 40R is one of the strategies identified as part of MBTA Communities if the Board takes a broader view.

The Chair introduced the second agenda item, the ARB's 2023 Schedule. The Chair suggested including a note stating that the May meeting dates are subject to Town Meeting schedule. Mr. Lau moved to approve the January through July 2023 meeting schedule as submitted, Ms. Tintocalis seconded, approved 5-0.

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

John Worden said he is glad that meetings are in person again but it was difficult to hear without additional amplification in the room. Mr. Worden said that some of the worst ideas he has read are included on the Zoning Recommendations in Recent Plans document. Mr. Worden asked the Board to consider establishing an institutional zone in town which would include cemeteries, playgrounds, libraries, Town Hall, fire stations, police stations, churches, and so on in order to take these properties out of R1 zoning. Then the 1.5% General Land Area Minimum requirement in the town will be met. Mr. Worden said that in his opinion is that there is not a housing shortage but a shortage of housing that people can afford. Small houses in town could go to starting families or older people downsizing but they never make it to the market. There should be zoning to protect the smaller homes for ordinary people to purchase. Mr. Worden said that he thinks that mixed-use should require at least 20% commercial space so it is not an excuse to build a big apartment complex. Mr. Worden said that regarding MBTA Communities that we have the responsibility to not sell neighbors in East Arlington down the river in order to satisfy the whims of whomever proposed that stupid legislation.

Carl Wagner said it is so important that ACMi is here to record this meeting and he is glad to hear that there will soon be hybrid meetings, as there are only four members of the public in attendance this evening. Mr. Wagner welcomed Ms. Ricker, the Town's new Director of Planning and Community Development. Mr. Wagner agreed with Mr. Worden that it is difficult to hear the Board, that the audio in the room needs improvement for future meetings. Mr. Wagner said the MBTA density requirement of 15 units per acre is already achieved in Arlington. Mr. Wagner said it is frustrating that we in Massachusetts could not fix the MBTA overlay to acknowledge what Arlington has already done with building good density. Mr. Wagner said he hopes that we can consider if we need this Mass. Housing money or if we can fight as a group of communities in Massachusetts to acknowledge that Arlington is already dense. Mr. Wagner said that he would like to point out there are some very good things in the Zoning Recommendations in Recent Plans document for affordability and climate resiliency, but there are also some detestable options. Mr. Wagner asked if people realize that making single family housing could become something that you potentially need to get a special permit for or for making a building with only

one floor might be illegal. Mr. Wagner said he thinks that the Town Manager, and by extension the Director of Planning, work for the people who rent and own in Arlington, whether they are business owners or residents. Mr. Wagner said that all of us volunteers who come to meetings or are on commissions have to recognize that we don't work for Metro Boston organizations like MAPC or developers, but for the people who live and work in the town already. We know there is a housing crisis but it is not a quantity crisis but an affordability crisis. There is so much housing but it is not in Arlington, Arlington is the second most dense town in Massachusetts. We need to get affordability, climate resiliency, equity and inclusion, and diversity of people and homes and building structures. We have to work to, as Mr. Worden said, not to sell people down the river, like East Arlington, to have their neighborhoods suddenly destroyed by huge multi-family units that do not have any rules on them. Mr. Wagner said that we have to say single family homes are ok too.

The Chair asked Ms. Lynema to clarify whether Arlington does, or does not, currently meet the density requirements. Ms. Lynema said that the density calculation has not been completed yet, but Arlington does not allow any multifamily homes by right, which is a requirement for MBTA Communities. Ms. Lynema said that Arlington has to have a zoning district of reasonable size, at least 32 acres, which does not need to be connected to Alewife. That district has to allow at least three-family homes by right.

With no other members of the public wishing to speak the Chair closed the Open Forum portion of the meeting.

The Chair introduced the fourth agenda item, New Business. Ms. Ricker said that as part of the Board's goal to look at commercial design guidelines, Ms. Ricker is currently reviewing a draft RFQ. Ms. Ricker announced that the Town's Senior Transportation Planner is leaving the Town. Ms. Ricker said she and Ms. Lynema are reviewing applications for the Economic Coordinator position.

Mr. Lau asked if there are any upcoming Special Permit hearings for new projects. Ms. Lynema gave an update including the applications that the Department has received so far. Mr. Lau asked if it is possible that some applicants have been waiting for Attorney General approval of recent zoning amendments before submitting applications.

Mr. Benson said he wanted to mention that in the spring the MBTA started the Better Bus Project that is not good for Arlington. Mr. Benson said he is not sure if the Select Board commented on it, but other communities weighed in and reviewed the negative aspects for their communities. Mr. Benson said that the 67 bus would be eliminated, which is one of the major bus routes from Alewife, as would the 84 bus that goes from Alewife to Arlington Heights; the frequency of the 78 bus would be reduced. There are plans to create a 54 bus from Arlington center to Waltham, but not to the business centers in Waltham. Mr. Benson said that the T is having another Better Bus Project zoom meeting in November to review their plans. Mr. Benson said that this concerns him because the T would be eliminating a good number of public transportation routes, and routes to Alewife.

The Chair announced that there are a number of decision points for the next meeting and the Board needs to come up with a plan in order to begin hybrid meetings.

Mr. Lau moved to adjourn, Mr. Benson seconded, approved 5-0.
Meeting adjourned.