

June 24, 2024

Christian Klein, RA, Chair
Zoning Board of Appeals
Town of Arlington, MA

Re: Docket No. 3805 - Petition of Lisa Cronin, Trustee; D'Auria Realty Trust

Dear Mr. Klein:

I am writing regarding Docket No. 3805, scheduled for review at the Zoning Board of Appeals hearing on June 25, 2024, concerning the petition of Lisa Cronin, Trustee; D'Auria Realty Trust.

As the owner of 6 Orvis Road and representative of the condominium association for 4-6-8 Orvis Road, a property directly abutting 232 Massachusetts Avenue, I hereby submit the following statement regarding the pending variance request and the lease to a liquor/package store business. While we recognize the underlying rationale for the variance application, we respectfully assert that our consent to said variance is strictly contingent upon the formal adoption, recording, and enforcement of the following conditions:

1. Implementation of a binding monthly treatment contract with a licensed Pest Control Service to manage the entire rear area of 232 Massachusetts Avenue, not limited to tenant-initiated pest control. This is necessitated by significant rodent issues exacerbated by inadequate management in recent years. Additional pest control measures must be mandated during any construction at 232 Massachusetts Avenue.
2. Remediation of the alleyway behind 232 Massachusetts Avenue, including removal of weeds, debris, and extermination of rodent burrows. The current state constitutes both an aesthetic nuisance and a health hazard, potentially impacting adjacent property values and resident well-being.
3. Maintenance of all waste receptacles, including dumpsters, in a sanitary condition with fully functional lids. The current dumpster's state of disrepair contributes to pest attraction and noxious odors.
4. Prohibition of waste collection activities between the hours of 10:00 PM and 6:00 AM to mitigate noise disturbances.
5. The following hours of Operation and Maintenance Restriction shall be imposed and strictly enforced
 - The subject property shall cease all business operations no later than 10:00PM daily.

- Any and all cleaning, maintenance, or property upkeep activities, whether conducted within the interior or exterior of the premises, shall be prohibited between the hours of 10:00PM and 6:00AM.
- This restriction applies to all days of the week, including weekends and holidays.
- For the purposes of this condition, "cleaning, maintenance, or property upkeep activities" shall include, but not be limited to, janitorial services, equipment maintenance, landscaping, waste removal, and any other activities that may generate noise or disturbance perceptible from adjacent properties.
- The property owner and/or operator shall be responsible for ensuring compliance with these restrictions by all employees, contractors, and agents acting on their behalf.

6. The current fence is in a state of disrepair, posing safety hazards and potential liability issues. A section has already detached and fallen onto our driveway. We request that any new fence installation meet the following criteria: a) Construction using durable, solid materials to ensure longevity and minimize future maintenance issues; b) Height to be set at the maximum allowable under local zoning ordinances; c) Design to effectively mitigate noise transmission from commercial activities at 232 Massachusetts Avenue; d) Placement to be determined in accordance with property line surveys and mutual agreement between adjoining property owners; e) Installation to be completed by a licensed and insured contractor, with all necessary permits obtained prior to commencement of work.

6. Implementation of daily maintenance of sidewalks and landscaped areas surrounding 232 Massachusetts Avenue to remain free of litter and debris.

We respectfully request that these conditions be incorporated into any approval of the variance and made a matter of public record. Failure to comply with these conditions should result in revocation of the variance and/or other appropriate enforcement actions by the Town of Arlington. While we support fostering positive community relations and welcome responsible business development, it is imperative that such growth does not impose undue burdens on neighboring properties. The aforementioned issues have resulted in significant financial expenditures and time investments to address rodent infestations and related health concerns. We are concerned that granting the variance will exacerbate the current issues by having a liquor/ package store present.

I intend to attend the meeting on June 25 and am prepared to discuss these matters in further detail if required.

Respectfully submitted,



Suzanne Boulos

On behalf of

- Joshua Guthermann and Ilana Blatt-Eisengart, 8 Orvis Road
- David Fitzpatrick and Marissa Cuda, 4 Orvis Road
- Suzanne Boulos, 6 Orvis Road

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