

From: James Fleming

Sent: Friday, September 15, 2023 9:34 AM

To: Rachel Zsembery; Eugene Benson; Stephen Revilak; Kin Lau; Claire Ricker

Subject: Monday articles feedback

Consider this feedback for the Monday article hearings!

Street Trees

I would recommend that you amend the language, to state something like:

In the Business and Residential Districts, new construction, additions over 50% of the existing footprint, or redevelopment subject to review by the Arlington Redevelopment Board or Zoning Board of Appeals shall provide ~~one~~ public shade trees such the there is one public shade tree at least every 25 linear feet of lot frontage along the public way

I have two concerns about the requiring of street trees:

1)

This applies to cases that might reasonably be encountered by private homeowners -- new construction or +50% of the footprint (i.e. a large addition). The bylaw states that redevelopment "shall provide one public shade tree every 25 linear feet of lot frontage along the public way", and that the redevelopment may deviate from this by working with DPCD.

I am concerned because there are a lot of street trees now, such that a tree cannot be provided every 25 feet. For reference, we had two trees in front of our 50' lot, so we would not have been able to provide two more trees and meet that standard.

I am also concerned that, in such a case, redevelopment by private homeowners would have to go through another town department. Currently we only have to go through ISD or, in special permit cases, the ZBA. Add DPCD and this will create additional friction to homeowners' redevelopment -- for us it took 6 months to get through permitting.

2)

In the event of a redevelopment and sale to another party, how is the new homeowner to know that they are required, by law, to water the tree for 3 years, and to a certain standard? My suspicion is this will result in a lot of under-watered trees.

Granted, some trees may survive without being watered to this standard. If that is the case, please be prepared to acknowledge this issue, and that this is part of the intent.

Minimum Height In Business Districts

I understand why the ARB might want to impose a minimum, but it feels so unnecessary. Rising land values and the cost of purchasing property mean buildings get taller over time; it would never make financial sense to demolish a 1 story building and rebuild an identical 1 story building. If such an event were to happen (as I understand happened once in town), it would be the exception, not the norm, and wasteful. I don't think the town needs to concern itself with a poor financial choice from a private property owner.

If you choose to keep the article, there is a scrivener's error that reminds me of the Monty Python sketch -- 25 *wafer thin* stories!

B District Building Height and Floor Area Ratio Regulations

District Use	Minimum Allowed		Maximum Allowed
	Minimum Height (ft.)	Minimum Height (stories)	
B1			
Single-family detached dwelling, two-family dwelling, duplex dwelling, three-family dwelling	----	----	
Mixed-use	<u>2</u>	<u>25</u>	
Any other permitted use	<u>2</u>	<u>25</u>	
B2			
Single-family detached dwelling, two-family dwelling, duplex dwelling, three-family dwelling	----	----	
Townhouse or apartment building	----	----	
Mixed-use <= 20,000 sq. ft.	<u>2</u>	<u>25</u>	
Mixed-use >20,000 sq. ft.	<u>2</u>	<u>25</u>	
Any other permitted use	<u>2</u>	<u>25</u>	

- James Fleming, 15 Melrose St