Town of Arlington, Massachusetts
Department of Planning and Community Development
730 Massachusetts Avenue, Arlington, Massachusetts 02476

Public Hearing Memorandum

The purpose of this memorandum is to provide the Arlington Redevelopment Board and public with technical information and a planning analysis to assist with the regulatory decision-making process.

To: Arlington Redevelopment Board
From: Claire V. Ricker, AICP Secretary Ex-Officio
Subject: Environmental Design Review, 821 Massachusetts Avenue, Arlington, MA, Docket #3798
Date: January 2, 2025

I. Docket Summary

This is an application by Noyes Realty LLLP, PO Box 40, Marblehead, MA 01945, to open Special Permit Docket #3798 in accordance with the provisions of MGL Chapter 40A § 11, and the Town of Arlington Zoning Bylaw Section 3.3, Special Permits, and Section 3.4, Environmental Design Review.

The applicant proposes to demolish the existing building and construct a mixed-use building located at 821 Massachusetts Avenue, Arlington, MA, in the B4 Vehicular Oriented Business District. The opening of the Special Permit is to allow the Board to review and approve the project under Section 3.3, Special Permits, and Section 3.4, Environmental Design Review.

Materials previously submitted for consideration of this application include:

- Application for EDR Special Permit,
- Impact Statement,
- Dimensional and Parking Information,
- Architectural Drawings.
- Drainage Calculation Report
- Fire Department Memo
- Solar Array Study
- LEED NC Checklist
- Shade Report
- Tree Evaluation Letter
- Sketch-up model and video

Addition materials submitted for consideration of this application include:

- Updated Application for EDR Special Permit
- Updated Architectural Drawings
- Updated Sketch-up model and video

II. Application of Special Permit Criteria (Arlington Zoning Bylaw, Section 3.3)

1. Section 3.3.3.A.

The use requested is listed as a Special Permit in the use regulations for the applicable district or is so designated elsewhere in this Bylaw.

821 Massachusetts Avenue is located in the B-4: Vehicle Oriented Use District. Regarding the B-4 District, in Section 5.5.1.E., of the Zoning Bylaw states: "Arlington has an abundance of automotive and automotive accessory sales and service establishments. As these businesses gradually close, The Town has encouraged conversion of the property to other retail, service, office, or residential use, particularly as part of a mixed-use development." Mixed-use residential and office space development is allowed in the B4 District. The Board can find that this condition is met.

2. Section 3.3.3.B.

The requested use is essential or desirable to the public convenience or welfare.

The requested use is essential and desirable. The Master Plan promotes mixed-use developments as a means to revitalize business districts, by bringing customers and street life to commercial areas. From a land use perspective, the Master Plan encourages development of higher value mixed-use buildings along commercial corridors, especially Mass Ave, by allowing taller buildings and reducing off-street parking requirements. The Board can find that this condition is met.

3. Section 3.3.3.C.

The requested use will not create undue traffic congestion or unduly impair pedestrian safety.

The proposed project includes ten parking spaces for cars, located on the ground level of the property, composed of nine standard parking spaces and one ADA accessible parking space. Parking and traffic flow will be blended with the traffic and parking activities at the abutting address, 833 Mass Ave (CVS), with the proposed new building utilizing the entry and exit curb cuts. Parking for the development will be located behind the new building. The Board can find that this condition is met.

4. Section 3.3.3.D.

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

Drainage calculations were included in the submission that indicate site stormwater run-off will be improved via the project. Additionally, the project narrative states that site design for the 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. The project will employ Best

Management Practices for the site including determination of the feasibility of installing an underground filtration system beneath the parking area. A landscaped buffer will be introduced on the site and several trees will be planted. Overall, the narrative and report indicate that the project should result in a reduction in the quantity of stormwater flowing from the site. The Board can find that this condition is met.

5. Section 3.3.3.E.

Any special regulations for the use as may be provided in the Bylaw are fulfilled.

Any special regulations for the use that may be provided in the Bylaw will be fulfilled. The Board can find that this condition is met.

6. Section 3.3.3.F.

The requested use will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the health, morals, or welfare.

The project proposes ground floor office use with four residential units located at the ground floor and above, uses that have been in this location since at least 1911 when Dr. Charles Atwood opened a medical office in his residence at 821 Mass Ave. The replication of commercial office space and residential units is described in the definition of the B4 zoning district as desirable; the definition specifically states, "the Town has encouraged conversion of the property to other retail, service, office, or residential use, particularly as part of mixed-use development." In particular, this proposal both increases overall commercial space on the property and provides new housing. These additions will not impair the integrity or character of the district, or the adjoining districts and it will not be detrimental to health or welfare. The Board can find that this condition is met.

7. Section 3.3.3.G.

The requested use will not, by its addition to a neighborhood, cause an excess of the use that could be detrimental to the character of said neighborhood.

There will be no excess of mixed-use in the neighborhood as a result of this development, rather the Applicant's proposal will comport with the objectives of the Master Plan to maintain a mixed-use component along Mass Ave. Furthermore, the proposed mixed-use building will not be detrimental to the character of the neighborhood in which the property is located. The Board can find that this condition is met.

III. Environmental Design Review Standards (Arlington Zoning Bylaw, Section 3.4)

1. EDR-1 Preservation of Landscape

The landscape shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal, and any grade changes shall be in keeping with the general appearance of neighboring developed areas.

The project proposes to remove eight existing trees and plant nine street trees every 25' along the entire property line, including the CVS lease area. The existing parking area "side buffer" tree plantings shall remain, and all landscape areas facing the abutters shall be enhanced and improved with new plantings. The existing landscape shall be preserved, as far as practicable. This project minimizes tree and soil removal, and all grade adjustments are in keeping with the general appearance of neighboring developed areas. The Board can find that this condition is met.

2. EDR-2 Relation of the Building to the Environment

Proposed development shall be related harmoniously to the terrain and to the use, scale, and architecture of the existing buildings in the vicinity that have functional or visible relationship to the proposed buildings. The Arlington Redevelopment Board may require a modification in massing so as to reduce the effect of shadows on the abutting property in an R0, R1 or R2 district or on public open space.

There are a range of architectural styles and zoning districts in the vicinity, ranging from single- and two-family homes to apartment buildings, and from single-story commercial to mixed-use developments. Building heights in the area vary from one to four stories and have a variety of setbacks in relationship to their street frontage. The proposal will bring the building closer to the street, improving its relationship to the public realm. The new building's setbacks are consistent with the abutters' setbacks. The proposed new building will relate harmoniously to the lot's terrain and to the use, scale, setbacks, and architecture of the existing buildings in the vicinity that have a functional or visual relationship to the building. The Board can find that this condition is met.

3. EDR-3 Open Space

All open space (landscaped and usable) shall be so designed as to add to the visual amenities of the vicinity by maximizing its visibility for persons passing by the site or overlooking it from nearby properties. The location and configuration of usable open space shall be so designed as to encourage social interaction, maximize its utility and facilitate maintenance.

The proposal includes approximately 5,600 square feet of landscaped open space along the sides and rear of the building, which also provides a buffer with the adjacent buildings at 833 Mass Ave (CVS) and the Baptist Church at 815 Mass Ave. The total residential floor area is approximately 8,500 square feet, therefore over 50% landscaped open space is proposed, exceeding the 10% requirement. The Applicant will add three street trees immediately in front of the building and six additional street trees along the Massachusetts Avenue property line. The usable open space is located at ground level and on separated roof decks totaling approximately 4,200 square feet.

Additionally, under this proposal the Applicant will likely require relief from the required 15-foot buffer in Section 5.3.21, as the Baptist Church property adjacent to the project is located in an R1 district and a landscaped buffer is precluded by the building footprint. Section 5.3.21 refers to Section 5.3.7, of which subsection B refers to the screening provisions laid out in Section 6.1, of which Section 6.1.11(E) lays out conditions under which the landscaping standards may be modified. Under this latter section, the Board may find that the proposal has adequately adopted reasonable measures to meet the intent of the standards and also provided landscaped space at another location in the parking lot.

4. EDR-4 Circulation

With respect to vehicular and pedestrian and bicycle circulation, including entrances, ramps, walkways, drives, and parking, special attention shall be given to location and number of access points to the public streets (especially in relation to existing traffic controls and mass transit facilities), width of interior drives and access points, general interior circulation, separation of pedestrian and vehicular traffic, access to community facilities, and arrangement of vehicle parking and bicycle parking areas, including bicycle parking spaces required by Section 6.1.12 that are safe and convenient and, insofar as practicable, do not detract from the use and enjoyment of proposed buildings and structures and the neighboring properties.

The proposed project includes a total of nine vehicle parking spaces. Three short-term and six long-term bicycle parking spaces shall also be provided. Each commercial and residential unit has designated basement storage area where bicycles may also be stored. The ground-level parking area provides nine standard parking spaces for vehicles, and one van-accessible HP vehicle space. Parking access is provided via Mass Ave; however, vehicles will utilize the curb cut at 833 Mass Ave (CVS) and proceed through the CVS parking area to access the parking behind the new building. Additional on-street parking is available along Mass Ave.

The vehicle parking requirement for mixed-use development calculates the parking required for each individual use; the parking required for the residential use totals four parking spaces. As the first 3,000 square feet of non-residential space in mixed-use buildings is exempt from the parking requirements per Section 6.1.10.C., no parking is required for the commercial space, however the applicant shall provide five additional vehicle parking spaces.

Similarly, the bicycle parking requirement for mixed use calculates the required bicycle parking for each use. The project proposes three short-term and six long-term bicycle parking spaces. Short-term bicycle parking requirements for each use are met with the provision of three ring-style bike racks at the rear of the building. Regarding long-term parking, per 6.1.12.D., six long-term spaces are required for the 4 residential units alone. Additional long-term spaces are calculated by the end use of the commercial space, should the commercial space be used as retail; no additional long terms spaces are required. However, should the commercial space be used as an office or offices, one additional long-term bicycle parking space is required. Furthermore, should the commercial space be used as a medical office or clinic, two additional long-term bicycle parking spaces are required.

Pedestrian circulation around the building would be improved as the current site lacks pedestrian access around the existing building. Paved walkways will connect the parking area to the residential units and the rear of the commercial units, which are buffered on the Mass Ave side with an approximately 10’ setback. Access to the residential units is provided directly via the rear parking area, as is access to the trash and recycling receptacle. Nine total street trees will be planted in front of the project, providing shade and improving the human scale elements of the ground floor commercial space on Mass Ave. A walkway from the front to the rear of the building that is accessible from Mass Ave will be installed. Tenants and visitors arriving to the project via Mass Ave can access the rear residential unit entrances and bicycle parking area from the front of the building. Structural engineered soils shall be used under the hardscape, and the Applicant has provided details on the types of pavers or bricks selected to ensure ADA compliance. The Board can find this condition is met.

5. EDR-5 Surface Water Drainage

Special attention shall be given to 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 should be employed, and include site planning to minimize impervious surface and reduce clearing and re-grading. Best Management Practices may include erosion control and stormwater treatment by means of swales, filters, plantings, roof gardens, native vegetation, and leaching catch basins. Stormwater should be treated at least minimally on the development site; that which cannot be handled 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 in intervals so that it will not obstruct the flow of vehicular or pedestrian traffic and will not create puddles in the paved areas.

In accordance with Section 3.3.4., the Board may require from any applicant, after consultation with the Director of Public Works, security satisfactory to the Board to ensure the maintenance of all stormwater facilities such as catch basins, leaching catch basins, detention basins, swales, etc. within the site. The Board may use funds provided by such security to conduct maintenance that the applicant fails to do.

The Board may adjust in its sole discretion the amount and type of financial security such that it is satisfied that the amount is sufficient to provide for any future maintenance needs.

The application materials state that surface water drainage will be improved via the installation of Best Management Practices elements that will reduce stormwater runoff from the site. Available Best Management Practices for the site shall be employed and include site planning to minimize impervious surface and reduce clearing and re-grading. 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.

A stormwater infiltration analysis has been submitted and determines which areas of the site are appropriate for stormwater infiltration systems, and determines the amount of runoff the project will generate. Drainage calculations were included in the submission that indicate site stormwater run-off will be improved via the project. Final design materials must be submitted for review and approval by the Town Engineer, including a site plan that shows catch basins and filtration systems. The Board can find this condition is met.

6. EDR-6 Utilities Service

Electric, telephone, cable TV, and other such lines of equipment shall be underground. The proposed method of sanitary sewage disposal and solid waste disposal from all buildings shall be indicated.

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. Water and sewer should be separated by ten feet and domestic protection should adhere to what the Water Division requires. The Board can find this condition is met.

7. EDR-7 Advertising Features

The size, location, design, color, texture, lighting and materials of all permanent signs and outdoor advertising structures or features shall not detract from the use and enjoyment of proposed buildings and structures and the surrounding properties.

Any signage and advertising will be in accordance with the provisions of Section 6.2 of the Zoning By-Law, compliant with the B3 Village Business District requirements. Final signage will need to be submitted, reviewed, and approved administratively by the Department of Planning and Community Development or reviewed by the Board for a sign permit. The Board can find that this condition is met.

8. EDR-8 Special Features

Exposed storage areas, exposed machinery installations, service areas, truck loading areas, utility buildings and structures, and similar accessory areas and structures shall be subject to such setbacks, screen plantings or other screening methods as shall reasonably be required to prevent their being incongruous with the existing or contemplated environment and the surrounding properties.

The site plan shows an enclosed trash and recycling area located adjacent to the parking area on the rear of the property. The Board can find that this condition is met.

9. EDR-9 Safety

With respect to personal safety, all open and enclosed spaces shall be designed to facilitate building evacuation and maximize accessibility by fire, police and other emergency personnel and equipment. Insofar as practicable, all exterior spaces and interior public and semi-public spaces shall be so designed 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.

The Applicant notes that the proposed building shall be designed to meet all relevant health and safety codes. 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. A lighting plan has been submitted and is included in the updated architectural drawings. The Board can find this condition is met.

10. EDR-10 Heritage

With respect to Arlington's heritage, removal or disruption of historic, traditional or significant uses, structures or architectural elements shall be minimized insofar as practical whether these exist on the site or on adjacent properties.

The existing building, also known as the “Atwood House,” has been located on the property since at least 1911 and has deteriorated over time to the point where restoration is infeasible. The applicant sought to demolish the house in anticipation of building a new development and was placed under demolition delay by the Historical Commission, which has since expired. As it stands today, the Arlington Police have been called to the site on numerous occasions to deal with trespassers and other individuals who may have visited the site for purposes which could result in potential commission of criminal and civil offenses. The submission of this Application offers an opportunity for the Town to eliminate the safety hazard to the public due to the condition of the property. The Board can find that this condition is met.

11. EDR-11 Microclimate

With respect to the localized climatic characteristics of a given area, any development which proposes new structures, new hard surface, ground coverage or the installation of machinery which emits heat, vapor or fumes shall endeavor to minimize insofar as practicable, any adverse impacts on light, air, and water resources or on noise and temperature levels of the immediate environment.

Based upon materials provided in the application, there will be no adverse impacts on air and water resources or on temperature levels of the immediate environment. The project removes eight trees while maintaining several mature trees to the rear of the site as part of the project. The addition of the street tree will reduce the heat island effect identified in this section of the Mass Ave corridor. The Board can find that this condition is met.

12. EDR-12 Sustainable Building and Site Design

Projects are encouraged to incorporate best practices related to sustainable sites, water efficiency, energy and atmosphere, materials and resources, and indoor environmental quality. Applicants must submit a current Green Building Council Leadership in Energy and Environmental Design (LEED) checklist, appropriate to the type of development, annotated with narrative description that indicates how the LEED performance objectives will be incorporated into the project.

A LEED checklist was provided. Additionally, the applicant notes in the project narrative that the project is committed to the inclusion of the following sustainability components which are not shown on the plans:

- 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-ready roof features
- Sustainable and less water-intensive landscape materials
- Non-invasive plant materials
- Site and building cooling strategies utilizing planting locations
- Waste reduction and recycling
- Storm water management

IV. Findings

1. The ARB can find that the project is consistent with Environmental Design Review per Section 3.4 of the Zoning Bylaw.

2. The ARB can find that the landscaped areas adjacent to the parking area justify the buffer area reduction per Section 6.1.11.

V. Conditions

A. General

1. The final design, sign, exterior material, landscaping, and lighting plans shall be subject to the approval of the Arlington Redevelopment Board or administratively approved by the Department of Planning and Community Development.

2. Any substantial or material deviation during construction from the approved plans and specifications is subject to the written approval of the Arlington Redevelopment Board.

3. The Board maintains continuing jurisdiction over this permit and may, after a duly advertised public hearing, attach other conditions or modify these conditions as it deems appropriate in order to protect the public interest and welfare.

4. Snow removal from all parts of the site, as well as from any abutting public sidewalks, shall be the responsibility of the owner and shall be accomplished in accordance with Town Bylaws.

5. Trash shall be picked up only on Monday through Friday between the hours of 7:00 am and 6:00 pm. All exterior trash and storage areas on the property, if any, shall be properly screened and maintained in accordance with Article 30 of Town Bylaws.

6. The Applicant shall provide a statement from the Town Engineer that all proposed utility services have adequate capacity to serve the development. The applicant shall provide evidence that a final plan for drainage and surface water removal has been reviewed and approved by the Town Engineer.

7. Upon installation of landscaping materials and other site improvements, the Applicant shall remain responsible for such materials and improvement and shall replace and repair as necessary to remain in compliance with the approved site plan.

8. All utilities serving or traversing the site (including electric, telephone, cable, and other such lines and equipment) shall be underground.

9. Upon the issuance of the building permit, the Applicant shall file with the Building Inspector and the Department of Community Safety the names and telephone numbers of contact personnel who may be reached 24 hours each day during the construction period.

10. Building signage shall be filed with and reviewed and approved by the Department of Planning and Community Development and Inspectional Services.