

REQUEST FOR SPECIAL PERMIT

TOWN OF ARLINGTON

In the matter of the Application of 10 Sunnyside Avenue 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*:

10 Sunnyside Avenue seeks zoning relief via Chapter 40 B for the following requirements: Section 5 Subsection 5.3.17, Section 5, Table 5.5.2.A, Section 5, Subsection 5.3.21.A.2.D, By-law Section 6, Subsection 6.1.2 and the Bicycle Parking Design Guidelines, Buy-Law Section 6, Subsection 6.1.4, By-law Section 6, Subsection 6.1.11 (c)(11), By-law Section 6, Subsection 6.1.11(c)(3), By law Section 6, Subsection 6.1.11(D)(1)-(6), By-law Section 5, Subsection 5.3.7(A) and (B), Title IX, Article 3, Sections 4A and 4B Enforcement and Fees and Comprehensive Permit Requirement for Statement on impact on Municipal Facilities.

The Applicant states he/she/they is/are the owner/occupant of the land in Arlington located at

10 Sunnyside Avenue 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:

10 Sunnyside Avenue seeks zoning relief via Chapter 40 B for the following requirements: Section 5 Subsection 5.3.17, Section 5, Table 5.5.2.A, Section 5, Subsection 5.3.21.A.2.D, By-law Section 6, Subsection 6.1.2 and the Bicycle Parking Design Guidelines, Buy-Law Section 6, Subsection 6.1.4, By-law Section 6, Subsection 6.1.11 (c)(11), By-law Section 6, Subsection 6.1.11(c)(3), By law Section 6, Subsection 6.1.11(D)(1)-(6), By-law Section 5, Subsection 5.3.7(A) and (B), Title IX, Article 3, Sections 4A and 4B Enforcement and Fees and Comprehensive Permit Requirement for Statement on impact on Municipal Facilities.

E-Mail: eschwarz@housingcorporarlington.org Signed: _____ Date: 3/20/2023

Telephone: 781-859-5294 ext. 1 Address: 252 Massachusetts Avenue, Arlington, MA 02474

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.

See attached Comprehensive Permit Drawing set dated 3/9/2023 prepared by Utile Design

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

See attached Impact Analysis Report stating how 10 Sunnyside Avenue is adherent to the Housing and Master Plans of the Town of Arlington

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

See attached Traffic Impact Study prepared by Nitsch Engineering

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.*

See Impact Analysis Report prepared by Samiotes Consultants, Inc.

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.

See attached Impact report provided by Samiotes Consultants, Inc.

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.

See attached Impact report provided by Samiotes Consultants, Inc.

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.*

See attached Impact report provided by Samiotes Consultants, Inc.

3). Describe how desirable relief may be granted without substantial detriment to the public good.

See attached Impact Analysis Report prepared by Samiotes Consultants, Inc.

4). Describe how desirable relief may be granted ... without nullifying or substantially derogating from the intent or purpose of the Zoning Bylaw of the Town of Arlington, Massachusetts.

See attached Impact Analysis Report prepared by Samiotes Consultants, Inc.

State Law (MGL Chapter 40a, Section 10) requires that the Zoning Board of Appeals must find that all four (4) criteria are met in order to be authorized to grant a Variance. If any one of the standards is not met, the Board must deny the Variance.

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: 10 Sunnyside Avenue **Zoning District:** B4

<u>OPEN SPACE*</u>	EXISTING	PROPOSED
Total lot area	16,500 sf	16,500 sf
Open Space, Usable	none	2,000 sf
Open Space, Landscaped	none	1,500 sf

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

GROSS FLOOR AREA (GFA) †

Accessory Building	n/a	n/a
Basement or Cellar (meeting the definition of Story, excluding mechanical use areas)	2,700 sf	n/a
1 st Floor	5,253 sf	3,408 sf
2 nd Floor	270 sf	11,520 sf
3 rd Floor	n/a	11,520 sf
4 th Floor	n/a	11,520 sf
5 th Floor	n/a	11,038 sf
Attic (greater than 7'-0" in height, excluding elevator machinery; or mechanical equipment)	n/a	n/a
Parking garages (except as used for accessory parking or off-street loading purposes)	n/a	n/a
All weather habitable porches and balconies	n/a	2,000 sf
Total Gross Floor Area (GFA)	8,223 sf	49,006 sf

† 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.)	4,900 sf	1,500 sf
Landscaped Open Space (% of GFA)	10%	3%
Usable Open Space (Sq. Ft.)	9,801 sf	2,000 sf
Usable Open Space (% of GFA)	20%	4%

This worksheet applies to plans dated 3/9/2023 designed by Utile Design

Reviewed with Building Inspector: _____ Date: _____

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

1. Property Location: 10 Sunnyside Avenue Zoning District: B4

2. Present Use/Occupancy: Automotive/Vacant No. of dwelling units 0

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):
8,223 Sq. Ft.

4. Proposed Use/Occupancy: Multi-family residential No. of dwelling units 43

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):
49,006 Sq. Ft.

	Present Conditions	Proposed Conditions	Min. or max Required by Zoning
6. Lot size (Sq. Ft.)	16,500	16,500	min. no requirement
7. Frontage (Ft.)	150	150	min. 50
8. Floor area ratio	0.28	2.97	max. 3.00
9. Lot Coverage (%)	28%	81%	max no requirement
10. Lot Area per Dwelling Unit (Sq. Ft.)	0	384	min. no requirement
11. Front Yard Depth (Ft.)	4.2 to 5	2 to 4	min. 0
12. Left Side Yard Depth (Ft.)	1 to 8.7	5.5	min. 0
13. Right Side Yard Depth (Ft.)	81.7 to 118.8	5.5 to 12.25	min. 0
14. Rear Yard Depth (Ft.)	0.4 to 60	5.5	min. 10+(L/10)
15. Height (Stories)	1	5	max. 5
16. Height (Ft.)	unknown	58.167	max. 60
17. Landscaped Open Space (Sq. Ft.) Refer to Section 2 in the Zoning Bylaw.	none	1,500	
17A. Landscaped Open Space (% of GFA)	none	3%	min. 10%
18. Usable Open Space (Sq. Ft.) Refer to Section 2 in the Zoning Bylaw.	none	2,000	
18A. Usable Open Space (% of GFA)	none	4%	min. 20%
19. Number of Parking Spaces	unknown	21	min. 0.25 / DU
20. Parking area setbacks (if applicable)	none	N/A	min. N/A
21. Number of Loading Spaces (if applicable)	none	N/A	min. no requirement
22. Type of construction	unknown	5A over 1A	N/A
23. Slope of proposed roof(s) (in. per ft.)	unknown	1/4":1'	min. no requirement