

**Arlington Redevelopment Board
Monday, April 7, 2025, at 7:30 PM
Community Center, Main Hall
27 Maple Street, Arlington, MA 02476
Meeting Minutes**

This meeting was recorded by ACMI.

PRESENT: Rachel Zsemlery (Chair), Eugene Benson, Shaina Korman-Houston, Kin Lau, Stephen Revilak

STAFF: Claire Ricker, Director of Planning and Community Development; Sarah Suarez, Assistant Director of Planning and Community Development

The Chair called the meeting of the Board to order.

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

March 17, 2025 – The Board members made no changes to the minutes. The Chair requested a motion to approve the March 4 minutes as submitted. Mr. Lau so moved, Mr. Benson seconded, and the Board voted unanimously in favor.

March 24, 2025 – The Board members made no changes to the minutes. The Chair requested a motion to approve the March 4 minutes as submitted. 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 2025 Annual Town Meeting.**

ARTICLE 26: TRANSPORTATION DEMAND MANAGEMENT PLAN

Mr. Revilak noted that the Board has felt for some time that they needed to include Transportation Demand Management (TDM) measures that better accommodate smaller projects and residential only projects, and this article is a good step in that direction. The Chair agreed, saying that this article is the culmination of a change that the Board has been discussing for the past several months.

The Chair asked for a motion to recommend Favorable Action on Article 26. Mr. Lau so moved, Mr. Benson seconded, and the Board voted 5-0 in favor.

The Chair explained that Article 26 requires a simple majority vote of Town Meeting.

ARTICLE 27: DELETE INLAND WETLAND OVERLAY DISTRICT

Mr. Lau said that the Inland Wetland Overlay District (IWD) is redundant and unnecessary. Mr. Revilak said that deleting the IWD will clarify that the Conservation Commission is the Town body with jurisdiction over wetlands.

The Chair asked for a motion to recommend Favorable Action on Article 27. Mr. Lau so moved, Mr. Benson seconded, and the Board voted unanimously in favor.

Article 27 requires a two-thirds majority vote of Town Meeting.

ARTICLE 28: DEFINITION OF LOT COVERAGE

Mr. Lau said that this article is a clarification of the ambiguity around the definition of Lot Coverage in the Zoning Bylaw. Mr. Benson noted that the Chair of the Zoning Board of Appeals (ZBA) requested this change.

The Chair asked for a motion to recommend Favorable Action on Article 28. Mr. Lau so moved, Mr. Benson seconded, and the Board voted unanimously in favor.

Article 28 requires a two-thirds majority vote of Town Meeting. The Chair will recommend that this article be added to the Consent Agenda.

ARTICLE 29: PARKING IN RESIDENTIAL DISTRICTS

Mr. Benson noted that this article was also requested by the Chair of the ZBA.

Mr. Revilak said that this article refers to Section 6.1.10 of the Zoning Bylaw, which frequently comes up in ZBA dockets. The current zoning bylaw is challenging to interpret, so he appreciates these changes. He also suggested that the Chair of the ZBA be available at Town Meeting to answer questions about this article.

The Chair asked for a motion to recommend Favorable Action on Article 29. Mr. Lau so moved, Mr. Benson seconded, and the Board voted unanimously in favor.

Article 29 requires a two-thirds majority vote of Town Meeting.

ARTICLE 30: SCREENING AND BUFFER REQUIREMENTS

Mr. Benson explained that when the Zoning Bylaw was recodified in 2018, due to an error, the same section appeared twice in different places. This article removes one of the redundant sections and makes changes for clarity; the article makes no substantive changes to the bylaw.

The Chair asked for a motion to recommend Favorable Action on Article 30. Mr. Lau so moved, Mr. Benson seconded, and the Board voted unanimously in favor.

Article 30 requires a two-thirds majority vote of Town Meeting. The Chair will recommend that this article be added to the Consent Agenda.

ARTICLE 31: REDEVELOPMENT BOARD JURISDICTION

Mr. Lau said that this article makes an appropriate change in jurisdiction, because the ZBA is the most suitable venue to make decisions about the types of projects addressed in the article. The other Board members agreed. Ms. Korman-Houston noted that the Chair of the ZBA also agrees that this change is appropriate.

The Chair asked for a motion to recommend Favorable Action on Article 31. Mr. Lau so moved, Mr. Benson seconded, and the Board voted unanimously in favor.

Article 31 requires a two-thirds majority vote of Town Meeting. The Chair will recommend that this article be added to the Consent Agenda.

ARTICLE 32: REZONE B1 PARCELS

The Chair explained that Article 32 proposes a change to the Zoning Bylaw regarding rezoning parcels currently zoned as B1 to B2A.

Mr. Lau said that rezoning B1 properties as B2A removes outdated zoning and encourages commercial and business development.

Mr. Revilak said that the Board has received favorable feedback from B1 property owners. B2A zoning offers a more favorable set of dimensional regulations, and it permits a wider range of commercial uses, which will hopefully lead to new investment and development that will expand the commercial tax base.

The Chair asked for a motion to recommend Favorable Action on Article 32. Mr. Lau so moved, Mr. Benson seconded, and the Board voted unanimously in favor.

Article 32 requires a simple majority vote of Town Meeting.

ARTICLE 33: ZONING MAP ADOPTION FOR B1 REZONING

The Chair explained that Article 33 is a proposal to change the Zoning Map pursuant to the rezoning change in Article 32.

The Chair asked for a motion to recommend Favorable Action on Article 33. Mr. Lau so moved, Mr. Benson seconded, and the Board voted unanimously in favor.

Article 33 requires a simple majority vote of Town Meeting.

ARTICLE 34: ADMINISTRATIVE CORRECTION

Mr. Benson said that he appreciates that this article will remove the date of the Zoning Map in the Zoning Bylaw. As a result of including the date, the Zoning Map has typically lagged a year behind in showing changes that Town Meeting has approved because the date cannot be changed until the next Town Meeting. Removing the date from the bylaw means that it will no longer be necessary to bring a second warrant article to update the date of the map in the bylaw a year after any changes are made.

The Chair asked for a motion to recommend Favorable Action on Article 34. Mr. Lau so moved, Mr. Benson seconded, and the Board voted unanimously in favor.

Article 34 requires a simple majority vote of Town Meeting. The Chair will recommend that this article be added to the Consent Agenda.

ARTICLE 35: ZONING MAP ADOPTION FOR ADMINISTRATIVE CORRECTION

The Chair explained that Article 35 proposes to adopt the updated Zoning Map reflecting changes approved by Town Meeting in 2024.

The Chair asked for a motion to recommend Favorable Action on Article 35. Mr. Lau so moved, Mr. Benson seconded, and the Board voted unanimously in favor.

Article 35 requires a simple majority vote of Town Meeting. The Chair will recommend that this article be added to the Consent Agenda.

ARTICLE 36: NO NET LOSS OF COMMERCIAL SPACE FOR LOCAL BUSINESS

Mr. Lau said that although he agrees with the intent of this article, to encourage the development of commercial space, he thinks that this article is too restrictive.

Ms. Korman-Houston also said that the article was too restrictive, specifically the requirement that no residential units are located on the ground floor of mixed-use buildings unless commercial space at least as large as the residential units is located on the second floor. This provision does not allow for the uniqueness of each development, and it could discourage developers from providing accessible first-floor residential units. She also said that it may over-estimate the demand for second-floor commercial space.

Mr. Benson said that he sees technical and policy problems with this article, although he is sympathetic to its intent. The Board consistently works with developers to maximize commercial space on the ground floor of mixed-use buildings. He noted that the warrant article speaks of setting a required minimum floor area percentage for non-residential uses in mixed-use buildings, but the proposed main motion language in Section 5.5.2.B.(5)a) sets conditions for allowing ground floor residential units, which would appear to be out of scope of the warrant article.

Mr. Benson also noted that the proposed language in Section 5.5.2.B.(5)a) sets specific requirements for all mixed-use projects, but 5.5.2.B.(5)b) refers only to projects of four or more stories, which contradicts some of (5)a).

Mr. Benson also expressed concern with the fact that the restrictions on buildings of four and more stories might have the unintended consequence of incentivizing the development of two- and three-story buildings where larger buildings would be more appropriate.

Mr. Benson also noted that the requirement that at least 60% of the first floor be commercial space that is open to the general public is problematic because some spaces within commercial units are not open to the public, such as private bathrooms and storage areas.

Mr. Benson also agreed with Mr. Lau and Ms. Korman-Houston that this article is too restrictive. Each parcel is unique, and each development has different needs. This article makes it too difficult to deal with the uniqueness of each project. He also noted that the Board will be bringing rezoning plans for Arlington Heights and East Arlington to Town Meeting in 2026. He encouraged the proponents to get involved with that process and include some of their ideas in those plans specifically for the major business districts, rather than applying them to the entire town.

Mr. Revilak said that he thinks this article is trying to do two things – require that 60% of the building footprint of buildings of four or more stories be commercial space, and restrict first-floor residential units. He noted that those two goals do not necessarily work together. For example, a building with a large footprint might devote 60% of the ground floor to commercial use while also having a first-floor residential unit, but this article would require them to add additional commercial space on the second floor at least the size of the first-floor residential unit. He could support a simpler article with the intent of increasing commercial space, but he does not want to discourage the building of ground-floor accessible residential units.

The Chair said that she also appreciated the intent of this article, but she agreed with the concerns expressed by the other Board members. She would also like to see how some of these concepts can be woven into the rezoning plans for business districts to be brought before 2026 Town Meeting.

The Chair asked for a motion to recommend No Action on Article 36. Mr. Lau so moved, Mr. Benson seconded, and the Board voted unanimously in favor.

Article 36 would require a two-thirds majority vote of Town Meeting. The Chair noted that all articles voted No Action are automatically placed on the Consent Agenda.

ARTICLE 37: MULTI-FAMILY PARKING REDUCTION

Mr. Lau noted that the proponent has significantly simplified this article, which he appreciates. He is on the fence about whether or not to support it.

Ms. Korman-Houston said that she also appreciates the proponent's willingness to consider the Board's feedback and make changes. She is also unsure about whether to support it, primarily because of the use of on-street parking as a TDM measure to reduce parking requirements. Arlington does not currently allow overnight on-street parking. That may be changing to some extent, but it is not yet clear how exactly on-street parking will work.

Mr. Benson also appreciated the changes made by the proponent. He noted that the Select Board has agreed to make the overnight on-street parking pilot program permanent, but they have not yet shared any information about the details, so it is difficult to know how it will apply to this article.

Mr. Benson said that he could support this article with some wording changes to Section 6.1.10.E. He would like the reference to parking spaces "located within 1,000 feet of the building" to be changed to say "located within a 1,000-foot walk of the building." He would also like snow emergency bans to be included in the list of potential restrictions that would make the use of on-street parking impractical.

Mr. Benson said that he is concerned about how to track the overlap between the use of on-street parking spaces to reduce parking requirements for multiple projects. Mr. Revilak noted that the Select Board office administers overnight on-street parking permits, so the Redevelopment Board could coordinate with the Select Board to determine the availability of on-street parking.

Mr. Revilak said that he appreciates the inclusion of parking for cargo bicycles as a TDM measure in Section 6.1.5.C, because their use can enable people in some situations to live without a car. He is supportive of this article. He understands the issues related to on-street parking, and the Board could propose an amendment to remove that section, but he does not object to including it.

The Chair said she supports the idea of including cargo bicycles as a TDM measure in Section 6.1.5.C. She also said that until the Select Board shares more information about how the permanent overnight on-street parking program will work, she is not willing to use it as a TDM measure. Once that information is available, she would like the Board to comprehensively address parking requirements in the bylaw, but she does not think that this article is the best way to advance that goal. Mr. Revilak said that it would make sense to have a conversation with the Select Board about reconsidering parking requirements now that the on-street parking program is permanent.

Mr. Benson said that he thinks the addition of cargo bicycle parking to Section 6.1.5.C would only work if on-street parking is available. He is also skeptical of the Board's ability to track on-street parking spaces that have been used as TDM measures, even with communication with the Select Board.

The proponent of the article, Vincent Baudoin, 70 Silk Street, said that during snow emergencies, the Town assigns a parking space in one of the Town's off-street parking lots to residents with on-street parking permits in order to keep the roads clear for plows. In making the on-street parking program permanent, the Select Board kept all the details the same as the pilot program. They have also placed a limit of one permit per household or two per apartment building, which would limit the number of on-street spaces that a developer could use as part of a TDM plan.

The Chair said that she can support the proposed changes to 6.1.5.C and 6.1.12, but she does not support the inclusion of on-street parking in 6.1.10.E at this time. She would prefer that the Redevelopment Board work with the Select Board to comprehensively address parking issues once the full parameters of the permanent on-street parking program become clear.

Mr. Revilak proposed revising the main motion language to include the language in 6.1.5.C and 6.1.12, but not 6.1.10.E. Mr. Baudoin replied that he would prefer to keep all of it. If the overnight on-street parking program is eliminated at some point, then the language in 6.1.10 would no longer apply, so it would not enable developers to continue to receive parking reductions in that case.

Mr. Benson expressed concern that the language in 6.1.10.E does not line up with what Mr. Baudoin has shared about the Select Board's approach to the permanent on-street parking program. The proposed language refers to substituting on-street parking spaces in lieu of parking requirements, but the relevant issue is the number of permits issued by the Select Board, not the number of on-street parking spaces.

Mr. Lau said that the intended outcome is to encourage more development by reducing parking requirements, but he thinks that the proposal is too vague to make it clear to developers how much parking they will need to include. He would like the Board to commit to addressing this issue in the future, but he does not think that this article is ready.

The Chair said that she is concerned about reducing parking requirements as low as 25% if only two on-street parking permits will be granted per apartment building.

Mr. Benson said that he also thinks that 25% is too low, and he would prefer to remove the proposed changes to Section 6.1.5. However, he thinks that it is possible to rewrite 6.1.10.E to specify that the number of required parking spaces can be reduced by the number of overnight parking permits available for the development. He also agrees with adding parking for cargo bicycles to the TDM strategies, as in the proposed change to 6.1.5.C. The Chair expressed concern about significantly rewriting the proposal without having the time to determine how it fits with other portions of the zoning bylaw and without knowing exactly how the Select Board's on-street parking program will work.

Mr. Lau asked if the Board would be willing to commit to addressing this issue for 2026 Annual Town Meeting. Mr. Benson said that he was willing to commit to considering the issue, but not necessarily to changing the bylaw. The other Board members agreed.

The Chair noted that the Board is in agreement about the sections of the proposed main motion language dealing with cargo bicycle parking. She asked if the proponent would be willing to move forward with only that language.

Mr. Baudoin replied that that would be too large a change to make at this point, but adding cargo bicycles to the TDM strategies could be proposed as an amendment to Article 26.

The Chair asked for a motion to recommend No Action on Article 37. Mr. Lau so moved, Mr. Benson seconded, and the Board voted unanimously in favor.

Article 37 would require a simple majority vote of Town Meeting. With the vote of No Action, it will be placed on the Consent Agenda.

ARTICLE 38: USE REGULATIONS FOR RESIDENTIAL DISTRICTS

Ms. Korman-Houston said that she supports increasing the office uses and some of the retail uses proposed to be allowed in residential districts, but she has concerns about some of the other uses.

Mr. Benson said that he appreciates that the proponent has amended the proposal to be more limited and focused. He would like to know how many parcels would be affected by this article and how many residential units they currently have. He also expressed concern about the potential loss of residential units by allowing businesses in residential zones. While the Board wants to encourage more commercial space, they also want to increase the number of housing units, without trading one for the other. He also expressed concern about the sewer capacity of residential areas to deal with uses like restaurants. He also noted that this proposal would allow some commercial uses by right in residential districts that are only allowed by special permit in business districts. He suggested addressing this issue by changing the section of the bylaw which deals with allowing home occupations as an accessory use. He thinks that the ideas in this article are worth pursuing, but this proposal needs work.

Mr. Revilak noted several points that were presented during the Comprehensive Plan Kickoff Event. 26% of Arlington residents who are employed work from home. In addition, Arlington has added 250 businesses and 1,300 employees since 2013, and many of those businesses are getting started from people's homes. A lot of business is happening in residential districts already, but the Town may not be aware of it. He noted that this proposal originally included the R0, R1, and R2 districts, and with the removal of those districts, it has been scaled back considerably. There are very few parcels zoned R3 through R7, and many of them are already located on Mass Ave and Broadway. This is a small and incremental change; he would like to see more businesses allowed in more districts.

The Chair said that the feedback given by the Board at the original hearing included that the focus should be on smaller businesses, so she was surprised to see that the proposal allows a number of businesses with 5 or more employees as of right. She also expected to see more of a focus on small businesses run out of homes, rather than larger businesses that would require their own spaces.

Mr. Lau said that he could support this article if restaurants were deleted from the allowable uses. He also suggested allowing offices in R3 by special permit rather than by right, given that many of the R3 parcels are farther from Mass Ave and Broadway.

Mr. Benson said that this proposal addresses two different issues: allowing people to have businesses in their homes, and allowing businesses like restaurants, catering services, artistic production, and other uses in residential districts. He said that an alternative would be to amend Section 5.10.1, Home Occupation, to expand what is allowed there.

Andrew Greenspon, 89 Palmer Street, said that at the prior hearing, he felt that he was given many different messages, and he tried to respond to them all with his revisions to the proposal:

- Some Board members suggested that the focus should be on home occupations, while others suggested that the focus should be on residential areas that are already close to business districts. He chose to focus on the latter. He looked up all the R3 through R7 parcels, and he is fairly certain that they all abut businesses on main arteries or are within a block or two, so this article would fill in gaps in business areas. He found about 1,900 R3 through R7 parcels, which is approximately 15% of all R parcels.
- The proposal only allows restaurants in parcels that abut business zones, so they should already have access to appropriate sewer systems.

- Most R3 through R7 parcels are apartment buildings or condo associations, many of which probably do not allow businesses, so that would be a built-in limit to the number of residential units that could be converted to commercial use.
- He spoke with Mike Ciampa, Director of the Inspectional Services Department (ISD), and it appears that many existing businesses are in a gray area that probably should be legalized.
- He thinks that five employees is an appropriate number for parcels that are already next to businesses.
- He would be willing to change uses that are allowed by special permit in the B zones to also be by special permit in the R zones for consistency. He would also be willing to change office uses in R3 to be allowed by special permit, not by right.
- He also noted that he changed the definition of neighborhood creative use so that it does not include manufacturing.
- He thinks that catering is a less intensive use than a restaurant, but he is willing to change catering to special permit if the Board would prefer that.

Mr. Benson said that he spoke with Town Counsel Michael Cunningham about whether it would be legal to allow a particular use in an R district only in parcels that abut existing businesses. Mr. Cunningham said that it is unclear under current case law. The courts seem to allow it in other circumstances, but it is possible that the Attorney General's office would disallow it. Mr. Revilak said that the bylaw already contains rules that address the proximity of one district to another, so he is surprised to hear Town Counsel's interpretation. Mr. Lau said that the language of the proposal could be changed to say that any particular use is only allowed provided that the infrastructure supports it.

Mr. Benson also said that the proximity of a parcel to an existing business does not necessarily mean that it has the same sewer capacity. A large sewer line runs down Mass Ave, which Mass Ave buildings directly connect to. But buildings on the side streets are connected to smaller sewer lines, even if they abut a building directly on Mass Ave.

Mr. Benson also noted that one way to address the issues raised by this proposal would be to rezone some residential parcels as business, which the Board may be doing at 2026 Annual Town Meeting as part of the comprehensive rezoning process for Arlington Heights and East Arlington.

The Chair said that she is still concerned about the number of employees allowed. She also said that the kitchen for a catering business with five employees would be as large as a restaurant kitchen.

Mr. Lau said that he would be comfortable with this proposal if restaurants and caterers are removed, and all business uses that are allowed in R3 are only by special permit.

The Chair said that she does not think that this proposal addresses the primary need in Arlington, which she sees as the ability for people to start businesses in their homes.

Mr. Benson said that he thinks that the Board needs to consider the trade-off between losing residential units in order to create more commercial space, and which types of businesses they think would be worth such a trade-off. Most R3 to R7 properties are multi-family housing, and many of the uses included in the proposal exist elsewhere in Arlington and are not worth losing housing units for.

Mr. Greenspon says he brought this warrant article because he has been hearing for several years that Arlington has a lack of commercial space. He is concerned that if the Board tries to rezone residential properties as business as part of the Arlington Heights and East Arlington rezoning, the owners and abutters of those residential properties will not be happy with that change. His goal was to allow for more businesses without having to rezone anything, especially given that businesses already exist in residential districts.

The Chair asked for a motion on Article 38. Mr. Benson moved for a vote of No Action, and Mr. Lau seconded. The Board voted 4-1 in favor, with Mr. Revilak dissenting.

Article 38 would require a two-thirds majority vote of Town Meeting. With the vote of No Action, it will be placed on the Consent Agenda.

ARTICLE 39: 17 PALMER STREET TO THE MBTA NEIGHBORHOOD DISTRICT

Mr. Benson noted that the owner of this property requested this change, and the property fits well into the Neighborhood Multi-Family (NMF) Housing Overlay district, so the change is appropriate. Mr. Revilak agreed and noted that the property is contiguous with the existing NMF district.

The Chair asked for a motion to recommend Favorable Action on Article 39. Mr. Lau so moved, Mr. Benson seconded, and the Board voted unanimously in favor.

Article 39 requires a simple majority vote of Town Meeting.

ARTICLE 40: TWO-FAMILY CONSTRUCTION ALLOWED BY RIGHT IN R0 AND R1 RESIDENTIAL ZONES

Mr. Lau said that he thinks that this proposal will get confused with the ADU bylaw. Property owners in the R0 and R1 districts can already add another unit by adding an ADU, and he does not think that this proposal is necessary.

Ms. Korman-Houston said that she thinks that this proposal is a useful attempt to find spaces where additional housing can be added with an appropriate neighborhood character. She noted that a question was raised in correspondence about whether the appropriate process has been followed, and she asked Ms. Ricker to address that. Ms. Ricker replied there are no process issues with this proposal; it is a change to the use tables and not the zoning map, so no notification was required.

Mr. Benson said that he would like to bring this issue to Town Meeting and allow Town Meeting members to discuss it. He also noted that one of the main objections that has been raised to allowing two-family dwellings in the R0 and R1 districts is the concern that it will lead to a loss of trees and green space. However, that is already happening when older homes are torn down and a larger, single-family home is built to the maximum allowable size. This proposal would not allow anything larger to be built; it would simply allow the larger structures that are already being built to contain two residential units instead of only one. Those two units will still be expensive, but they will be less expensive than the single-family units currently being built.

Mr. Benson also noted that the original rationale for zoning in general, dating back to the Euclid vs. Ambler Realty case decided by the Supreme Court in 1926, was to separate industrial uses from residential uses. But that rationale did not explain why municipalities might want to limit the number of residential units on each lot in residential districts. The Supreme Court justified that type of restriction by referring to apartment buildings as “parasites” and saying that they would destroy single-family neighborhoods. That aspect of the Euclid decision has been criticized ever since it was issued. Many two-family homes are currently sprinkled throughout the R1 districts in Arlington, and they do not have a negative impact on the nearby single-family homes. He thinks that Town Meeting should have the opportunity to discuss this issue.

Mr. Revilak said that he supports allowing two units to be built within the same size envelope as is currently allowed. Those units will be considerably less expensive than the large single-family homes currently being built. According to the Assessor, the average value of a single-family home \$1,077,000; according to Banker and Tradesman, they are actually selling for over \$1,100,000. If those houses are torn down and allowed to be rebuilt as two-families, they will likely sell for somewhere between \$1.2 and \$1.5 million, and they will be much more efficient and sustainable than the buildings they replace.

Mr. Revilak noted that a similar change has been enacted in Minneapolis and statewide in Oregon. In both places, change has happened gradually, and it will likely be gradual in Arlington as well. It has taken decades for limitations on housing to create a housing shortage, and it will likely take decades to reverse it.

The Chair said that she is supportive of the proposed change, but she cannot support this article because there has been no meaningful engagement with homeowners. Because this is a change of use and not a map change, no notice was required, so many residents are not aware that this is happening. The Board and DPCD worked hard to engage all the voices that needed to be heard in the MBTA Communities process in 2023, and those voices and perspectives enriched the plan that was ultimately passed. That depth and breadth of community engagement has not happened in this case.

The proponent of the article, David Levy, 95 Rhinecliff Street, said that he has written three articles about this for *YourArlington*, which has essentially become the local newspaper. The article he wrote in March, which explained when the Board hearing would be and let residents know how to contact him with questions, was cross-posted on the Arlington List and Facebook. The Chair noted that it is difficult for an individual resident to engage in the intensive level of outreach, so it might make sense in the future for proposals that make this significant a change to come from the Board, which can use the resources of Town staff to plan public meetings and engage in widespread communication.

The Chair asked for a motion on Article 40. Mr. Benson moved to recommend Favorable Action, Mr. Revilak seconded, and the Board voted 3-2 in favor, with the Chair and Mr. Lau dissenting.

Article 40 requires a two-thirds majority vote of Town Meeting.

ARTICLE 41: AFFORDABLE HOUSING OVERLAY DISTRICT

The Chair explained that this article has no main motion. Because of a noticing requirement, this article is not able to move forward.

The Chair moved to recommend No Action on Article 41. Mr. Lau seconded, and the Board voted 4-0 in favor, with Mr. Revilak abstaining.

Article 41 would require a simple majority vote of Town Meeting. With the vote of No Action, it will be placed on the Consent Agenda.

ARTICLE 42: AMENDMENT OF ZONING MAP TO INCLUDE AFFORDABLE HOUSING OVERLAY DISTRICT

This article proposes a map change pursuant to Article 41, so it is in the same position as Article 41.

The Chair moved to recommend No Action on Article 41. Mr. Lau seconded, and the Board voted 4-0 in favor, with Mr. Revilak abstaining.

Article 42 would require a simple majority vote of Town Meeting. With the vote of No Action, it will be placed on the Consent Agenda.

ARTICLE 43: PUBLIC SHADE TREES

Mr. Lau said that he does not support this article because he thinks that it has the potential to restrict development. There are other ways to get more trees and green space in town. He thinks that all the issues addressed by this proposal are already included in the special permit application process, and adding them to the bylaw as proposed by this article adds an unnecessary layer of bureaucracy and places too much of a burden on developers.

Ms. Korman-Houston said that she does not think that it is necessary that the Tree Warden approve the trees for every project, given that there is already a list of species of trees approved by the Tree Warden. She also felt that the proposed changes to 6.3.4.E are too prescriptive and might make it difficult to choose the best sites for trees in any particular parcel.

Mr. Benson said that he agrees with all the changes made by the proponents after the previous hearing, taking into account the feedback from the Board:

- A recent project came before the Board in which the applicant had chosen a specific species of tree to plant from the approved list. But on the advice of the Tree Warden, they changed to a different species. Not every tree is right for every location, even if approved for general use. It is useful to have the Tree Warden look at each project.
- The caliper of a tree rather than the height is a better metric for how large a tree must be when planted.
- Adding the requirement that owners must water newly planted trees is a good idea.
- It makes sense to update the standards by which trees must be maintained to the best and most recent standards.

- Trees within 20 feet of the public way are considered Town shade trees, giving the Town more control over what is planted and how it is maintained. So it makes sense for the bylaw to say that the shade trees required of a project must be planted within that distance if possible. But the proposed change does not require planting within that distance if it is not feasible, so the Board still has the flexibility to work with owners to find the best locations on their property.

Mr. Revilak says that he sees three primary changes proposed by this article: updating the maintenance standards, getting the Tree Warden more involved, and making an effort to position shade trees close to the public way while allowing flexibility for situations where that might not be possible. All those changes make sense, and he supports the article.

The Chair agreed with Mr. Benson and Mr. Revilak's comments. She previously thought that the Tree Warden's approval was not necessary for each project, but she now sees the value in that requirement.

The Chair said that she thinks it unlikely that the Board will designate a different standard of tree care than the one named in the bylaw, so she does not think it is necessary to include the possibility that they might do so in the bylaw. Mr. Revilak noted that the Board should have the option to designate another standard if necessary. The other Board members agreed.

The Chair also noted that the proposal includes the requirement that owners must plant replacement trees in the case of tree death or decline, but the Board has already identified that neither the Board nor DPCD has the capability of monitoring that. She suggested that it might be preferable to include that as a general condition of projects they approve, rather than a provision of the bylaw. Mr. Benson replied that the Board previously asked that the reporting requirement be removed, but requiring owners to maintain the trees makes sense, even if the Board does not have a mechanism for enforcing it. That is an expectation the Board has of property owners, and it would be better to have it in the bylaw, applying equally to all developments and owners, rather than having to remember to include it with every special permit. He also said he thinks that the Tree Committee should be responsible for monitoring the condition of trees. If the Committee finds that trees are neglected and not replanted, the Board could reopen the special permit, or the issue could be referred to ISD for enforcement.

The Chair agreed with Ms. Korman-Houston that the proposed changes to 6.3.4.E are too restrictive. Mr. Benson asked Susan Stamps, the article's proponent, if she would be willing to remove the changes to 6.3.4.E. She said that she would prefer to maintain those changes because she thinks it will enable the planting of more trees in cases where the conditions do not allow planting along the public way. However, if the Board is only willing to support the article if those changes are removed, she will accept that. Mr. Benson noted that the Board already has the ability to require trees to be planted elsewhere on a property, which they generally do if possible.

Mr. Benson moved to recommend Favorable Action on Article 43, eliminating the proposed changes to Section 6.3.4.E. Ms. Korman-Houston seconded, and the Board voted 4-1 in favor, with Mr. Lau dissenting.

Article 43 would require a two-thirds majority vote of Town Meeting.

ARTICLE 44: AFFORDABLE HOUSING OVERLAY DISTRICT

The Chair explained that this article has no main motion. Mr. Benson noted that because of the noticing requirement, this article is not able to move forward.

The Chair asked for a motion to recommend No Action on Article 44. Mr. Lau so moved, Mr. Benson seconded, and the Board voted 4-0 in favor, with Mr. Revilak abstaining.

Article 44 would require a two-thirds majority vote of Town Meeting. With the vote of No Action, it will be placed on the Consent Agenda.

ARTICLE 25: ACCESSORY DWELLING UNITS

Ms. Ricker explained that DPCD staff, Town Counsel, and members of the Board have been working on how to best amend the Zoning Bylaw regarding ADUs to bring it into compliance with State legislation. Town Counsel sent a

memo recommending that the Town adopt the model zoning bylaw provided by EOHLC and MAPC. The model bylaw was not available until quite recently, so it is still relatively new information that staff have been working to take into account. The Board has seen both the memo and the model bylaw, but they have had very little time to consider them. Ms. Suarez put together a draft for this article that would closely reflect the guidance provided by EOHLC and MAPC, which was shared with the Board shortly before this meeting.

Mr. Revilak asked if Town Counsel has identified specific problems with the Board's version of this article that would make it noncompliant with state law. Ms. Suarez replied that the Board's version does not include all the definitions and requirements that the state guidelines say should be included. Deputy Town Counsel Jaclyn Munson recommends following the model bylaw as closely as possible in order to avoid potential future issues arising from a lack of compliance with state law. Arlington already allows ADUs, so the Board has been working on revising the current ADU bylaws rather than creating a different version based on the model bylaw. A number of aspects of Arlington's zoning bylaw differ from the model bylaw, and the Board needs to decide how it will bring Arlington into compliance. In particular, the model bylaw adds substantially more definitions.

Mr. Benson said that if Arlington had never had ADUs and had to create an ADU bylaw from scratch, the model bylaw would be a good starting point. But Arlington already has an ADU bylaw, which has been working well for a few years, and it makes more sense to amend it than to create something new. He pointed out a number of ways in which the model bylaw actually creates potential problems and is not appropriate for Arlington. He said that the Board's version proposes a number of changes to bring it into compliance with state law:

- The definition of gross floor area is being changed from being measured from the exterior faces of the exterior walls to being measured from the interior faces of exterior walls.
- State law only requires one ADU to be permitted per property, called a "protected ADU," and an additional ADU is called a "local ADU." But Arlington allows more than one ADU on a property, so using the state's terminology would create a false dichotomy.
- State law identifies a single-family district as any district which allows a single-family home as of right, which would not include the business districts in Arlington, but Arlington does sometimes allow ADUs in business districts. So the amendment clarifies that ADUs are allowed for single-family, two-family, and duplexes in business districts.
- State law does not allow a special permit to be required for an ADU up to 900 square feet, while Arlington's current zoning bylaw requires a special permit for ADUs between 750 and 900 square feet. So the article proposes changing the bylaw to allow up to 900 square feet without a special permit.
- The article proposes minor changes to setback requirements to make them more consistent with how the ADU bylaw has actually been working.
- State law does not allow a residency requirement, so this article removes that requirement.

Mr. Revilak noted that the model bylaw has a list of things to do and things not to do. The current version of the article makes a number of modifications based on those lists. He agreed with Mr. Benson that it would be preferable to use the version that the Board has been working on for some time, and that is an amendment of the current bylaw rather than something entirely new. They have made every effort to comply with state law, and he believes that the current version is consistent with the model bylaw. If the Attorney General's office feels that anything in the article is questionable or unenforceable, they will notify Arlington of that and clarify what needs to be changed.

Mr. Benson said that the model bylaw has not been approved by the Attorney General's Office, and the Town is not required to use it. He suggested that the Board ask Town Counsel to review the current proposal to determine if any of it does not comply with state law. Mr. Benson said that even if they recommend changes, it will probably be easier to amend the current proposal rather than use the model bylaw to create a new version from scratch.

Ms. Korman-Houston agreed that she would like to see a review of the current proposal by Town Counsel.

The Chair noted that the Zoning Bylaw is idiosyncratic, and it can be difficult to take language proposed for a statewide model and make it work with the rest of Arlington's bylaw. She also said that Town Meeting includes a process for amendments to articles, so even if Town Counsel provides feedback that changes are required, there will be an opportunity to make those changes at the 2025 Town Meeting.

The Chair noted that the proposed language for Section 5.10.2.A.(4) says that one of the purposes of the bylaw is to develop additional housing in areas that allow single-family housing, but Arlington has not limited ADUs to single-family districts. Mr. Revilak proposed removing the phrase “that fits in the context of zoning districts that allow single-family housing.” The rest of the Board agreed.

Mr. Lau suggested creating a chart showing what parts of the bylaw require amendment to comply with state law. The Chair agreed that such a chart would be helpful in her presentation to Town Meeting.

The Chair asked for a motion to recommend Favorable Action on Article 25, with the amendment made by the Board. Mr. Lau so moved, Mr. Benson seconded, and the Board voted unanimously in favor.

Mr. Benson moved that the Board ask Town Counsel to review Article 25 and identify any inconsistencies with state law or regulations that need to be addressed. Mr. Lau seconded, and the Board voted unanimously in favor.

Article 25 would require a simple majority vote of Town Meeting.

The Chair asked for a motion to close the public hearing for the Warrant Articles for 2025 Annual Town Meeting. Mr. Lau so moved, Mr. Benson seconded, and the Board voted unanimously in favor.

The Chair moved to **Agenda Item 3 – New Business.**

Ms. Ricker said that the Board will be holding a meeting outside of their usual schedule, on Thursday, April 10, 2025, at 7:30 pm, in the first floor conference room in the Town Hall Annex. The meeting will be held to review and amend the Board Report to Town Meeting as necessary, and to vote on the amended report.

Ms. Ricker updated the Board about the AmpUp Comprehensive Plan Kickoff meeting held on April 3, 2025. It was a successful meeting, attended by over 125 people. Stantec made a brief presentation, followed by table discussions about priorities for the comprehensive plan.

Mr. Revilak said that the Comprehensive Plan also now has a website, accessible from the Town website at www.arlingtonma.gov/compplan. The website includes the slides presented at the event and a recording of the event. Stantec has committed to having online counterparts to all the in-person events, so right now it has a survey allowing people to answer some of the questions raised at the event.

Mr. Benson said that it was a good kickoff event. People were engaged in the discussion and interested in what other people had to say. Some of the attendees were people who often come to planning events, but others who have not been involved in planning attended as well and were motivated to learn more and participate.

Ms. Ricker also told the Board that she, Town Manager Jim Feeney, Representative Sean Garballey, and Representative Dave Rogers, met with Phil Eng, General Manager of the MBTA. They discussed plans for the redevelopment of the Alewife garage, including the CSO issues along Alewife Brook. Manager Eng was receptive to the idea including some sort of mitigation of CSO in the project. They also discussed the bus turnaround in Arlington Heights. Deputy Director Jen Mecca said that the flaking paint will be resolved soon. They also discussed a potential connection to the Minuteman Bikeway through the bus turnaround property, as well as the possibility of allowing public parking of some sort on the site.

Mr. Benson said that his experience of parking at Alewife is that so much of it is blocked off for maintenance that it is difficult to find a space. The two towns with the most people who drive and park at Alewife are Arlington and Lexington. He asked Ms. Ricker if Mr. Eng said anything about how the current garage will be taken down and where parking will be in the interim. Ms. Ricker replied that the meeting did not cover that level of detail. She said that the MBTA will issue an RFP for a developer, and they have no pre-conceived ideas about what the project should be like. They want it to be a public-private partnership from the beginning, so they are not evaluating specific plans, but looking for a partner. So those sorts of details will be worked out once the actual planning process starts, and Arlington will have a seat at the table. Mr. Benson suggested asking the MBTA to commit to having a process that includes a Community Advisory Committee.

Mr. Benson asked about the RFP that the MBTA has put out for the building in the bus turnaround in Arlington Heights. Ms. Ricker replied that the MBTA has always maintained a restroom and breakroom for bus drivers in that building, but they are now actively looking for a tenant for the approximately 800-square foot commercial space in the building.

The Chair noted that bus service in Arlington has a significant impact on much of the work that the Board does. Ms. Ricker said that increased bus service was discussed at the meeting with the MBTA. They have had a staff shortage in multiple areas, especially bus drivers, and they are in the process of increasing staffing. They have released the spring schedule, and it includes adding bus service overall. The Superintendent of Schools attended the meeting, and she explained that many students use MBTA buses to get to school and the lack of service has at times caused significant problems for the schools. Ms. Ricker also explained to Mr. Eng that much of the planning that the Town is engaged in, from increasing multi-family housing to the Comprehensive Planning process, is dependent on reliable bus service. It is difficult to make transit-oriented plans when we consistently hear from residents that bus service has declined and is unreliable. Mr. Eng was receptive and expressed willingness to increase service on the 77 and 80 bus routes.

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

Meeting **Adjourned at 10:37 pm.**

Documents used:

Agenda Item 1 DRAFT ARB Minutes – March 17, 2025
DRAFT ARB Minutes – March 24, 2025

Agenda Item 2 DRAFT ATM 2025 Zoning Bylaw Amendments 04-07-2025
Article 25 - Model Zoning for ADUs v1.1
Article 25 - Memo from Town Counsel to ARB 4.7.25
Article 25 - Arlington DRAFT Model Zoning ADU Amendment - 04-07-2025
Article 33 - B1 rezoning - aerial and street view photos

Correspondence Warrant Articles:

- Article 38 - J. Fleming, 4/7/2025
- Article 40 - J. Susse, 3/20/2025
- Article 40 - C. Heigham, 3/21/2025
- Article 40 - L. Culverhouse, 3/25/2025
- Article 40 - D. Levy, 4/2/2025
- Article 40 - X. Pretzer, 4/4/2025
- Article 40 - F. Monks, 4/5/2025
- Article 40 - J. Garber, 4/6/2025
- Article 40 - A. Greenspon, 4/6/2025
- Article 40 - G. Hamlin, 4/6/2025
- Article 40 - C. Heigham, 4/6/2025
- Article 40 - C. Moore, 4/6/2025
- Article 40 - P. Schlichtman, 4/6/2025
- Article 40 - B. Thornton, 4/6/2025
- Article 40 - B. White, 4/6/2025
- Article 40 - S. Doctrow, 4/7/2025
- Article 40 - P. Fuller, 4/7/2025
- Article 40 - D. Levy, 4/7/2025
- Article 40 - C. Parsons, 4/7/2025
- Article 40 - K. Pennarun, 4/7/2025
- Article 40 - L. Slotnick, 4/7/2025
- Multiple Articles - J. Brown, 3/17/2025
- Multiple Articles - M. Conrad, 3/17/2025
- Multiple Articles - D. Von Schack, 3/18/2025
- Multiple Articles - D. Mazor, 3/24/2025

15 Ryder Street:

- C. Sanchez, 3/30/2025