



TOWN CLERK'S OFFICE  
ARLINGTON, MA 02174

2023 MAY -2 AM 9:19

Town of Arlington  
Zoning Board of Appeals  
23 Maple Street  
Arlington, Massachusetts 02476  
781-316-3396  
[www.arlingtonma.gov](http://www.arlingtonma.gov)

### LEGAL NOTICE

Notice is herewith given in accordance with the provisions of Section 3.2.3A of the Zoning Bylaws that there has been filed by **Julie Gibson and Christopher Scalzilli** of Arlington, MA. On April 12, 2023 a petition seeking permission to alter their property located at **12 Puritan Road - Block Plan 143.0-0007-0010.B** Said petition would require a Special Permit under **Section 5.9.2(B)(1)(Paragraph 5)** of the Zoning Bylaw for the Town of Arlington.

A hearing in regards to the petition will be conducted remotely via "Zoom" **Tuesday evening at 7:30 P.M on May 23, 2023 as soon thereafter as the petitioner may be heard. To join the meeting, please register using the following URL:**  
<https://www.arlingtonma.gov/town-governance/boards-and-committees/zoning-board-of-appeals/zba-calendar> and choose the date of the meeting you wish to attend.

**For documentation relating to this petition, visit the ZBA website 48 hours prior to the hearing at <https://www.arlingtonma.gov/town-governance/boards-and-committees/zoning-board-of-appeals/agendas-minutes>**

**DOCKET NO 3749**

Zoning Board of Appeals  
Christian Klein, RA, Chair

Please direct any questions to: **ZBA@town.arlington.ma.us**

**REQUEST FOR SPECIAL PERMIT**

**TOWN OF ARLINGTON**

In the matter of the Application of **Julie Gibson and Chris Scalzilli**

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to the Zoning Board of Appeals for the Town of Arlington:

Application for a Special Permit is herewith made, in accordance with Section 3.3 of the Zoning Bylaw of the Town of Arlington, Massachusetts, seeking relief from the following specific provisions of the Zoning Bylaw, and as described fully in the attached form, *Special Permit Criteria*:

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**Section 5.9.2.B(1)(iii) which requires that by-right ADU conversions must be a minimum of 6 feet from a property line and that proposed ADUs closer than 6 feet to a property line require a Special Permit. Proposed ADU is 3 feet from side property line.**

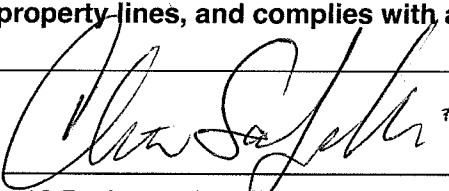
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The Applicant states he/she/they is/are the owner/occupant of the land in Arlington located at 12 Puritan Rd, Arlington, MA 02476 with respect to such relief is sought; that no unfavorable action has been taken by the Zoning Board of Appeals upon a similar petition regarding this property within the two (2) years next immediately prior to the filing hereof. The applicant expressly agrees to full compliance with any and all conditions and qualifications imposed upon this permission, whether by the Zoning Bylaw or by the Zoning Board of Appeals, should the same be granted. The Applicant represents that the grounds for the relief sought are as follows:

**Our proposed ADU conversion will further the goals of Section 5.9.2 A (1-4) and will not be substantially more detrimental to the neighborhood than the (continued) use of the accessory building as a garage or other allowed us. The proposed ADU conversion is not taller than the existing structure, will not be closer to any property lines, and complies with all other requirements of Section 5.9.2 B**

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E-Mail: julie.gibson@gibsonsir.com

Signed: 

Date: 4-11-2023

Telephone: (781) 771-5760

Address: 12 Puritan Rd, Arlington, MA 02476

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**Special Permit Criteria:** Per Section 3.3.3 of the Zoning Bylaw, a Special Permit shall only be granted upon the Board's determination that the benefits of the proposed project will outweigh its adverse effects. The responses provided below will inform the Board as to whether the standards for approval have been met.

A). Indicate where the requested use is listed in the Table of Use Regulations as allowed by Special Permit in the district for which the application is made or is so designated elsewhere in the Zoning Bylaw.

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**Section 5.4.3 Class of Use. Accessory Uses. Accessory Dwelling**

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B). Explain why the *requested use is essential or desirable to the public convenience or welfare.*

**Our proposed ADU conversion will further the goals of Section 5.9.2 A: 1) to provide the use of ADUs a means for Arlington property owners to age in place, to create living spaces for elderly or disabled family members, to downsize and to earn supplemental income. 2) to help residents grow their own property values. 3) to encourage housing for people of all income levels and ages. 4) to encourage the orderly expansion of the tax base.**

C). Explain why *the requested use will not create undue traffic congestion; or unduly impair pedestrian*

**Converting our existing 300 square foot (sf) single-story accessory building to a 520 sf single-story ADU will provide a means for my elderly father to live with us. He has one vehicle which he will park on our property. We live at the end of a quiet dead-end street and there is no through traffic. One additional adult driver will not create an undue burden to traffic or pedestrians in this, or any other foreseeable situation.**

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D). Explain why *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 any other area of the Town will be unduly subjected to hazards affecting health, safety or the general welfare.*

**One additional adult family-member living on our property will not overload any municipal systems any more than a family of five people buying a house from a family of four people would. This is the mere conduct of ordinary life in a residential neighborhood, fulfilling the purpose for which those municipal systems were created.**

**The construction of the ADU furthers Arlington's goals and would be allowed by-right on our property were the existing accessory structure 6 feet from the property line. That it is 3 feet from the property line has no bearing on traffic, pedestrian safety, nor the loading of municipal systems.**

E). Describe how any special regulations for the use, as may be provided in the Zoning Bylaw, including but not limited to the provisions of Section 8 are fulfilled.

**Our proposed ADU conversion and 220 sf expansion of a 300 sf accessory building 3 feet from the side property line will not increase the existing non-conformity. See Section 8, specifically Section 8.1.3. The building will not become higher and will not get closer to any property lines**

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

**Our proposed ADU conversion will further Arlington's goals. per Section 5.9.2 A, and will conform to all density, dimensional, and other zoning requirements. It will be no different than any by-right residential project.**

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G). Explain why *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.*

**Again, our proposed ADU conversion will further Arlington's goals. per Section 5.9.2 A, will meet all applicable codes, and will done to create living space for one additional family member to family of four people.**

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**TOWN OF ARLINGTON**  
 Dimensional and Parking Information  
 For Applications to the Zoning Board of Appeals

1. Property Location: 12 Puritan Rd, Arlington, MA 02476 Zoning District: R1

2. Present Use/Occupancy: Single Family Residential No. of dwelling units 1

3. Existing Gross Floor Area (refer to Section 5.3.22 of the Zoning Bylaw and provide supporting documentation [worksheet and drawings] showing dimensions of GFA by floor):  
2550 Sq. Ft.

4. Proposed Use/Occupancy: Residential No. of dwelling units 2 (1 SFR + 1 ADU)

5. Proposed Gross Floor Area (refer to Section 5.3.22 of the Zoning Bylaw and provide supporting documentation [worksheet and drawings] showing dimensions of GFA by floor):  
2770 Sq. Ft.

	Present Conditions	Proposed Conditions	Min. or max Required by Zoning
6. Lot size (Sq. Ft.)	8772sf	8772sf	min.
7. Frontage (Ft.)	40.00'	40.00'	min.
8. Floor area ratio	.29	.315	max.
9. Lot Coverage (%)	.27	.29	max
10. Lot Area per Dwelling Unit (Sq. Ft.)	8772sf	4386sf	min.
11. Front Yard Depth (Ft.)	11.1'	11.1'	min.
12. Left Side Yard Depth (Ft.)	36.8'	36.8'	min.
13. Right Side Yard Depth (Ft.)	3'	3'	min.
14. Rear Yard Depth (Ft.)	10.1'	10.1'	min.
15. Height (Stories)	2	2	max.
16. Height (Ft.)	30'	30'	max.
17. Landscaped Open Space (Sq. Ft.) Refer to Section 2 in the Zoning Bylaw.	5400sf	5180sf	
17A. Landscaped Open Space (% of GFA)	211%	187%	min.
18. Usable Open Space (Sq. Ft.) Refer to Section 2 in the Zoning Bylaw.	3055sf	2855sf	
18A. Usable Open Space (% of GFA)	120%	104%	min.
19. Number of Parking Spaces	4	4	min.
20. Parking area setbacks (if applicable)	n/a	n/a	min.
21. Number of Loading Spaces (if applicable)	n/a	n/a	min.
22. Type of construction	Type V	Type V	N/A
23. Slope of proposed roof(s) (in. per ft.)	2:12	2:12	min.

**TOWN OF ARLINGTON**  
 Open Space / Gross Floor Area Information  
 For Applications to the Zoning Board of Appeals

Refer to Section 2: *Definitions*, and Section 5: *District Regulations* in the Zoning Bylaw of the Town of Arlington before completing this form.

**Address:** 12 Puritan Rd

**Zoning District:** R1

**OPEN SPACE\***

	<b>EXISTING</b>	<b>PROPOSED</b>
Total lot area	8772 sf	8772 sf
Open Space, Usable	_____	_____
Open Space, Landscaped	_____	_____

\* Refer to the Definitions in Section 2 of the Zoning Bylaw.

**GROSS FLOOR AREA (GFA) †**

Accessory Building	300 sf	520 sf
Basement or Cellar (meeting the definition of Story, excluding mechanical use areas)	_____	_____
1 <sup>st</sup> Floor	1200 sf	1200 sf
2 <sup>nd</sup> Floor	950 sf	950 sf
3 <sup>rd</sup> Floor	_____	_____
4 <sup>th</sup> Floor	_____	_____
5 <sup>th</sup> Floor	_____	_____
Attic (greater than 7'-0" in height, excluding elevator machinery, or mechanical equipment)	_____	_____
Parking garages (except as used for accessory parking or off-street loading purposes)	_____	_____
All weather habitable porches and balconies	_____	_____
<b>Total Gross Floor Area (GFA)</b>	<b>2540 sf</b>	<b>2770 sf</b>

† Refer to Definition of Gross Floor Area in Section 2 and Section 5 of the Zoning Bylaw.

**REQUIRED MINIMUM OPEN SPACE AREA**

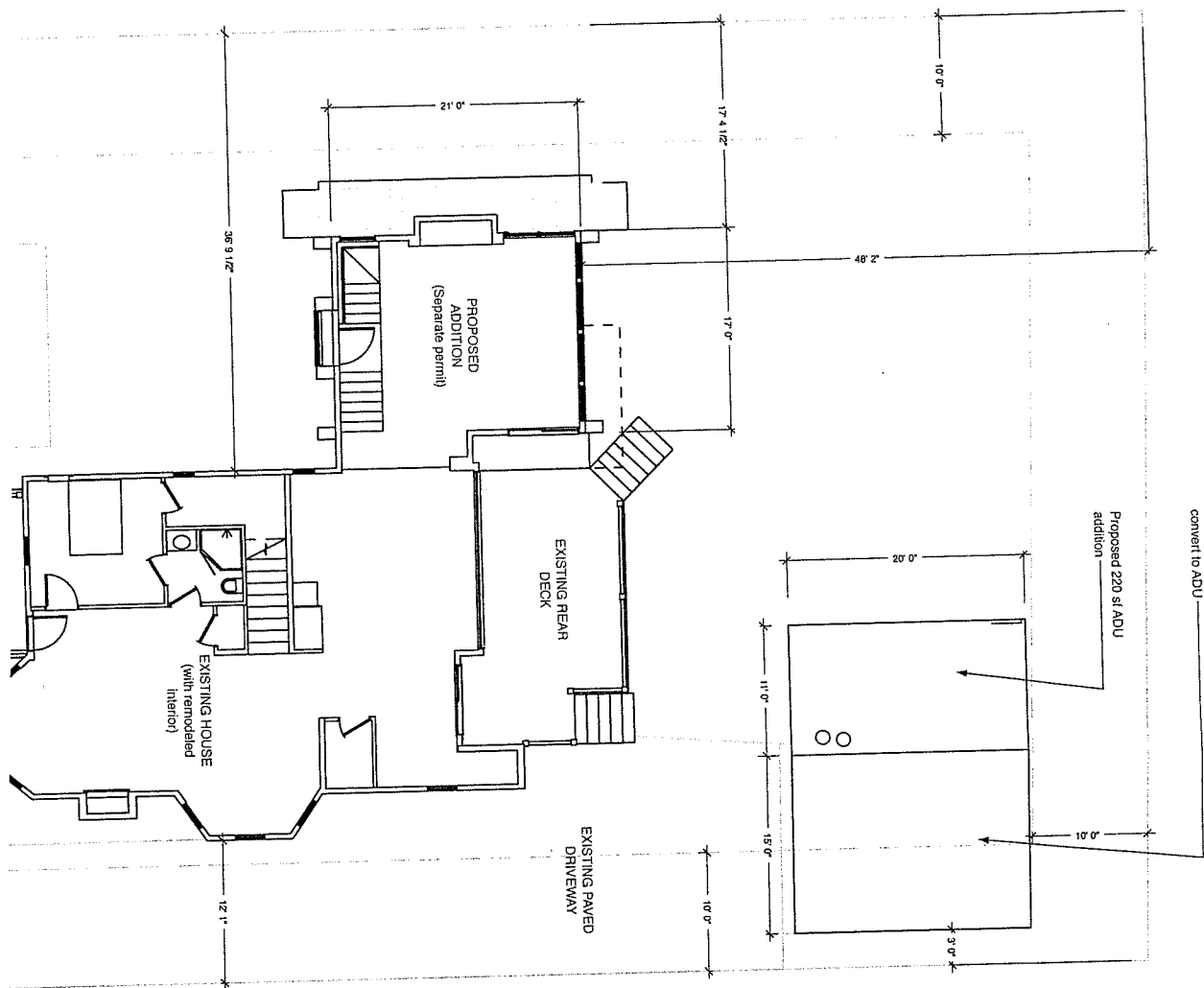
Landscaped Open Space (Sq. Ft.)	5400sf	5180 sf
Landscaped Open Space (% of GFA)	211%	187%
Usable Open Space (Sq. Ft.)	3055sf	2835sf
Usable Open Space (% of GFA)	120%	102%

This worksheet applies to plans dated 4-11-2023 designed by Brad O'Donnell

Reviewed with Building Inspector: \_\_\_\_\_ Date: \_\_\_\_\_

Existing 300 sq  
Accessory Building.  
convert to ADU

Proposed 220 sq ADU  
addition



	Present Condition	Proposed Condition
Gross Floor Area (Sq. Ft.)	2550	2770
Lot Size (Sq. Ft.)	8772	8772
Floor Area Ratio	.29	.315
Lot Coverage (%)	27%	29%
Lot Area per Dwelling Unit	8772	4386
Front Yard Depth (ft.)	11.1'	11.1'
Left Side Yard Depth (ft.)	36.8'	36.8'
Right Side Yard Depth (ft.)	12.1'	12.1'
Right Side Yard Depth ADU	3'	3'
Rear Yard Depth (ft.)	48.2'	48.2'
Rear Yard Depth ADU	10.1'	10.1'
Height (stories)	2	2
Height (stories) ADU	1	1
Height (ft.)	30'	30'
Height (ft.) ADU	15'	15'
Landscaped Open Space (Sq. Ft.)	5400	5180
Landscaped Open Space (% of GFA)	211%	187%
Usable Open Space (Sq. Ft.)	3055	2835
Usable Open Space (% of GFA)	120%	102%
Number of Parking Spaces	4	4
Parking area setbacks	N/a	N/a
Type of Construction	Type V	Type V
Minimum roof slope	2:12	2:12

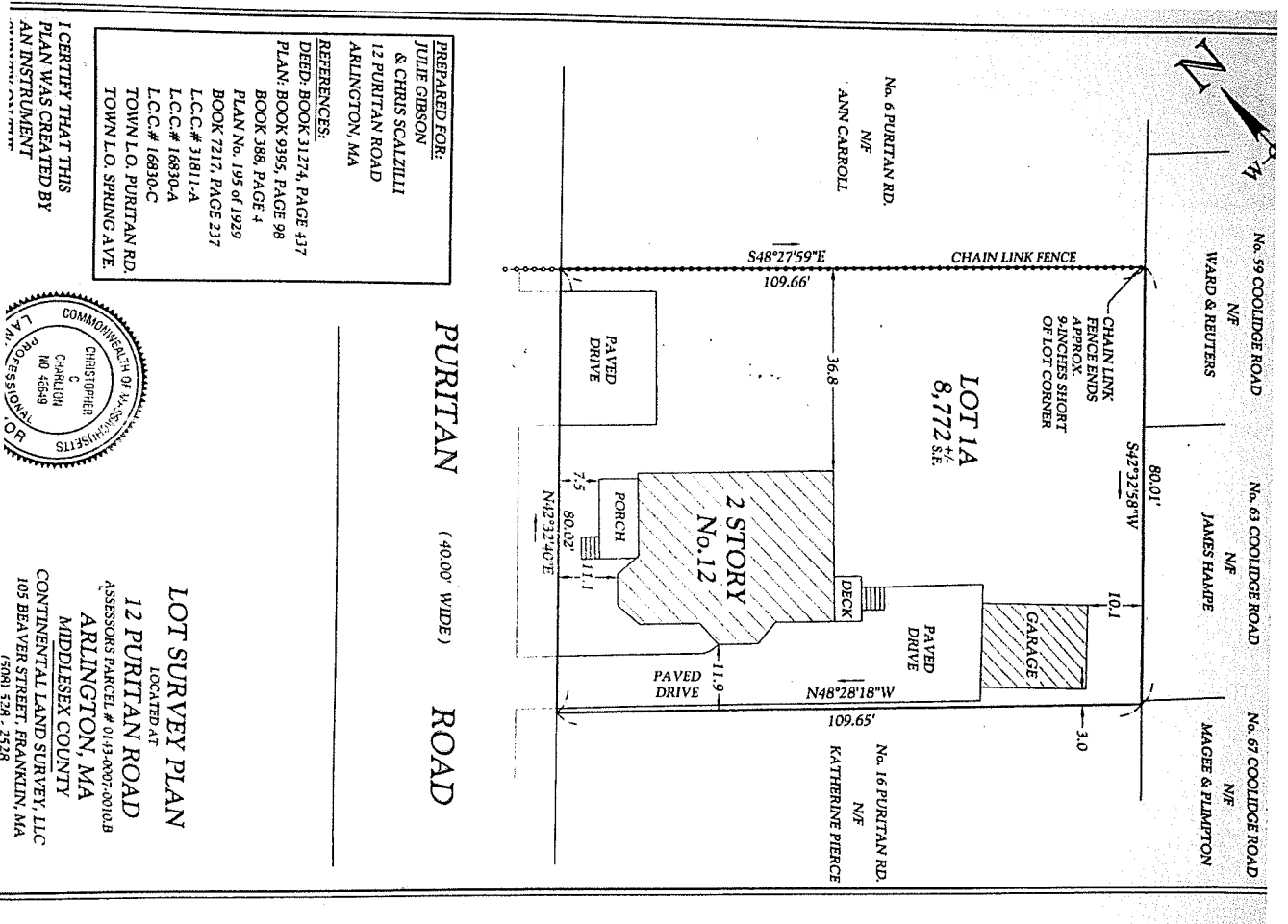
# ADU Conversion

At the  
Gibson/Scazilli Residence

12 Puritan Road  
Arlington MA, 02476

by

**Brad O'Donnell**  
for Black Cedar Studio, LLC  
CA Architect's License no. 33785



**PREPARED FOR:**  
JULIE GIBSON  
& CHRIS SCALZILLI  
12 PURITAN ROAD  
ARLINGTON, MA

**REFERENCES:**  
DEED: BOOK 31274, PAGE 437  
PLAN: BOOK 9395, PAGE 98  
BOOK 388, PAGE 4  
PLAN No. 195 of 1929  
BOOK 7217, PAGE 237  
L.C.C.# 31811-A  
L.C.C.# 16830-A  
L.C.C.# 16830-C  
TOWN L.O. PURITAN RD.  
TOWN L.O. SPRING AVE.

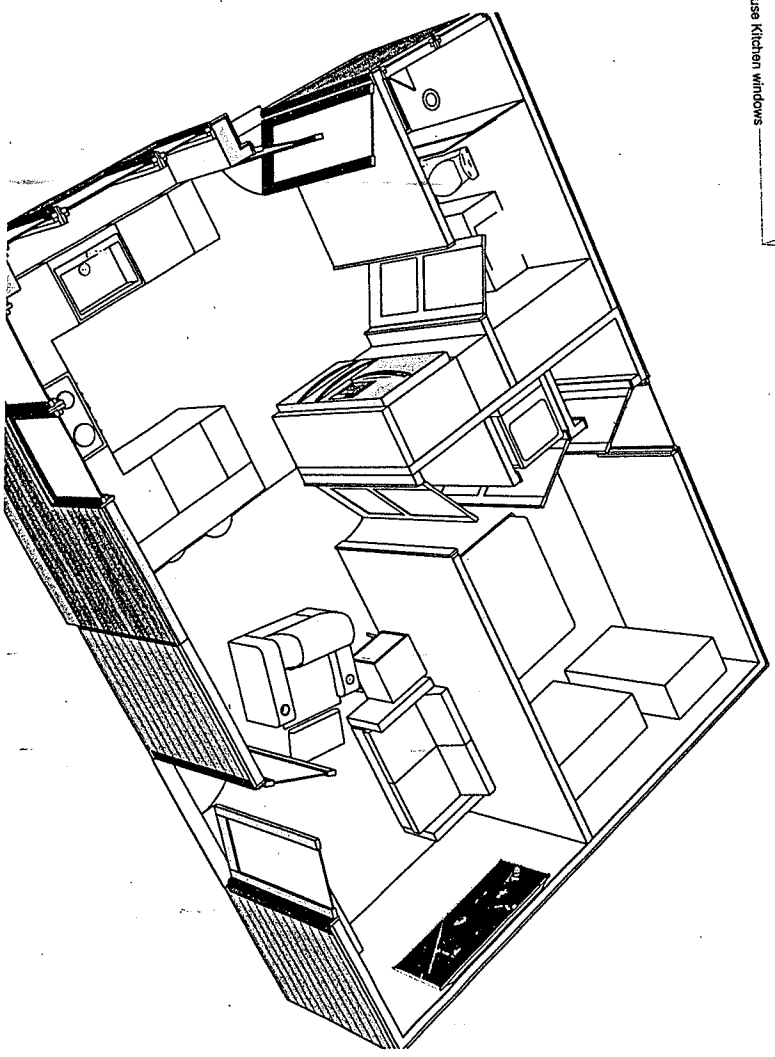
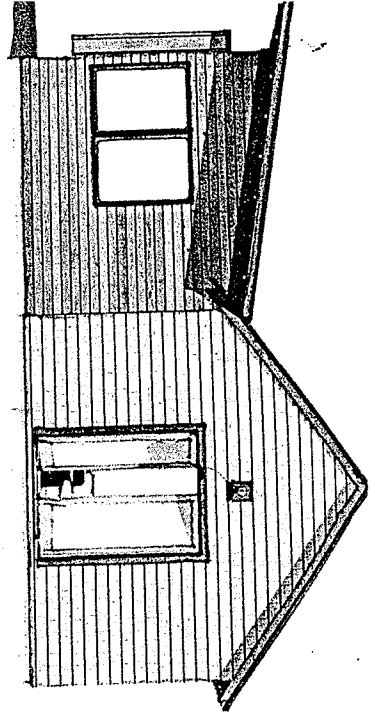
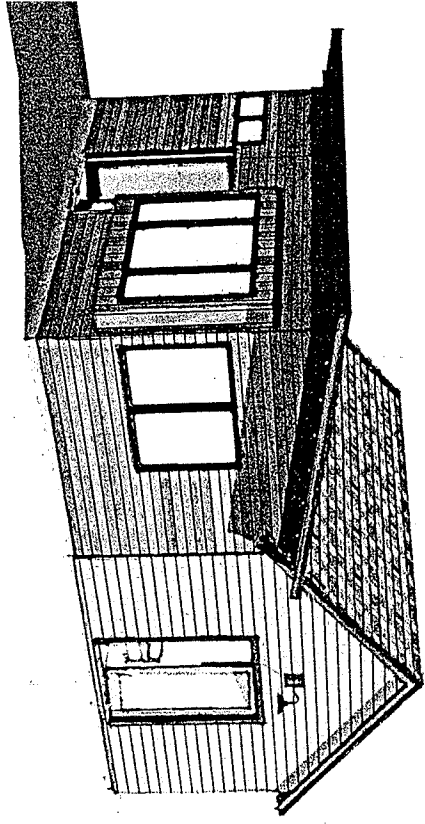
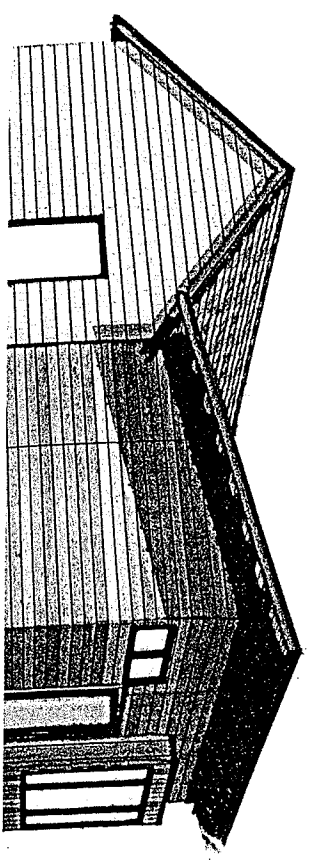
I CERTIFY THAT THIS  
PLAN WAS CREATED BY  
AN INSTRUMENT



**LOT SURVEY PLAN**  
LOCATED AT  
**12 PURITAN ROAD**  
ARLINGTON, MA  
MIDDLESEX COUNTY  
CONTINENTAL LAND SURVEY, LLC  
105 BEAVER STREET, FRANKLIN, MA  
(508) 528 - 2528

**PURITAN ROAD** (40.00' WIDE)





Remove Kitchen windows

