BOARD OF APPEALS
Town of Arlington
Arlington, Massachusetts 02476

51 Grove Street
Telephone (781) 316-3396

April 14, 2025

As discussed at the previous hearing, here are proposed conditions for Docket 3821, 20 Pond Lane for discussion at the April 22, 2025 continuation of the hearing. Please note that Conditions #12 and #13 are standard conditions, and the Board will apply the language as written.

Condition #1: Commercial activities are limited to the hours noted in the Town's Noise Abatement Bylaw (Title V, Article 12, Section 3.A).

Condition #2: The size of vehicles accessing the site is limited to the Department of Transportation Classes 1-3 (up to 14,000 lb GVW) as currently in effect. All loading must take place on site. Loading of vehicles on the street is prohibited.

Condition #3: The activities that may take place at this site are limited to the following: storage of goods for sale at Wannamaker Hardware, storage of vehicles owned by Wannamaker Hardware, minor service of vehicles owned by Wannamaker Hardware, and general office functions. Any additional activities require amendment of this Special Permit.

Condition #4: Storage of materials is limited to those allowed under the Storage Use Group in the State Building Code (780 CMR 311) with the exception of aircraft hanger, dry boat storage, self-service storage, public parking, and any items which are not offered for sale at Wannamaker Hardware.

Condition #5: No retail sales, retail deliveries, or retail transfers may take place on the property.

Condition #6: Signage shall be limited to that allowed in the Residential Sign District in the Zoning Bylaw.

Condition #7: At no time shall more than four people be employed at this location.

Condition #8: The number of vehicle trips to the property is not to exceed six trips per day.

Condition #9: The granting of this special permit supersedes all previous grants.

Condition #10: Once enacted, this special permit shall be in effect until the property is transferred or sold to another entity, the accessory building is rented to another entity, or should the accessory building become uninhabitable.

Condition #11: Complaints regarding the operation of the property are to be submitted to the Building Inspector per Section 3.1 in the Zoning Bylaw. If in the Inspector's opinion the conditions of the permit are not being followed, this permit may be reviewed, revised, or revoked by the Board.

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Condition #12: (Standard Condition) The Building Inspector is hereby notified that they are to monitor the site and should proceed with appropriate enforcement procedures at any time they determine that violations are present. The Building Inspector shall proceed under Section 3.1 of the Zoning Bylaw and under the provisions of Chapter 40, Section 21D of the Massachusetts General Laws, and institute non-criminal complaints. If necessary, the Building Inspector may also approve and institute appropriate criminal action, also in accordance with Section 3.1.

Condition #13: (Standard Condition) The Board shall maintain continuing jurisdiction with respect to this Special Permit grant.

Christian Klein
Chair, Arlington Zoning Board of Appeals