REQUIRED SUBMITTALS CHECKLIST

One electronic copy of your application is required; print materials may be requested, Review the ARB's Rules and Regulations, which can be found at www.arlingtonma.gov/arb, for the full list of required submittals.

☑ **Application Cover Sheet (project and property information, applicant information)**

☑ **Dimensional and Parking Information Form (see attached)**

☑ **Impact statement**

Statement should respond to Environmental Design Review (Section 3.4) and Special Permit (Section 3.3) criteria on pages 6-8 of this packet); include:

- LEED checklist and sustainable building narrative as described in criteria 12.
- Summary of neighborhood outreach, if held or planned.

☑ **Drawing and photographs of existing conditions**

- Identify boundaries of the development parcel and illustrate the existing conditions on that parcel, adjacent streets, and lots abutting or directly facing the development parcel across streets.
- Photographs showing conditions on the development parcel at the time of application and showing structures on abutting lots.

☑ **Site plan of proposal. Must include:**

- Zoning boundaries, if any, and parcel boundaries;
- Setbacks from property lines;
- Site access/egress points;
- Circulation routes for pedestrians, bicyclists, passenger vehicles, and service/delivery vehicles;
- New buildings and existing buildings to remain on the development parcel, clearly showing points of entry/exit;
- Other major site features within the parcel or along its perimeter, including but not limited to trees, fences, retaining walls, landscaped screens, utility boxes, and light fixtures;
- Spot grades or site topography and finish floor level;
- Open space provided on the site;
- Any existing or proposed easements or rights of way.

☑ **Drawings of proposed structure**

- Schematic drawings of each interior floor of each proposed building, including basements.
- Schematic drawings of the roof surface(s), identifying roof materials, mechanical equipment, screening devices, green roofs, solar arrays, usable outdoor terraces, and parapets.
- Elevations of each exterior façade of each building, identifying floor levels, materials, colors, and appurtenances such as mechanical vents and light fixtures.
- Drawings from one or more prominent public vantage point illustrating how the proposed project will appear within the context of its surroundings.
- Graphic information showing façade materials and color samples.
- Include lighting plan and fixtures if not provided on site or landscaping plan.

☑ **Vehicle, Bicycle, and Service Vehicle Plans**

- Parking and loading plans, including all vehicle and bicycle parking facilities located on the parcel or within a structure, showing dimensions of spaces, driveways, access aisles, and access/egress points. Include line-of-sight and turning radius along with length and type of delivery truck.
- If you are requesting a reduction in the amount of required parking, include a Transportation Demand Management Plan per Section 6.1.5.
- Plans of all bicycle parking facilities located on the lot and within any structure, including dimensions of spaces and access routes and types of bicycle racks.

☑ **Sustainable Building and Site Design Elements**

- A solar energy systems assessment per Section 6.4, which must include:
  - An analysis for solar energy system(s) for the site detailing layout and annual production;
  - The maximum feasible solar zone area of all structures; and,
  - Drawings showing the solar energy system you propose, with a narrative describing the system, the reasons the system was chosen, and how the system meets the requirements of Section 6.4; or
  - A detailed explanation of why the project meets an exemption of Section 6.4.2.
- LEED checklist and narrative per EDR criterion 13.

☑ **Proposed landscaping *(may be incorporated into site plan)***

Schematic drawing(s) illustrating and clearly labels all landscape features, including hardscape materials, permeable areas, plant species, and light fixtures.

☐ **Plans for sign permits, if signage is an element of development proposal**

☑ **Stormwater management plan**

(for stormwater management during construction for projects with new construction)

☑ **SketchUp Compatible Model, if required**

☑ **Application fee**

(See Rule 12 of the ARB Rules and Regulations for how to calculate the fee)

FOR OFFICE USE ONLY Docket #: _____

_____ Special Permit Granted Date: _____

_____ Received evidence of filing with Registry of Deeds Date: _____

_____ Notified Building Inspector of Special Permit filing Date: _____

COVER SHEET

Application for Special Permit in Accordance with Environmental Design Review

PROPERTY AND PROJECT INFORMATION

1. Property Address 821 Massachusetts Avenue, Arlington MA

   Assessors Block Plan, Block, Lot No. 052.0-0001-0001.10 Zoning District B4

2. Deed recorded in the Registry of deeds, Book 1350, Page 69

   or- registered in Land Registration Office, Cert. No. _____, in Book _____, Page _____.

3. Present Use of Property (include # of dwelling units, if any)
   Vacant Building and CVS Store

4. Proposed Use of Property (include # of dwelling units, if any)
   First Floor Front - 2 Office Spaces; First Floor Rear, Second and Third Floors - 3 Residential Units

APPLICANT INFORMATION

1. **Applicant:** Identify the person or organization requesting the Special Permit:

   Name of Applicant(s) Geoffrey Noyes

   Organization Noyes Realty, LLLP

   Address P.O. Box 40 (Street), Marblehead MA 01945 (City, State, Zip)

   Phone (781) 864-9686 Email gpnoyes@comcast.net

2. **Applicant Interest:** the applicant must have a legal interest in the subject property:

   ☑ Property owner ☐ Purchaser by land contract

   ☐ Purchaser by option or purchase agreement ☐ Lessee/tenant

3. **Property Owner** ☑ Check here if applicant is also property owner

   Identify the person or organization that owns the subject property:

   Name _____ Title _____

   Organization _____ Phone _____

   Address _____ (Street), _____ (City, State, Zip)

   Phone _____ Email _____

4. **Representative:** Identify any person representing the property owner or applicant in this matter:

Name Mary Winstansley-O'Connor Title Attorney

Organization Krattenmaker O'Connor & Ingber, P.C. Phone (617) 523-1010

Address One McKinley Sq., 5th Floor (Street), Boston MA 02109 (City, State, Zip)

Phone (617) 523-1009 Email moconnor@koilaw.com

5. Permit applied for in accordance with the following Zoning Bylaw section(s)

section(s)	title(s)
3.3	Request for Special Permit
3.4	Environmental Design Review

6. List any waivers being requested and the Zoning Bylaw section(s) which refer to the minimum or maximum requirements from which you are seeking relief.

section(s)	title(s)

7. Please attach a statement that describes your project and provide any additional information that may aid the ARB in understanding the permits you request. Include any reasons that you feel you should be granted the requested permission.

(In the statement below, check the options that apply)

The applicant states that Noyes Realty, LLLP is the owner ☑ or occupant ☐ or purchaser under agreement ☐ of the property in Arlington located at 821 Massachusetts Avenue, Arlington MA which is the subject of this application; and that unfavorable action ☐ or no unfavorable action ☐ has been taken by the Zoning Board of Appeals on a similar application regarding this property within the last two years. The applicant expressly agrees to comply with any and all conditions and qualifications imposed upon this permission, either by the Zoning Bylaw or by the Redevelopment Board, should the permit be granted.

Signature of Applicant(s):

P.O. Box 40, Marblehead, MA 01945 (Address) (781) 864-9686 (Phone)

DIMENSIONAL AND PARKING INFORMATION

Property Location: 821 Massachusetts Avenue

Zoning District: B4 Business District

Applicant: Noyes Realty, LLP

Address: PO Box 40, Marblehead MA 01945

Present Use/Occupancy: No. of Dwelling Units:

Vacant Building/Retail Space

Uses and their gross square feet:

40,449 GSF

Proposed Use/Occupancy: No. of Dwelling Units:

2 Retail/Office Spaces & 4 Residential Units

Uses and their gross square feet:

2 Retail/Office (2,104 SF Total); 4 Units (1,521 SF, 2,375 SF, 2,375 SF, 2,213 SF). CVS Retail (36,945 SF).

		Present Conditions	Proposed Conditions	Min. or Max. Req'd by Zoning for Proposed Use
Lot Size		79,864	79,864	min. 20,000
Frontage		291.49	291.49	min. 50
Floor Area Ratio[1]		0.50	0.59	max. 1.0
Lot Coverage (%), where applicable		17.9	21.8	max. NA
Lot Area per Dwelling Unit (sf)		0	NA	min. NA
Front Yard Depth (feet)		10.0	8.6	min. 0
Side Yard Width (feet)	right side	17.9	8.3	min. 0
	left side	122.4	122.4	min. 0
Rear Yard Depth (feet)		91.9	91.9	min. 22.5
Height	stories	2.5	3	stories[2] 4
	feet	26	36.33	Feet 50
Open Space (% of G.F.A.)[3]				min.
	Landscaped (sf)	5,607	5,607	(sf) 4,767
	Usable (sf)	0	1,695	(sf) 953
Parking Spaces (#)[4]		73	73	min. 48
Parking Area Setbacks (feet) *(where applicable)*		NA	NA	min. NA
Loading Spaces (#)		NA	NA	min. NA
Bicycle Parking[5]	short term	5	8	min. 8
	long term	5	11	min. 11

[1] FAR is based on Gross Floor Area. See Section 5.3.22 for how to calculate Gross Floor Area. On a separate page, provide the calculations you used to determine FAR, including the calculations for Gross Floor Area.
[2] Where two heights are noted in the dimensional tables, refer to Section 5.3.19, Reduced Height Buffer Area to determine the applicable height or the conditions under which the Board may provide relief.
[3] Per Section 5.3.22(C), district dimensional requirements are calculated based on GFA. On a separate page, show how you determined the open space area amounts.
[4] See Section 6.1, Off-Street Parking. If requesting a parking reduction, refer to Section 6.1.5.
[5] See Section 6.1.12, Bicycle Parking, or refer to the Bicycle Parking Guidelines.



821 MASSACHUSETTS AVENUE, ARLINGTON MA **RD 2958**

Town of Arlington Redevelopment Board

ARB IMPACT STATEMENT **12/30/2024**

Rojas Design, Inc.

Building Use and Size

This new mixed-use building will be three stories tall and have a total gross area of 16,792 GSF (including a 4,448 GSF Basement – storage & mechanical), or **12,344 GSF** without the Basement. The First Floor has a total gross area of 4,448 GSF, the Second Floor has a total gross area of 3,948 GSF, and the Third Floor has a total gross area of 3,948 GSF. The building would have a **total height of 36'-3" above average finished grade**. The new building is completely compliant with the Town of Arlington Zoning Bylaw's Dimensional Requirements for this district. The site will have **9 off-street parking spaces** (including one handicap space) dedicated to this building.

The building includes two retail/office spaces, one accessible residential unit on the ground floor, and three residential units on the upper floors. All retail/office spaces and residential units shall have 2 means of egress. The ground floor retail/office spaces shall be designed for code-compliant accessibility and will have direct on-grade entries. The common roof would include private, trellised roof decks for three upper floor residential units, as well as the solar panels (50% of the roof area).

The proposed Uses and Sizes are as follows:

- **Two (2) Retail/Office Spaces** - First Floor, on-grade – fully accessible (1,052 SF each), or One (1) Retail/Office Space - First Floor, on-grade – fully accessible (2,104 SF);

- **Unit 1** - One (1) Ground Floor Accessible Residential Unit (1,521 SF-TLA) – 1 Bedrooms & 1½ Bathrooms. This unit is fully accessible with on-grade entrances and convenient paths to the nearby accessible parking space.

- **Unit 2** - One (1) Second Floor Residential Unit (2,375 SF-TLA) – 3 Bedrooms & 3 ½ Bathrooms. Unit 2 has Second Floor decks with a total of 198 SF, and an upper Roof Deck area of 1,142 SF. Unit 2, therefore, has a total exclusive use deck area of 1,340 SF;

- **Unit 3** - One (1) Third Floor Residential Unit (2,375 SF-TLA) – 3 Bedrooms & 3½ Bathrooms. Unit 1 has Second Floor decks with a total of 198 SF, and an upper Roof Deck area of 1,142 SF. Unit 3, therefore, has a total exclusive use deck area of 1,340 SF; and,

- **Unit 4** - One (1) Two-story, Residential Unit on the Second and Third Floors (2,213 SF-TLA) – 2 Bedrooms & 2½ Bathrooms. Unit 4 has Second & Third Floor decks with a total of 360 SF, and an upper Roof Deck area of 1,149 SF. Unit 4, therefore, has a total exclusive use deck area of 1,509 SF.

Special Permit Criteria

1. The uses requested (mixed-use) are listed as an allowable use in this zoning district.

2. The requested uses (housing and office) are essential and desirable to the public convenience and welfare.

3. The requested uses will not create any undue traffic congestion or in any way impair pedestrian safety. The uses and design will enhance pedestrian access and safety.

4. The requested uses will not overload any public water, drainage or sewer system or any other municipal system to such an extent that the requested uses or any developed use in the immediate area or in any other area of the Town will be unduly subjected to hazards affecting health, safety, or the general welfare.

5. Any special regulations for the uses as may be provided in the Bylaw shall be fulfilled.

6. The requested uses will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the health, morals, or welfare. The uses and design will strengthen the civic street front and respectfully enhance the adjacent Church courtyard and landscape.

7. The requested uses will not, by its addition to a neighborhood, cause an excess of the particular uses that could be detrimental to the character of said neighborhood. The addition of new housing has a very favorable impact to the entire community. New office space will bring needed service providers to this neighborhood.

Environmental Review Criteria

1. Preservation of Landscape

The existing landscape shall be preserved, as far as practicable, and enhanced. This project minimizes tree and soil removal, and all grade adjustments are in keeping with the general appearance of neighboring developed areas. The existing 'side buffer' tree plantings shall remain and all landscape areas facing the abutters shall be enhanced and improved with new plantings.

2. Relation of Building to Environment

The proposed new building will relate harmoniously to the lot's terrain and to the use, scale, setbacks, materials, and context of the existing buildings in the vicinity that have a functional or visual relationship to the building. The building respects and enhances its side-yard relationship to the abutting church. Additional plantings and landscape improvements will help define a more attractive and effective buffer. The new building's setbacks are consistent with the abutters' and meet the requirements of the Zoning By-Law.

3. Open Space

The project's open spaces are designed to add visual attractiveness and functionality for the residents, visitors, customers, and neighbors. The new entrance landscape and

walkways from Massachusetts Avenue are designed to improve pedestrian safety, access, and identification. The new entry landscape plantings shall create a more attractive and pleasing streetside environment. The rear entrance landscape and walkways from the parking lot are similarly designed to enhance a safe pedestrian experience, provide additional plantings, lighting, bicycle parking, and clear access and egress. The upper roof decks for the three residential units provide additional open space amenities and encourage social interaction.

4. Circulation

Special design attention has been given to the building's residential and office entrances, walkways, parking, and pedestrian areas regarding safe vehicular, pedestrian, and bicycle circulation. The building's ground floor is completely accessible and welcoming from both Massachusetts Avenue and the rear parking area. The existing associated rear parking for this building will be re-designed and improved for accessibility and functionality. Short-Term and Long-Term Bicycle Parking will be provided and will be accessible from the rear parking lot. The pedestrian, vehicular, and bicycle circulation improvements will improve safety, access, and attractiveness and will not detract from the use and enjoyment of the proposed building and the neighboring properties.

5. Surface Water Drainage

The site design for this parcel shall include proper site surface drainage so that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Available Best Management Practices for the site shall be employed and include site planning to minimize impervious surface and reduce clearing and re-grading. Best Management Practices may include erosion control and storm water treatment by means of swales, filters, plantings, roof gardens, native vegetation, and leaching catch basins. Storm water shall be treated on-site, as far as practicable. Storm water that cannot be managed on site shall be removed from all roofs, canopies, paved and pooling areas and carried away in an underground drainage system. Surface water in all paved areas shall be collected at intervals so that it will not obstruct the flow of vehicular or pedestrian traffic and will not create puddles in the paved areas. The current storm water drainage system in the existing parking lot is very functional and shall be kept in place. The applicant shall maintain all the existing and proposed storm water facilities such as catch basins, leaching catch basins, detention basins, swales, etc. within the site.

The areas that would be considered for stormwater infiltration are the existing parking areas on the northerly side of the project that are to remain. Deep hole soil testing would be performed to evaluate the potential for stormwater infiltration and to determine if groundwater or ledge are site issues.

A stormwater computer analysis would then be prepared to determine the amount of runoff to be infiltrated. The stormwater management design would propose using roof runoff only. Subsequently, stormwater structures would be designed to mitigate any increases in runoff volumes and flows.

In the end, the stormwater structures would most likely be installed under the existing parking spaces, then the parking spaces would be restored to their original condition and elevations. If necessary, the walkways would be designed with permeable pavers or paving.

6. Storm Water Facilities
The project will comply with the Department of Public Work's requirement for the maintenance of all storm water facilities.

7. Utility Service
All proposed electric, telephone, cable TV and other such lines and equipment shall be underground. The proposed method of sanitary sewage disposal and solid waste disposal from all buildings shall be in accordance with all codes and local requirements.

8. Advertising Features
The size, location, design, color, texture, lighting, and materials of all permanent signs (office and residential) and all other advertising structures or features shall be in conformance with the Town of Arlington's Signage Code and shall not detract from the use and enjoyment of proposed buildings and structures and the surrounding properties. All signage and advertising features will conform to the provisions of Section 6.2 of the Zoning Bylaw.

9. Special Features
Any exposed utility or service components (meters, transformers, etc.) shall be screened with appropriate plantings to minimize any visual impacts. Final plans shall include all exposed utility and mechanical features and their proposed landscape screening.

10. Safety
All the building's open and enclosed spaces shall be designed to facilitate building evacuation and maximize accessibility by fire, police, and other emergency personnel and equipment. As far as practicable, all exterior spaces and interior public and semi-public spaces shall be so designed as to minimize the fear and probability of personal harm or injury by increasing the potential surveillance by neighboring residents and passersby of any accident or attempted criminal act. Complete site and building security systems shall be incorporated into the proposed development. The safety and security of all residents, visitors, customers, and neighbors are important priorities of this project. The Arlington Fire Department has reviewed and approved the site plan for compliance with their vehicle access requirements.

11. Heritage
Arlington's heritage shall be respected. The removal, or disruption of historic, traditional, or significant uses, structures, or architectural elements shall be minimized, as far as practicable. The new building will provide a more consistent mixed-use presence on Massachusetts Avenue that relates to the Town's planning goals and priorities.

12. Microclimate
This development proposes a new structure and new hard-surface ground coverage and shall endeavor to minimize, as far as practicable, any adverse impact on light, air, and water resources, or on noise and temperature levels of the immediate environment. The building and site are designed with a focus on climate practicality, sustainability, and maintainability.

13. Sustainable Building and Site Design
This project shall incorporate best practices related to sustainable sites, water efficiency, energy and atmosphere, materials and resources, and indoor environmental quality. The

building and site are designed with a focus on climate awareness, sustainability, and maintainability. The project is committed to meeting **LEED Silver standards** with the inclusion of the following sustainability components:

- Sustainable exterior and interior building & site materials and products
- Building envelope compliance with the Stretch Energy Code
- Low-Emittance windows & doors
- Energy-efficient mechanical systems
- Indoor Air Quality and thermal comfort
- Energy-efficient lighting and electrical devices
- Energy Star appliances
- Cool roofs & Trellis shading
- Solar-Panel Energy System – 50% of the roof area with panels
- Short-Term & Long-Term Bicycle Parking
- Electric Vehicle Charging Station
- Sustainable and less water-intensive landscape materials
- Non-invasive plant materials
- Additional street trees along Mass Ave in front of CVS and this new building
- Site and building cooling strategies utilizing planting locations
- Waste reduction and recycling
- Storm water management

The building to be demolished and the new construction site is located on the same lot as the existing CVS store building and there are no plans to subdivide the lot with respect to the Applicant's building plans.

The Applicant and members of his team have paid close attention to comments made at prior multiple hearings before both the ARB and the Historical Commission with respect to comments made by Members of the ARB and the Historical Commission as well as other interested parties with respect to what many individuals would like to see located in place of the Atwood House once the Atwood House is demolished.

Both the CVS store and the Atwood House are located on the same lot and there can be no subdivision of the lot to accommodate zoning for either one standing on its own because of zoning bylaw constraints.

At the time of the CVS ARB hearing which took place in 2009, there was language contained in the decision to the effect that there was a contemplation on the part of the Members of the ARB that the Atwood House could be demolished however there was no time constraint related to any plans to demolish the building.

The 2009 CVS ARB Decision contains language allocating certain parking spaces for the Atwood House whether it was to remain, be modified, demolished, or reconstructed.

We believe the Atwood House was constructed in the 1890's and of course the CVS store was constructed in the year 2010.

The Atwood House has been vacant and in a state of disrepair for an extended period of time.

As a result, the Applicant was fined by the Town and has fully paid all fines relating to outstanding building code and/or other violations.

The Applicant has engaged the services of Andres T. Rojas, Rojas Design, Inc., who has prepared mixed-use plans with respect to the submission and is now ready to move forward and obtain approval of the plans, demo the Atwood House, and construct a new mixed-use building all in accordance with the plans submitted to the ARB.

Development of the site will remove a significant "eyesore" on Massachusetts Avenue, the main thoroughfare threw the Town and, at the same time will add additional residential living space in the Town while maintaining a mixed-use component with respect to office use.

For all the above reasons the Applicant respectfully requests that his plans be approved by the ARB.