Arlington Redevelopment Board
Monday, October 2, 2023, 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, Stephen Revilak

STAFF: Claire Ricker, Director, Planning and Community Development

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The Chair called the meeting of the Board to order.

The Chair opened with **Agenda Item 1 – Review Meeting Minutes.**

September 11, 2023 – The Board had no comments on the minutes. The Chair requested a motion to approve the September 11 minutes. Mr. Lau so moved, Mr. Benson seconded, and the Board voted unanimously in favor.

September 18, 2023 – The Board had no comments on the minutes. The Chair requested a motion to approve the September 18 minutes. Mr. Lau so moved, Mr. Benson seconded, and the Board voted unanimously in favor.

The Chair moved to **Agenda Item 2 – Public Hearing: Warrant Articles for Fall 2023 Special Town Meeting.**

ARTICLE 12 – MBTA COMMUNITIES OVERLAY DISTRICT

Ms. Ricker, on behalf of the Department of Planning and Community Development (DPCD), the MBTA Communities Working Group, and the consultant Utile, presented information requested by the Board on September 11, 2023. This information resulted in the creation of two primary alternatives and multiple scenarios for the MBTA Communities district, most of which are related to maximum height and parking requirements. The scenarios all consist of two districts: the Neighborhood Multi-Family (NMF) district and the Massachusetts Avenue/Broadway Multi-Family (MBMF) district.

Alternative 1 – The district stretches from East Arlington to the Lexington town line. It avoids the future zoning study area for an Arlington Heights business district and avoids all commercial and industrial parcels. In East Arlington, the depth of the NMF District is limited to approximately 150 feet from the main thoroughfares of Mass Ave and Broadway, allowing for a one- to two-parcel transitional height area of four stories into the R1 and R2 districts. In Arlington Heights, in order to maintain the future zoning study area for the business district, the overall depth of the NMF District from the center line of Mass Ave is 350 feet.

Alternative 1	acres	total units	units/ acre
4-story max 1 parking space max	109	7,268	67

Alternative 2 – The district in East Arlington is the same as in Alternative 1. It also avoids the future zoning study area for an Arlington Heights business district and avoids all commercial and industrial parcels. In Arlington Heights, the district does not stretch all the way to the Lexington town line; the NMF District extends to the north of Mass Ave. It includes Grove Street and the Forest/Clark/Pierce Streets area.

Alternative 2	acres	total units	units/ acre
4-story max 1 parking space max	115	7,391	65

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On September 11, the Board asked DPCD and the Working Group go back and model the following scenarios:

- Model the NMF Family District with a three-story height maximum instead of four.
- Model a minimum parking requirement of one space per unit instead of a parking maximum requirement of one space per unit.
- Model a zone that eliminates the proposed overlay east of Orvis Road directly on Mass Ave in anticipation of a future Redevelopment Board zoning study of the East Arlington business districts, but retains the NMF area to maintain contiguity.
- Model a zone that eliminates all proposed overlay parcels east of Orvis Road, including the NMF area.

Scenario 1 – NMF District with three-story height maximum.

Scenario 1 (original district Alt 2)	**acres**	**total units**	**units/ acre**
1: 3-story max 1 parking space max	115	6,330	55

Scenario 2 – NMF District with parking minimum of one space per unit.

Scenario 2 (original district Alt 2)	**acres**	**total units**	**units/ acre**
2a: 3-story max 1 parking space min	115	3,351	29
2b: 4-story max 1 parking space min	115	3,939	34

Scenario 3a – Remove parcels on Mass Ave east of Orvis Rd but maintain enough of the NMF District east of Orvis Road to maintain contiguity.

Scenario 3a (original district Alt 2 w/o Mass Ave east of Orvis)	**acres**	**total units**	**units/ acre**
3a.1: 4-story max 1 parking space max	113	7,137	64
3a.2: 3-story max 1 parking space max	113	6,012	54
3a.3: 3-story max 1 parking space min	113	3,184	28.5

Scenario 3b – Remove all parcels on Mass Ave east of Orvis Rd.

Scenario 3b (original district Alt 2 w/o ALL east of Orvis)	**acres**	**total units**	**units/ acre**
3b.1: 4-story max 1 parking space max	104	6,570	64
3b.2: 3-story max 1 parking space max	104	5,594	54.6
3b.3: 3-story max 1 parking space min	104	2,966	29

Ms. Ricker moved on to discuss historic properties. She shared a map of historic properties in the MBTA Communities zone, most of which are clustered along Mass Ave. It is necessary to include them in the zone as a matter of contiguity, as the parcels that front Mass Ave in those areas are commercially zoned. She also shared a chart showing the number of historic properties in the zone and their level of distinction. Three different levels exist – National Register, State

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Inventory (MACRIS), and Local Inventory. Historic properties will continue to be subject to design review and demolition delay, and the MBTA Communities overlay does not include historic districts.

Ms. Ricker shared the Compliance Check, summarizing the district size, capacity, and density for the various scenarios.

The Chair opened discussion of **Article 12: MBTA Communities Overlay District**.

The decision points for the Board for this meeting include:

- Three or four stories in the NMF District.
- Eliminate some or all parcels east of Orvis Road, in preparation for a future study.
- Alternative 1 (including Paul Revere Rd to the Lexington town line) or Alternative 2 (including area of Grove/ Forest/ Clark/ Pierce Streets north of Mass Ave).
- Parking requirement of 0, 0.5, or 1 parking space per unit.
- Include or remove historic properties.

Mr. Benson shared the amendments he made to the main motion of Warrant Article 12 after the September 11, 2023, meeting. These amendments are all reflected in the version of the Article posted with tonight's agenda.

- He added a definition of "as of right development," which he took from the MBTA Communities guidelines.
- He added a definition of "multi-family housing," which he took from the MBTA Communities guidelines.
- He added a definition of "overlay district," which is an amalgam of definitions in a few different places and is consistent with MBTA Communities guidelines.
- He added a definition of "Site Plan Review," which is a combination of the definition and discussion of site plan review in the MBTA Communities guidelines.
- He removed the definition of the Executive Office of Housing and Livable Communities (EOHLC) as unnecessary.
- In the district regulations, he did some rewording. The one substantive change is in Section 5.9.1.C, in which he said that a proposed development on a parcel or parcels only partially located within the new MBTA Communities zone should be subject to the zoning regulations of the underlying district rather than the overlay. This subject is up for discussion tonight, but something needed to be included as a starting point.
- In Section 5.9.3, he made editorial changes, but not substantive changes, to Site Plan Review.
- He made only slight editorial changes to Section 5.9.4.A through 5.9.4.F, Development Standards.
- He rewrote Section 5.9.4.G, Affordable Housing, to reflect what he believed the Board and the MBTA Communities Working Group intended to do. His edits made the affordable housing requirements in the MBTA Communities zone the same as currently exist in Arlington's bylaws, with the proviso that until the EOHLC approves those requirements, the EOHLC standard applies, as required by the MBTA Communities guidelines.

The Chair asked each Board member to list the items they would like to be sure are discussed this evening.

Issues Mr. Benson would like to discuss:

- Reducing the NMF District maximum height to three stories.
- Applying the current off-street minimum parking requirements from Section 6.1 of the zoning bylaw to the MBTA Communities district, rather than the proposed maximum requirement of one parking space per unit. Per Section 6.1.5, the Board could agree to reduce the minimum parking requirement with submittal of a Transportation Demand Management (TDM) Plan.
- Excluding Mass Ave east of Orvis Road.
- Adding a street trees requirement. The easiest way to do that would be to make the overlay district subject to zoning bylaw Section 6.3, which the Board intends to ask Town Meeting to amend.
- Adding solar roof requirements for the MBMF District, making them subject to zoning bylaw Section 6.4.
- Adding signage requirements. The sign bylaw applies both to residential and business districts. The way the overlay is written, it's neither a business nor a residential district, so the sign bylaw has to be applied separately.
- Changing what is currently required to be SITES Certifiable to SITES Gold-Certified or better.
- Adding an additional purpose statement – to encourage environmental and climate protection-sensitive development.
- Removing duplicate requirements and those that don't make sense in context.

- Adding additional requirements for a mixed-use building to qualify for no front-yard setback and extra stories.
- Rethinking what to do with a development that is partially in both the MBMF and NMF districts.
- Adding clarifying language – In the chart in Section 5.9.4.D.(12), the word "minimum" should be added so it's clear that the setback numbers given are minimums. The word "yard" should also be added.
- Possibly changing the setbacks language from requirements specifically about front, side, and rear yards, to requiring a setback minimum of 5 feet on one side and 20 feet on two sides, to give property owners more flexibility about how to use their space.
- Possibly removing the language about step-backs in 5.9.4.D.(7) and instead making developments subject to the step-back requirements in the underlying zoning bylaw. The Board is sending an article with changes to those requirements to Town Meeting, and developments in the overlay zone should be the same as those in the rest of the town.
- Rewriting Section 5.9.4.D.(5) to say that traffic visibility across street corners applies in the NMF district.
- Capitalizing the word "section" in Section 5.9.3.
- Rethinking the language about height buffer areas.

The Chair asked for clarification about Mr. Benson's saying that the business and residential districts are replaced by the new overlay district. Her understanding was that the overlay district is superimposed on the underlying districts but does not replace them, so the business and residential requirements still remain. Mr. Benson said that as he reads it, the overlay district goes over both residential and business districts, and developers have a choice of complying with the requirements of the underlying zoning district or the requirements of the overlay district. The Chair asked for clarification of the Working Group's intent. Mr. Revilak replied that in situations in which the requirements of the underlying zoning and the overlay are different, the intent was that a developer would need to pick which requirements to meet, based on whether or not they intend to build multi-family housing. But in places where the overlay is silent, such as around signage, the underlying zoning would still apply. Mr. Lau agreed with Mr. Revilak. Mr. Benson said that may have been the intent, but that's not how it reads. It becomes complicated to figure out what applies if the underlying zoning applies unless it's modified by the overlay; it's simpler to say that if it's in the overlay, the underlying zoning doesn't apply, and then we add in the things that we want to apply. The Chair said that she has not been reading the article the way Mr. Benson has. She thinks that Section 5.1.9.B, which says "The MBMF and NMF Overlay Districts do not replace existing underlying zoning districts but are superimposed over them," is clear and means that where the overlay zoning is silent, the standards currently in the bylaws are in place. Mr. Benson said that the Board could add something to Section 5.1.9.B to clarify this question.

Issues Mr. Lau would like to discuss:

- How step-backs function on corner lots. As you turn the corner from Mass Ave or Broadway onto a residential street, does the step-back match what's on the residential street?

Issues Mr. Revilak would like to discuss:

- Bonuses – Section 5.9.4.E.(1) does not include anything about which commercial uses are allowed on the ground floor in order to get a bonus of an extra floor, which he thinks the Board should specify. He thinks that an earlier version specified the uses allowed in B2, but that is not reflected in this version.
- A word is missing in Section 5.9.4.E.(2); it should read "second additional story may be added," but the word "story" is missing.
- In Section 5.9.4.F, sub-sections 1 and 4 are redundant, so the Board needs to decide which to include and how to word it.

Issues the Chair would like to discuss:

- Under Section 5.9.2, Purposes, sub-sections B and D are similar and perhaps should be combined.
- She wants to be sure that the solar bylaw applies.
- She has suggested wording for adding more teeth to the green development bonus in Section 5.9.4.E.(3).

The Chair opened discussion about reducing the maximum height in the NMF District from four to three stories.

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- The Chair thinks that in the architectural context of the existing communities, as well as based on what the Board has been hearing from the public, it makes sense to reduce the height to three stories.
- Mr. Lau said that the Working Group talked about this issue extensively. The majority of the neighborhoods are 2.5 stories right now, so they thought that allowing 3 stories would not be enough of an incentive to meaningfully increase housing. The Working Group settled on four stories to incentivize adding new housing. Some four-story buildings have already been built adjacent to the neighborhoods, so it can be done.
- Mr. Revilak has gone back and forth about this issue. He originally thought that four-story buildings would require elevators, but he's realized it's more complicated than that. He likes the idea of four-story buildings, but he thinks many people would be more comfortable with three stories. He thinks there is utility in allowing people go from 2.5 stories to 3 stories. The Zoning Board of Appeals gets a lot of dormer requests from residents who want to expand their properties, implying that many people would take advantage of the option to add a full third story. He is okay with limiting the maximum NMF height to three stories.
- The Chair said that she understood Mr. Lau's perspective, but if the intent is to encourage property owners to turn homes that are currently two-family into three-family homes, she thinks that the expansion from 2.5 to 3 stories does allow for that. Three-family homes would fit into the existing fabric of the neighborhoods seamlessly.
- Mr. Benson agreed with the Chair and Mr. Revilak. The compliance guideline says that the district should encourage the development of multi-family projects of a scale, density, and aesthetic that are compatible with existing, surrounding uses. The neighborhoods on the side streets near Mass Ave and Broadway currently mostly have 2-, 2.5-, and 3-story buildings, so a 3-story maximum would allow for compatible buildings. He also noted that the 3-story maximum would actually allow 3.5-stories, just as the current 2-story maximum allows 2.5-stories. He also did research into the question of what building height would require elevators. The rules for elevators are the same for 3- and 4-story buildings. If the ground floor has an accessible apartment and entrance, an elevator is not required. Realistically, as buildings get taller, developments are more likely to install elevators, but the rules are the same. In consideration of the many comments the Board has received, and of the changes in elevation in the Center and further west, he thinks three stories makes more sense than four.
- The Chair asked Mr. Lau if he could get behind the reduction to three stories. He asked if the rest of the Board would be willing to allow four stories in the NMF as a bonus for adding an affordable unit, because he thinks that without allowing some four-story buildings, the overlay zone won't result in an actual increase in residential units. The Chair said that she thinks that allowing three stories will encourage new units, and Mr. Benson and Mr. Revilak agreed. Mr. Lau said that he doesn't support the reduction from four to three stories.
- Conclusion – The Board is reducing the maximum height in the NMF district to three stories.

The Chair opened discussion about requiring parking minimums, with the possibility of the Board allowing fewer parking spaces.

- Mr. Lau said that if developers have to apply for parking relief through a Special Permit Process, it will discourage them from pursuing projects with less parking. Mr. Benson said that they could be allowed to provide less parking with the submittal of a TDM plan, just as they could be allowed to add additional stories with various bonuses. It will be an as-of-right development, but it includes choices about what developers want to do.
- Mr. Lau said that the Board is pushing for things to help the environment like solar and trees, so saying that we need space for more cars is contradictory. He noted that developers won't build developments that they think they can't sell, so they will generally include parking. But if they think that they don't need the parking because it's close to public transportation, they should have the opportunity to build without it.
- Mr. Revilak said this is another issue he's gone back and forth on. Our society's policy decisions generally cater to and encourage single-occupancy vehicles, and it's one of our most unsustainable practices. The Working Group would prefer that people not build any more parking than absolutely necessary, so they landed on a minimum of 0 and a maximum of 1 space. He said that requiring a minimum of 1 space and allowing reductions with a TDM plan is consistent with the rest of the bylaw. He thinks the Board should provide more residential-specific TDM options since many of them are geared toward mixed use. He'd like to see TDM options that don't leave the applicant asking what else they need to do to get a reduction in parking. He doesn't love the idea of requiring a parking minimum, but he could go along with it. He'd like to consider reducing the minimum to 0.5 spaces per unit.

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- The Chair said that she has also gone back and forth on this issue. The Board has seen developers come in front of them requesting to include fewer parking spaces, so that seems to be naturally occurring. In order to support Arlington's other climate-friendly policies, she could go along with the one space per unit maximum, knowing that the parking spots are not required to be deeded to each individual unit. There may be units that don't need any parking, and others that need more than one spot. That is not unlike the situations the Board regularly reviews regarding mixed-use properties.
- Mr. Revilak said that another option would be for the Board to require one space per unit in the overlay district for the time being, in accordance with the overall bylaw requirement, but revisit the issue of parking in general at a future Town Meeting.
- Mr. Benson referenced a report by the Metropolitan Area Planning Council (MAPC) from February 2017, "Metro Boston Perfect Fit Parking Initiative." They did a survey in five communities, including Arlington, where they found an excess of parking spaces compared to the number of cars. As a result of that, the Board recommended, and Town Meeting approved, a reduction in parking requirements to Arlington's current requirement of one space per unit. According to that report, the average parking demand per unit in Arlington is 1.04; owner-occupied units have an average of 1.7 vehicles per household, and rental units have an average of 1 vehicle per household. That's all consistent with keeping the minimum requirement of one space per unit. A recent report looking at a number of Metro-West communities (not Arlington) also concluded that one space per unit is the right number. That included a lot of places that allow on-street overnight parking, which Arlington does not, so Arlington's need for off-street parking is greater. Arlington is currently running a pilot program allowing overnight parking, which indicates that more parking is needed. The new units built should be available to everyone, including people who need cars, such as older people, people with disabilities, and people whose jobs are not accessible by public transportation or bicycle. Mr. Benson agrees that the Board should create more TDM options for residential properties. The Board has already encouraged developers to separate the parking spaces from the units so that residents aren't guaranteed a parking spot but need to pay for it, and they should continue to do so. He thinks that the parking requirement should be a minimum of one space per unit, as in the rest of the Arlington's residential zoning bylaw, and allow that to be reduced through Site Plan Review, along with more TDM options.
- Mr. Lau strongly disagreed. Parking is the number one issue when it comes to developing multi-family housing. It takes up the largest amount of square footage on the ground floor. By putting another burden on developers, the Board would be essentially saying that they're not encouraging housing. The Board should be encouraging housing, not stagnating and controlling it. They shouldn't plan to look at it at some point in the future, because they're here now to deal with the housing crisis. He's willing to compromise and have a minimum of 0.5 spaces per unit. Developers will still build what they need to sell the units.
- Mr. Revilak is okay with going with a minimum of either 1 or 0.5.
- Mr. Benson said the advantage of going with a minimum of 1 space is that if developers want to do less, they have to provide a TDM, which is a valuable thing to get and require them to implement. If the Board goes with a lesser number, they lose the opportunity to require a TDM.
- The Chair suggested keeping the minimum at one parking spot per unit, but changing the wording of 5.9.4.F.(4), so instead of saying developers may provide fewer parking spaces, saying that they are encouraged to do so, with the submittal of a TDM.
- Mr. Benson thinks that the Board should revisit Section 6.1.5 (Parking Reduction in Business, Industrial, and Multi-Family Residential Zones) of the zoning bylaw at a future Town Meeting in order to encourage developers to provide less parking.
- Mr. Lau said that he still feels strongly that the overlay district should not require a minimum of one parking space per unit, and he does not think they will come to consensus.
- Mr. Revilak said that he thinks they should maintain the last sentence in Section 5.9.4.F.(1), which says that no off-street parking is required for the commercial portion of mixed-use buildings. The rest of the Board agreed.
- Conclusion – the Board will amend Section 5.9.4.F to apply the current off-street parking requirements of Section 6.1 and to encourage developers to provide fewer parking spaces than required by submitting a TDM.

The Chair opened discussion about the parcels east of Orvis Road.

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- The Chair said that the Board has discussed reviewing the East Arlington business district to create more continuity in the zoning. They have identified the corridor of Mass Ave from Orvis Road to the Cambridge border at Alewife Brook Parkway as what they think the boundaries of that business district should be. At some point in the future, the Board would like to rezone some of the parcels currently zoned as residential as business. Including them in the overlay district now as multi-family residential and then rezoning them in the next year or two as business would place an unfair burden on those property owners.
- Mr. Revilak said that he would prefer Scenario 3b, which would remove all the parcels east of Orvis Road, not just those along Mass Ave. When the Board considers the East Arlington business district in the future, he would like to have the option to consider a deeper business district including parcels not fronting Mass Ave. Scenario 3a includes parcels not directly on Mass Ave in the overlay district, so it would eliminate the possibility of including those parcels in the East Arlington business district in the future.
- Mr. Benson said that his preference is Scenario 3a, which retains the parcels just off Mass Ave in the overlay district. He understands Mr. Revilak's preference, but this area is on the 77 bus line and is close to Alewife, so keeping those parcels in the overlay district is more consistent with walkable neighborhoods. It also spreads out the district more appropriately across town.
- Mr. Lau prefers Scenario 3b. He is afraid that if the Board include bits and pieces of the area in the MBTA Communities overlay district, they will be limiting themselves in the future when they study the East Arlington business district. He would prefer to look at both the residential and business areas of East Arlington in a holistic way.
- The Chair noted that a similar situation exists in Arlington Heights, where the NMF district borders the business district. It is somewhat different because of the grade in the Heights, but if they remove all properties east of Orvis Road from the NMF district, they would be treating East Arlington and Arlington Heights differently. Mr. Lau said that he would like to address that issue as well.
- Mr. Benson said that he had not envisioned that the Board would extend the business districts off Mass Ave into the residential neighborhoods. If they can get more height on the buildings on Mass Ave and Broadway, they don't need to use any of the residential areas to add more businesses. If they're going to consider adding businesses anywhere off Mass Ave, it would probably be Lake Street, which already has some businesses on it. In order to encourage housing development, he'd prefer to keep the residential parcels off of Mass Ave in the overlay district.
- Mr. Revilak said that he was concerned about how narrow many of the parcels fronting Mass Ave in East Arlington; if those parcels can be combined with parcels behind them, that creates the potential for higher value commercial buildings.
- The Chair said that only a few parcels are that narrow. She proposed identifying specific parcels that they would like to remove from the NMF in order to create more depth rather than eliminating all parcels.
- Mr. Lau said that the north side of Mass Ave has some deep sites, but the south side doesn't. He said that the Board made a commitment to look at East Arlington along Mass Ave as a whole, and they should do that in the spring, without having put some of the parcels in the overlay district.
- Mr. Benson asked if it would be possible to eliminate the parcels behind shallow parcels fronting Mass Ave and keep the others in. He noted that it might not be possible to do that and maintain a contiguous district. The Chair said that if the Board adds properties within 250 feet of Mass Ave (the current proposal only goes 150 feet from Mass Ave), they could remove some individual parcels and maintain contiguity. Mr. Lau said that extending that much further out from Mass Ave is too big a change to make tonight. The Working Group put a lot of thought into what would be included, and the Board shouldn't just add a lot more without carefully considering all the impacts.
- Mr. Benson asked if owners of the property potentially being added had received notice. Ms. Ricker said that all property owners within 300 feet of the proposed district had been notified, so expanding the zone by 100 feet would not involve new property owners who haven't been notified. Mr. Benson said that he is comfortable adding in parcels up to 250 feet from Mass Ave and removing parcels behind shallow lots fronting Mass Ave.
- Mr. Revilak said that he would be comfortable shifting the included parcels back from Mass Ave, on both sides. Mr. Lau did not like the idea because it feels too rushed. The Chair said that she thinks that it is not rushed, because they have seen many iterations of the map that are deeper in this area. She thinks the district as currently proposed is not deep enough in East Arlington, so she likes the idea of expanding it to 250 feet from Mass Ave.

- Mr. Revilak proposed expanding the district to 250 feet from Mass Ave and removing all parcels less than 150 feet from Mass Ave. The Chair thinks that's too arbitrary, and she would like to see an increase in depth, not hollowing it out. Mr. Benson agreed. Mr. Revilak said that he would prefer to leave more space out of the district to allow for future expansion of the business district, but he's willing to go along with it. Mr. Lau disagreed. The Chair suggested going one parcel deeper on both sides of Mass Ave. Mr. Benson asked if Mr. Lau or Mr. Revilak could explain how the NMF in East Arlington got down to 150 feet from Mass Ave. Mr. Revilak said that the feeling of the Working Group was that the map was too heavy in East Arlington, because there were districts along two corridors, Mass Ave and Broadway.
- The Chair proposed accepting Scenario 3A and extending the NMF district one additional parcel away from Mass Ave between Lake and Henderson Streets on the south side of Mass Ave and between Winter and Henderson on the north side. Mr. Revilak proposed removing the following parcels directly behind narrow lots fronting Mass Ave:
  - ~ one parcel on the west side of Cleveland St, directly behind the two parcels fronting Mass Ave
  - ~ two parcels between Cleveland and Marathon, directly behind the two parcels fronting Mass Ave
  - ~ one parcel on the west side of Windsor St, directly behind the two parcels fronting Mass Ave
  - ~ one parcel on the east side of Amsden St, directly behind the two parcels fronting Mass Ave
  - ~ two parcels on either side of Milton St, directly behind the two parcels fronting Mass Ave
  - ~ two parcels on either side of Thorndike St, directly behind the two parcels fronting Mass Ave
- Conclusion – The Board recommends accepting Scenario 3A, with the caveat of extending the NMF district one additional parcel between Lake and Henderson Streets on the south side of Mass Ave and between Winter and Henderson on the north side, and removing the parcels proposed by Mr. Revilak.

The Chair opened discussion about Alternative 1 versus Alternative 2.

- Mr. Lau said that introducing 3- or 4-story buildings to the Paul Revere Road area, which has a lot of elevation, making the ground floor a story higher in some areas than in nearby buildings, makes it difficult to meaningfully build additional residential or commercial property. Alternative 1 includes those properties in the NMF, and Alternative 2 does not, instead including another area on the other side of Mass Ave that doesn't have the same issues with elevation.
- Mr. Revilak said that he would be comfortable with either Alternative 1 or Alternative 2.
- Mr. Benson said that he would also be comfortable with either alternative, but he noted that there are currently houses on Paul Revere Road, so he doesn't understand why taller buildings couldn't be built there.
- The Chair said that she shares Mr. Lau's concern about taller buildings on Paul Revere Road. It's already challenging for many of the single-family homes there to deal with the grade, and some of them have on-street parking waivers because they were unable to build driveways. Adding multi-family housing there without more on-street parking would be difficult.
- Mr. Revilak noted that the NMF area added in Alternative 2 is close to the Minuteman Bike Path, which is a transportation resource. Mr. Benson asked if any of that area was directly up against the bikeway, and if so, if it would require any different rules. The Chair said that building along the bikeway currently requires a Special Permit, which would no longer be a requirement for areas included in the overlay, which Mr. Revilak and Mr. Lau both said they had no problem with.
- Conclusion – The Board will recommend Alternative 2.

The Chair opened discussion about the question of developments on parcels in more than one district.

- Mr. Benson said that the Board needs to add language to Section 5.9.1 to clarify which zoning requirements would apply to developments on parcels both within and outside the overlay district. He suggested that the underlying zoning district regulations, not the overlay district regulations, would apply.
- Mr. Lau said that such language would change the area in which multi-family development could occur as of right. He suggested that if a development includes parcels both within and outside of the overlay district, the MBTA Communities overlay zoning would apply to the portion of the project on the parcel(s) within the overlay district, and the underlying zoning would apply to the portion of the project parcel(s) outside the overlay district. If the developer wanted to build a taller building over all the parcels, they could apply for a special permit;

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otherwise, they could either build separately on the two parcels, or they could build one building, but it would be allowed to be taller on the parcel in the overlay district than it could be outside of the overlay district.

- Mr. Revilak agreed with Mr. Lau.
- Mr. Benson said that he did not think it would work to have two sets of zoning requirements applying to the same development.
- The Chair said that she agreed with Mr. Benson that one set of zoning requirements should apply to the whole project. Mr. Revilak said that the Zoning Board of Appeals regularly applies different sets of zoning requirements to portions of buildings. He proposed the following wording: "If a proposed development is located on a parcel or parcels only partially within the MBMF or MNF Overlay Districts, the provisions of the existing underlying zoning shall apply to parcels outside the Overlay District."
- Mr. Benson said that if two parcels are combined, they become a single parcel, so we can't use language that implies that they are still two separate parcels. He thinks that it will be too difficult to figure out how to apply two different sets of rules and procedures to a single building. The Chair agreed, especially since the goal is to simplify the process of developing multi-family housing. Mr. Revilak agreed with the point about simplification.
- Mr. Benson said that the Board also needs to address the question of which set of zoning regulations should apply to developments partly in the MBMF district and partly in the NMF district. He noted that the Working Group's proposal was that the MBMF regulations would apply in such a case, which would mean that a five- or six-story building could be built on parcels on side streets, and those buildings could include commercial space. He asked if that was the Working Group's intention.
- Mr. Revilak replied that the Working Group was imagining a situation in which a developer wished to combine a parcel on Mass Ave or Broadway and one parcel behind it, not a whole string of parcels.
- The Chair proposed the following language: "If a proposed development is located on a parcel or parcels within both the MBMF and the NMF Overlay Districts, the provisions of the MBMF District shall apply for a maximum depth of one parcel into the NMF." Mr. Lau said he could accept that compromise.

The Chair opened discussion about street tree requirements.

- Mr. Benson said that if the Fall Special Town Meeting accepts Article 10, the Board's proposed street tree amendment amending Section 6.3, then the MBTA Communities Overlay District warrant article does not need to include any specific language about street trees; it only needs to be amended to say that all developments in the district are subject to Section 6.3. Mr. Revilak said the Working Group's intent was that the overlay district be subject to the same street tree requirements as other residential developments.
- Mr. Lau noted that the MBTA Communities overlay district cannot include requirements that don't apply to the underlying zoning, so we can't require street trees if they don't apply to other residential districts. Mr. Benson said that if Town Meeting passes the street tree requirement for all residential districts, then it's not a problem. The Chair noted that this goes back to the question of whether all the requirements of the underlying zoning still apply unless otherwise addressed in the MBTA Communities overlay zoning.
- Sanjay Newton, Chair of the MBTA Communities Working Group, said that the Working Group's intention was that where they are requirements specific to the underlying zone, those wouldn't apply to the overlay. Requirements that apply to zoning in general would apply to the overlay district.
- The Chair noted that when the Board discusses Article 10, they will need to discuss altering the wording to include the overlay district. With that change, they will not need to include wording about street trees in Article 12, the MBTA Communities Overlay District.

The Chair opened discussion about requiring solar.

- Mr. Benson said that right now, the solar energy system requirements only apply to projects requiring Environmental Design Review, which are mostly on Mass Ave and Broadway. He thinks that the solar requirement should be imposed on developments in the MBMF district, but not the NMF district. The Chair suggested adding language to Section 5.9.4, Development Standards, to say that Section 6.4.1, the Solar Energy Systems Requirements, applies to all projects in the MBMF district.
- Mr. Lau said adding requirements like this one is getting away from the spirit of the MBTA Communities Overlay District, which is to simplify the process of building multi-family housing and provide relief from other requirements. It's one thing to say that developers can get bonuses for adding in things that the Board wants to

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encourage, but this would be a requirement, not a bonus. The Chair replied that the Town has identified that the solar bylaw is important and wants to apply it to developments on Mass Ave and Broadway, so it should apply to the MBMF district as well.

- The Chair noted that the Board is defining Site Plan Review as part of the MBTA Communities Overlay District. She asked Ms. Ricker if it would therefore be reasonable to assume that the scope of this warrant article would also allow the Board to amend Section 6.4 to include Site Plan Review in addition to Environmental Design Review. Ms. Ricker said that the Board can assume that. Mr. Benson said that he would prefer to get a ruling from the Town Moderator before making that assumption. He said that he would prefer to put the changes they need into the new Section covered by Article 12, Section 5.9, rather than assume they'll be allowed to amend Section 6.4 as well. Mr. Revilak expressed the concern that amending Section 6.4 would require a two-thirds vote of Town Meeting. The Chair said that she is fine with adding the solar requirement into Section 5.9.4, Development Standards.
- Conclusion – The Board will amend Section 5.9.4 to say that the solar requirements in Section 6.4 apply to the overlay district.

The Chair opened discussion about signage.

- Mr. Benson noted that the bylaws regarding signs list the rules for the residential, business, and industrial districts, and the new overlay district will not fit neatly into any of those categories. The Board should not treat the overlay district entirely as residential, because it may include some mixed-use development as well. He proposed saying that the NMF district is subject to the requirements of the residential sign district; purely residential buildings in the MBMF district are subject to the requirements of the residential/business sign district; and mixed-use developments in the MBMF district are subject to the requirements of the business sign district.
- The other Board members supported Mr. Benson's proposal.

The Chair opened discussion about duplicate requirements.

- Mr. Benson pointed out that Section 5.9.4.D.(10), the chart in Section 5.9.4.D.(12), and Section 5.9.4.E all include much of the same information. He proposed deleting the first sentence of Section 5.9.4.D.(10) and moving the second and third sentences (except for the word "public") from Section 5.9.4.D.(10) to a note at the bottom of the chart in Section 5.9.4.D.(12), thus removing item 10 entirely, and renumbering the subsequent items.

The Chair opened discussion about SITES certification.

- The Chair thinks that in order to get the bonus of an additional floor, the standard of SITES Certifiable is not a high enough standard. Applicants coming before the Board with LEED Certifiable checklists have often checked boxes without having any real understanding of what they're completing. To allow for additional floors, applicants should actually be doing something to make the projects more sustainable.
- She also questioned whether SITES is the right standard as they are infrequently used in the green building community.
- She would prefer to reword 5.9.4.E.(3) to say that one additional story may be added for projects that are minimum LEED Gold certified or equivalent level of an alternate green building standard, as reviewed and approved by the Department of Planning and Community Development and/or the Redevelopment Board.
- Mr. Benson agreed, but he would prefer that approval be required by the Redevelopment Board, in consultation with DPCD.
- Mr. Benson asked if the Board should adopt other standards in their rules and regulations rather than deciding them on a case by case basis. The Chair replied that requiring the primary standard or equivalent alternative, rather than naming all the possible standards, is consistent with what Town Meeting recently adopted for stormwater management.
- Mr. Lau agreed that a Certified standard rather than Certifiable is preferable.
- Mr. Lau noted that developers would have a choice of ways to get a one-story bonus – additional affordable housing, mixed-use, or green building. The multiple options are not cumulative and would not enable them to add additional stories for each option.

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- Mr. Newton clarified that the bonuses are not cumulative past six stories, but a developer could choose to use two different options to get bonuses of a fifth and sixth story on Mass Ave.

The Chair opened discussion about adding to Section 5.9.2 Purposes.

- The Chair proposed adding an additional item to the list of purposes of the overlay district in Section 5.9.2 – "To encourage environmental and climate protection sensitive development."
- The other Board members agreed.

The Chair opened discussion about bonuses for mixed-use developments.

- The Chair said that the Board needs to define the types of businesses required in mixed-use buildings to qualify for a bonus, whether to restrict residential units on the first floor of mixed-use buildings, and whether a threshold of 60% commercial space on the ground floor is enough. Mr. Lau said that excluding residential units on the first floor would mean that all mixed-use buildings would have to have an elevator. They are required to have at least one accessible residential unit, and if that isn't on the first floor, the building must have an elevator, regardless of size. Mr. Benson pointed out that this is only for mixed-use developments qualifying for a bonus, which means they will be over four stories and therefore likely to have an elevator anyway. If a developer builds a smaller, residential-only building, then they will obviously have residences on the first floor. Mr. Lau agreed.
- Mr. Revilak said that the Working Group was originally considering saying that only mixed-use buildings with businesses allowable in the B2 District could qualify for a bonus, which includes offices, small restaurants, small retail, and small industrial uses. Mr. Benson pointed out that mixed-use development might include larger businesses. He also said that not all B2 uses should allow for a bonus. He would like to allow a zero setback only for businesses that add to the streetscape by being right next to the sidewalk, such as restaurants and retail, and possibly service businesses. The Chair said that in the table of uses in the bylaws, business services are defined as copy centers, print shops, banks, hair, laundry, dry cleaning, veterinarian and animal care. Mr. Revilak and Mr. Lau both said that they feel that all those types of businesses add to the streetscape, and they would be find with giving them a zero setback. The Chair proposed defining the allowed businesses in mixed-use buildings as eating and drinking establishments, retail, and business services. She also suggested including child-care uses, which are important to the residents of these buildings, and which Arlington is under-served with. The other Board members agreed. Mr. Lau would like to include offices as an acceptable use to qualify for a bonus. Mr. Revilak asked if someone planning retail on the first floor, offices on the second floor, and residences above would qualify for a bonus. Mr. Benson replied that they would, as long as the offices aren't on the first floor. Mr. Lau expressed concern about a situation in a developer puts retail on the first floor and gets a bonus, but at some point in the future, the retail establishment closes. The owner would then be unable to rent to a tenant who wants to use the first floor for office space. He thinks that in order to encourage new housing, the Board needs to be as flexible as possible in what it requires. The other Board members disagreed, and they preferred to limit the commercial uses that would qualify for a bonus.
- Mr. Revilak noted that for a bonus for mixed-use development, at least 80% of the frontage of the ground floor must be commercial. He asked if that applies only to the principal façade or to both façades on a corner lot. The Chair said that it would only apply to the principal façade.
- Mr. Benson noted that the current language about bonuses for mixed-use development requires that at least 60% of the ground floor be commercial space. The Chamber of Commerce sent the Board a letter saying that 60% was too low a requirement. Matthew Littell, from the consultant Utile, said that the 60% number works for both large and small buildings. Mixed-use buildings need space on the ground floor for two means of egress, elevators, lobbies, a package room, a mechanical room, etc. A larger requirement for commercial space would make it difficult for small buildings to fit all of those things into the remaining space. And in a large building, 60% commercial would yield a larger space than most businesses need, so there would be no point in requiring more. Mr. Lau also noted that they would like to encourage space bicycle parking on the ground floor. The Board members agreed to leave the requirement at 60%.

The Chair opened discussion about the table regarding dimensional regulations in 5.9.4.D.(12).

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- Mr. Benson said that the following replacements should be made: “Front Setback” should be changed to “Minimum Front Yard Setback”; “Side Setback” should be changed to “Minimum Side Yard Setback“; and “Rear Setback” should be changed to “Minimum Rear Yard Setback.”
- He also proposed changing the minimum side yard setback in the NMF to allow for more flexibility. The proposal currently says that each side must have a minimum 10-foot setback. He suggested saying that each side must have a minimum of a five-foot setback, and the total of the two side yard setbacks must be at least 20 feet. Mr. Revilak agreed with giving developers the flexibility of making one side yard larger than the other.

The Chair opened discussion about minor textual errors and edits.

- The Board members all agreed to accept all Mr. Benson’s minor editorial changes.
- Mr. Revilak said that in Section 5.9.4.E.(2), the word “story” needs to be added after the word “additional.”

The Chair opened discussion of step-back requirements.

- Mr. Benson proposed deleting Section 5.9.4.D.(7), which slightly modifies the step-back requirements for the overlay district from the underlying zoning, and instead saying that Section 5.3.17 for Upper-Story Building Step-Backs applies to overlay district. He noted that the Board is sending a Warrant Article to Town Meeting proposing to change the step-back requirements; if that passes, it would apply equally the underlying zoning and the overlay district.

The Chair opened discussion about traffic visibility across street corners.

- Mr. Benson proposed changing Section 5.9.4.D.(5) from “Section 5.3.12(A) Traffic Visibility Across Street Corners does not apply in the MBMF district,” to “Section 5.3.12(A) Traffic Visibility Across Street Corners applies only in the NMF Overlay District.”
- Mr. Newton said that his understanding of the Working Group’s intention agrees with what Mr. Benson is proposing; the traffic visibility requirements should apply to the NMF, not the MBMF.

The Chair opened discussion about the reduced height buffer area.

- Mr. Benson noted that Section 5.9.4.D.(8) says the height buffer area shall not apply in the overlay district. The height buffer only applies in situations where the chart has two heights, which is not the case in the overlay district. However, Mr. Benson thinks it should apply to the overlay, because a six-story building could be built backing onto a one- or two-story building with very little space between them. The Board intends to amend the reduced height buffer requirements at a future town meeting. Mr. Benson thinks that rather than try to create a height buffer requirement specifically for the overlay district, Section 5.9.4.D.(8) should say that the town’s reduced height buffer requirement applies to six-story buildings in the overlay district.

The Chair opened discussion about setbacks on a corner lot.

- Mr. Lau said that on a corner lot, the two sides facing streets are considered front yards, and the other two are considered side yards, with no rear yards. A mixed-use building could, with a bonus, have a zero setback on Mass Ave or Broadway, and then only have a five-foot setback in its side yard, making it very close to the next property over, which could be much smaller. The Chair said that in that case, the reduced height buffer would apply. Mr. Lau said that as it stands, the reduced height buffer zone would push the mixed-use building away. The Chair said that that is why the Board needs to fix the reduced height buffer.
- Mr. Revilak said that in the bylaws, corner lots are defined as having two front yards, one side yard, and one rear yard, and owners can decide which is the side and which is the rear yard. Mr. Lau said that in that case, they should table this question.

The Chair opened discussion about redundant language.

- Mr. Revilak proposed deleting the first two lines of Section 5.9.4.F.(1), replacing them with a requirement to follow Section 6.1, and combining it with Section 5.9.4.F.(4). The Chair noted that the parking section is also being edited to say the developers are encouraged to provide fewer parking spaces with submittal of a TDM.

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The Chair asked for a motion to recommend Favorable Action on Article 12: MBTA Communities Overlay District, as amended:

- Reduce the NMF max height to three stories and 35 feet. Mr. Lau dissented.
- Apply current off-street parking requirements of Section 6.1, including reductions per Section 6.1.5. Mr. Lau dissented.
- Combine Section 5.9.4.F.(1) and 5.9.4.F.(4) into a single item.
- Choose Alternative 2 for the Arlington Heights section of the map.
- Accept Scenario 3A, excluding parcels on Mass Ave from Orvis Road to Alewife Brook Parkway, with two modifications: 1) including one additional parcel in the NMF district from Winter St. to Henderson St. on the north side of Mass Ave and from Lake St. to Fairmount St. on the south side of Mass Ave, and 2) removing of eight parcels identified on the map exhibit. Mr. Lau dissented.
- Modify Section 5.9.1.C with regard to how to deal with projects in and out of the overlay district by adding the phrase "for a maximum of one parcel depth into the NMF" to the first sentence.
- Add an item to Section 5.9.4 saying that the Section 6.4 solar requirements apply to the MBMF district. Mr. Lau dissented.
- Add an item to Section 5.9.4 saying that the NMF district must comply with the Residential Sign District requirements in Section 6.2, residential development in the MBMF district must comply with the Residential/Business Sign District requirements in Section 6.2, and mixed-use development Iin the MBMF district must comply with the Business Sign District requirements in Section 6.2.
- Modify Section 5.9.4.E.(3) to say that in order to receive a bonus for green building, a development must be minimum LEED Gold certified or equivalent level of an alternate green building standard reviewed and approved by the Redevelopment Board.
- Add a purpose statement to Section 5.9.2: "To encourage environmental and climate protection sensitive development."
- Remove the first sentence from Section 5.9.4.D.(10) and move the second and third sentences to the district chart in Section 5.9.4.D.(12). Remove the word "public" from the second sentence.
- Add the provision in Section 5.9.4.E.(1) that in order to receive a bonus for mixed-use development, no residences shall be included on the first floor, and the business uses shall be eating and drinking establishments, business services, childcare, or retail uses. Mr. Lau dissented.
- Modify the chart in Section 5.9.4.D.(12) to include the words "minimum" and "yard" in the setback descriptions. Modify the NMF district side yard setback minimum to say that each side yard setback must be a minimum of 5 feet, and the two side yard setbacks together must total a minimum of 20 feet.
- Make corrections with regard to capitalization in Sections 5.9 and 5.9.3.
- Modify Section 5.9.4.D to include the requirement to comply with Step-Back standards in Section 5.3.17.
- Correct Section 5.9.4.D.(5) to indicate that it applies only to the NMF district.
- Modify Section 5.9.4.D.(8) to say that the height buffer area applies to the sixth floor.
- Correct Section 5.9.4.E.(2) by adding the word "story" after the second use of the word "additional."

Mr. Benson so moved, Mr. Revilak seconded, and the Board approved unanimously.

ARTICLE 3: ADMINISTRATIVE CORRECTION.

Mr. Benson explained that Article 3 corrects an erroneous reference.

The Chair asked for a motion to recommend Favorable Action on Article 3. Mr. Benson so moved, Mr. Lau seconded, and the Board voted unanimously.

ARTICLE 4: REDUCED HEIGHT BUFFER AREA.

Mr. Benson said that previously, Article 4 had incorrect language taken from the wrong warrant article. Because of the wording of the article, changing the height distances is not within the scope of this article. The Board also needs further discussion to determine what a better height distance would be. He would prefer to vote No Action and go back to a future Town Meeting with a complete package that includes new wording as necessary and lower heights.

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Mr. Revilak agreed that it would be worthwhile to spend time looking at it and not pass it this year. Mr. Lau agreed.

The Chair noted that they had looked at several different options for reduced heights but had not come to consensus, so it would be better to take more time.

The Chair asked for a motion to recommend No Action on Article 4. Mr. Benson so moved, Mr. Lau seconded, and the Board voted unanimously.

ARTICLE 5: OPEN SPACE IN BUSINESS DISTRICTS.

Mr. Benson said that he added a clarification in the definitions regarding exceptions in the Business Districts. He also deleted Section 5.3.21.D because it was unnecessary. He added a clarification to 5.3.21.C and deleted an erroneous word in the note at the end of the chart in Section 5.5.2.A.

Mr. Revilak suggested including the current definition of Open Space in the main motion, in addition to the definitions of Landscaped and Usable Open Space, because there is often confusion among Town Meeting members and the public about what exactly Open Space is.

Mr. Revilak noted that the topic of open space on balconies and rooftops is particularly misunderstood, and he asked how other members of the Board how they felt about leaving the definitions as they are and only making the dimensional changes.

Mr. Lau agreed that the Board needs to do more to help people understand what open space is. If they can't do that for this article, it will result in many people being opposed to the measure, and maybe they should wait for a future Town Meeting.

Mr. Benson agreed with adding the definition of open space to this article. He asked for clarification of Mr. Revilak's proposal. Mr. Revilak said that he is proposing not allowing open space on balconies and rooftops more than 10 feet above the lowest residential level. He would like to see that allowed, but he does not think Town Meeting will understand and is afraid that it will be a point of contention.

The Chair said that she thinks the definition changes are perhaps the most important part of the article. Mr. Revilak said he does not oppose them, but he is concerned about the possible response. Mr. Benson said that he thinks the Board can make a good case about why this makes sense, and he does not want to avoid the issue because people don't understand it. Mr. Revilak said that in the Board's Report to Town Meeting, he would like to amend the summary of discussion on this Article to make clear that the language about open space on rooftops and balconies is already in the bylaw and is not being added by this Article. The Chair also suggested highlighting the fact that the percentage of required landscaped open space for mixed-use properties would actually be increased by this Article. She would like to have an illustration for Town Meeting showing the potential increase in green space.

The Chair asked for a motion to recommend Favorable Action on Article 5, with the amendment of adding the definition of open space. Mr. Benson so moved, Mr. Lau seconded, and the Board voted unanimously.

ARTICLE 6: REAR YARD SETBACKS IN BUSINESS DISTRICTS.

Mr. Benson said that the purpose of the article is to apply the setback based on the distance from the parcel behind the lot and the height of the building rather than the length of the parallel wall. As a result, the setback requirements will be more context-sensitive.

The Chair asked for a motion to recommend Favorable Action on Article 6. Mr. Benson so moved, Mr. Lau seconded, and the Board voted unanimously.

ARTICLE 7: STEP BACK REQUIREMENTS IN BUSINESS DISTRICTS.

Mr. Benson said that the only change he made since the Board last saw this Article was changing the requirement such that step-backs must start on the 4th rather than the 5th floor. The step-back requirements apply to the principal façade, which is presumed to be the side facing Mass Ave or Broadway, unless the Board determines otherwise.

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Mr. Lau thinks that the step-backs should start on the 5th floor.

The Chair asked for a motion to recommend Favorable Action on Article 7 as amended. Mr. Benson so moved, Mr. Revilak seconded, and the Board voted 3-1.

Mr. Benson wants the Board Report to Town Meeting to clarify that the reason for Mr. Lau's no vote was a preference for step-backs starting at a higher story, not opposition to the other elements of this Article.

ARTICLE 8: HEIGHT AND STORY MINIMUMS IN BUSINESS DISTRICTS.

Mr. Benson said that no changes have been made since the last time the Board saw this Article. Mr. Revilak said he recalled an earlier version including dimensional tables, and he noted that the current version does not include them. Mr. Benson said that in creating the tables, he realized that it would be simpler to convey the information via text.

Mr. Lau said that he supports this Article. The Chair does as well. She said that less than 4% of Arlington's land is zoned for business, and the Board is incentivizing more intensive and valuable land use.

Mr. Revilak said that the motivation behind this Article is to encourage higher-value redevelopment that produces more tax revenue for the town and would hopefully lead to fewer and/or smaller overrides.

The Chair asked for a motion to recommend Favorable Action on Article 8. Mr. Benson so moved, Mr. Lau seconded, and the Board voted unanimously.

ARTICLE 9: CORNER LOT REQUIREMENTS.

Mr. Benson said that no changes have been made since the last time the Board saw this Article. The Board has the authority under the bylaw to modify or waive the corner lot depths, so this Article makes that clearer.

Mr. Revilak thinks this Article is an accurate way of codifying the Board's interpretation Section 5.3.16.

The Chair asked for a motion to recommend Favorable Action on Article 9. Mr. Benson so moved, Mr. Lau seconded, and the Board voted unanimously.

ARTICLE 10: STREET TREES.

Mr. Benson said that language in Section 6.3.2 has been clarified so that it applies to the Business, Residential, and Multi-Family Housing Overlay Districts.

Mr. Revilak said that his understanding was that the purpose of this Article was to encourage street trees any time there is redevelopment. But as written, it limits the requirement to redevelopment under the review of the Redevelopment Board or Zoning Board of Appeals, which doesn't include a lot of redevelopment that happens in town. Mr. Benson replied that in some circumstances, developers aren't required to plant new trees, such as if enough trees are already present or if power lines are in the way. Either the Redevelopment Board or the Zoning Board of Appeals can make that decision, and if a project isn't under the jurisdiction of either Board, the Department of Planning and Community Development can make it administratively. Mr. Revilak noted that Section 6.3.2, Applicability, only mentions the ARB and the ZBA, but Section 6.3.3, Administration, mentions both Boards and DPCD. He suggested deleting the mention of the Boards in Section 6.3.2, so that section would include only the circumstances in which the Article applies. Section 6.3.3 would then explain which Town bodies can approve relief as necessary. The other Board members agreed.

Mr. Benson proposed replacing the words "and Section 9.x" with "and Site Plan Review, as applicable." The other Board members agreed.

The Chair asked for a motion to recommend Favorable Action on Article 10 as amended. Mr. Benson so moved, Mr. Lau seconded, and the Board voted unanimously.

ARTICLE 11: RESIDENTIAL USES IN BUSINESS DISTRICTS.

Mr. Benson said that this Article has not been modified since the Board last saw it.

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The Chair asked for a motion to recommend Favorable Action on Article 11. Mr. Benson so moved, Mr. Lau seconded, and the Board voted unanimously.

The Chair moved to **Agenda Item 3 – Review Meeting Schedule.**

Ms. Ricker said that the Board is currently scheduled to meet on Tuesday, October 10, 2023, to approve the Board Report to Town Meeting. The Board is also scheduled to meet on Monday, October 16, 2023, although the Chair will not be in attendance at that meeting. Ms. Ricker asked if the Board would like to meet on Monday, October 23, 2023, prior to Town Meeting.

Mr. Lau said that he would like to schedule a meeting on October 23, so that the Board will have the opportunity to plan for Town Meeting if necessary. The Chair agreed. She said in the past, when amendments have been proposed at Town Meeting, the Board has found it helpful to have a chance to meet and thoughtfully consider whether to support the proposed amendments. Mr. Revilak and Mr. Benson both agreed.

Before adjourning, Mr. Benson thanked the Working Group for the work they did. He appreciated all the time and effort and the final report, which was wonderful. The Board made some changes to the Working Group's recommendations, but he is sure they understand that that was part of the iterative process. The Chair also thanked Ms. Ricker and the DPCD staff, as well as all the members of the public who shared their feedback. She said that the Board members read every one of the submissions made.

Mr. Revilak offered to do a build-out analysis of the MBTA Communities Overlay District once Utile has created a new compliance model based on the changes the Board made at this meeting.

The Chair asked for a motion to adjourn. Mr. Lau so moved, and Mr. Benson seconded. The Board voted and approved unanimously.

Meeting **Adjourned** at 11:40 PM.

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