



Town of Arlington, MA Redevelopment Board

Agenda & Meeting Notice December 21, 2020

This meeting is being held remotely in accordance with the Governor's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law G.L. c. 30A, Section 20. Public comments will be accepted during the public comment periods designated in the agenda. The public may email or provide any written comments to jraitt@town.arlington.ma.us by December 21, 2020 at 12:00 p.m. If visual information is provided as part of your correspondence, the Board requests this by December 18, 2020 at 12:00 p.m.

The Arlington Redevelopment Board will meet Monday, December 21, 2020 at 7:00 PM in the **Join Zoom Meeting with audio and video by using this link and Meeting ID: <https://town-arlington-ma-us.zoom.us/j/99074856981> | Meeting ID: 990 7485 6981 or join by phone by calling: 1-646-876-9923, Meeting ID 990 7485 6981**

1. Docket #3640, 86 River Street *Public Hearing*

7:00 p.m. Board will open public hearing for Special Permit #3640 to review application filed on November 19, 2020 by Craig Murphy, Cambridge Repro-Graphic, 21 McGrath Highway, Somerville, MA, for owner Frank Balurdi, 30 Harvard Avenue, Medford, MA, in accordance with the provisions of MGL Chapter 40A § 11, and the Town of Arlington Zoning Bylaw Section 3.4, Environmental Design Review. The applicant proposes to install two wall signs at 86 River Street, Arlington, MA, which exceeds the allowed signage in the R2 Two-Family District. The opening of the Special Permit is to allow the Board to review the signage under Section 6.2, Signs.

- For each public hearing, applicants will be provided 5 minutes for a presentation.
- DPCD staff will be provided 3 minutes to discuss public hearing memo.
- Members of the public will be provided time to comment.
- Board members will discuss each docket and may vote.

2. Docket #3638, 400-402 Massachusetts Avenue *Continued Public Hearing*

7:30 p.m. Board will continue public hearing for Special Permit #3638 to review application filed on October 15, 2020 and supplemented on November 5, 2020, by 400-402 Mass Avenue, LLC, at 400-402 Massachusetts Avenue, Arlington, MA, in accordance with the provisions of MGL Chapter 40A § 11, and the Town of Arlington Zoning Bylaw Section 3.4, Environmental Design Review. The applicant proposes to establish a mixed-use building with four (4) residential units and one (1) office unit in an existing building in a B1 Neighborhood Office District. The opening of the Special Permit is to allow

the Board to review and approve the development under Section 3.4, Environmental Design Review.

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- DPCD staff will be provided 3 minutes to discuss public hearing memo.
- Members of the public will be provided time to comment.
- Board members will discuss each docket and may vote.

3. Meeting Minutes (9/21/20)

8:00 p.m. Board will review and may vote to approve meeting minutes.

4. Final Draft of 2021 Goals

8:05 p.m. Board will discuss and vote on the next year's goals

5. Final Draft ARB Rules and Regulations Amendment

8:15 p.m. Board will review and discuss final draft to post for public comment and for hearing at future ARB meeting

6. Public Forum: Economic Analysis of Industrial Zoning Districts

8:30 p.m. The Economic Analysis of Industrial Zoning Districts looks to create opportunities for the Town to realize greater revenue in the industrially-zoned areas of Arlington by making strategic zoning amendments to incentivize new growth. The Zoning Bylaw Working Group, DPCD, and consultants RKG Associates and Harriman considered community goals and various development scenarios in order to inform zoning recommendations and possible amendments to well-position Arlington in the regional industrial and commercial marketplace. This presentation will be made during the Arlington Redevelopment Board's December 21st meeting with time for public comment, input, and dialogue following the presentation. Project information, including draft zoning, may be found on the ZBWG's website:
<https://www.arlingtonma.gov/town-governance/boards-and-committees/master-plan-implementation-committee/zoning-bylaw-working-group>.

Representatives from RKG Associates and Harriman and the Department of Planning and Community Development will make a presentation and facilitate a discussion with the Board and participants about the final report and recommendations.

7. Open Forum

10:00 p.m. Except in unusual circumstances, any matter presented for consideration of the Board shall neither be acted upon, nor a decision made the night of the presentation. There is a three minute time limit to present a concern or request. Meeting participants will not have access to video.

8. Adjourn

Adjourn – estimated at 10:20 p.m.



Town of Arlington, Massachusetts

Docket #3640, 86 River Street *Public Hearing*

Summary:

7:00 p.m.

Board will open public hearing for Special Permit #3640 to review application filed on November 19, 2020 by Craig Murphy, Cambridge Repro-Graphic, 21 McGrath Highway, Somerville, MA, for owner Frank Balurdi, 30 Harvard Avenue, Medford, MA, in accordance with the provisions of MGL Chapter 40A § 11, and the Town of Arlington Zoning Bylaw Section 3.4, Environmental Design Review. The applicant proposes to install two wall signs at 86 River Street, Arlington, MA, which exceeds the allowed signage in the R2 Two-Family District. The opening of the Special Permit is to allow the Board to review the signage under Section 6.2, Signs.

- For each public hearing, applicants will be provided 5 minutes for a presentation.
- DPCD staff will be provided 3 minutes to discuss public hearing memo.
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ATTACHMENTS:

Type	File Name	Description
▢ Reference Material	EDR_Public_Hearing_Memo_Docket_#3640_86_River_Street.pdf	EDR Public Hearing Memo Docket #3640 86 River Street
▢ Reference Material	Combined_Application_Materials.pdf	Combined Application Materials



Town of Arlington, Massachusetts
Department of Planning & 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: Jennifer Raitt, Secretary Ex-Officio

Subject: Environmental Design Review, 86 River Street, Arlington, MA
Docket #3640

Date: December 15, 2020

I. Docket Summary

This is an application by Cambridge Repro-Graphics, 21 McGrath Highway, Somerville, for Frank Balurdi, owner of the property at 86 River Street, Arlington, MA, 02474, for Special Permit Docket #3640 in accordance with the provisions of MGL Chapter 40A § 11, and the Town of Arlington Zoning Bylaw Section 3.4, Environmental Design Review. The applicant seeks approval of signage that exceeds the allowed signage in the R2 Two-Family District. The opening of the Special Permit is to allow the Board to review and approve the signage under Section 6.2, Signs.

Materials submitted for consideration of this application include:

- Application for EDR Special Permit,
- Impact statement;
- Dimensional information of the proposed signage, and
- Renderings of signage.

The property at 86 River Street has been used for many years as an automotive business although located in an R2 Two-Family District. The current owner of the property has redeveloped the site and continued the automotive use of the property. Section 6.2, Signs, directs the Redevelopment Board to review any requests for sign special permits via

Environmental Design Review. The Zoning Board of Appeals is not given the authority to grant sign special permits in Section 6.2.

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.

This automotive use has been established at this site for many years, and is a pre-existing, non-conforming use for the R2 Two-Family District. The signage is the subject of the special permit as required by Section 6.2, Signs. 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.

Automotive-related businesses have operated in this location for many years, and this business provides a service for the community. The recent redevelopment of the site is an improvement over the previous condition. 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.

Only the signage is subject to review. The improvements to the site completed by the owner do not create undue traffic congestion or impair pedestrian safety. 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.

The automotive use does not overload any municipal systems. 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.

No special regulations are applicable to the proposal. 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 or welfare.

The use does not impair the integrity or character of the neighborhood. 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.

The use will not be in excess or detrimental to the character of the neighborhood. 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.

There are no changes to the landscape as there are no proposed exterior alterations other than new signage. The previous redevelopment of the property improved the site's condition. 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 no changes to the exterior of the building other than the new signage. The previous redevelopment of the property improved the site's condition. 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.

Open space was created as part of the previous redevelopment of the property. There are no changes to open space as a result of the sign proposal. The Board can find that this condition is met.

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 previous redevelopment of the site improved the circulation. The addition of signage does not change any circulation patterns. The Board can find that 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 insure 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.

There will be no changes to the exterior of the building or surface water run-off as a result of this proposal. The previous redevelopment of the site included drainage improvements. The Board can find that 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.

There will be no changes to the utility service as a result of this proposal. The Board can find that 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.

Being located in an R2 Two-Family District, this business is at a disadvantage relative to the signage allowed. In order to allow this business signage that exceeds what is allowed in this location, the Residential Sign District as defined by Section 6.2, a special permit has been requested. Per section 6.2.2(C), the ARB may grant a special permit to allow additional signage, a greater number of signs, or in a location that is otherwise not allowed, "provided the architecture of the building, the location of the building relative to the street, or the nature of the use being made of the building is such that an additional sign or signs of a larger size should be allowed in the public interest."

The building is oriented toward the intersection of River Street and the Mystic Valley Parkway, a major intersection and facing away from the residential properties on River Street. The site has been the location of automotive businesses in the past and the redevelopment of the site has improved the condition of the property. In order to adequately find the business, the larger signs are in the public's interest. The proposal includes a wall sign and a canopy sign consistent with the requirements of the Business Sign District, which encompasses the B2A, B3, B4, and B5 districts.

The wall sign will be mounted on the façade of the building facing Mystic Valley Parkway. The sign is approximately 36 square feet and is mounted to the building at a height less than 25 feet as the building is 22 feet tall. The letters of Smooth Automotive (without the tire marks) will be internally illuminated. The letters will appear black during the day, but when illuminated the letters will appear white. The sign will be bracketed to the wall.

The canopy sign will face River Street. The sign is approximately 19.4 square feet and each letter is mounted to the top of a structural awning above the customer entrance.

Each letter is individually cut brushed aluminum letters. The applicant should clarify the mounting height as the bottom of the sign should be no more than 8 feet to the sidewalk elevation adjacent to the building. This sign is not illuminated.

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.

No changes are proposed. 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.

No changes are proposed. The Board can find that 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 building and property at 86 River Street is not listed on the *Inventory of Historically or Architecturally Significant Properties in the Town of Arlington*.

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.

No changes are proposed. 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.

No changes are proposed. The Board can find that this condition is met.

IV. Findings

1. The ARB finds that the nature of the use being made of the building is such that allowing an additional sign and signs of a larger size is in the public interest consistent with Section 6.2 of the Zoning Bylaw.
2. The ARB finds that the project is consistent with Environmental Design Review per Section 3.4 of the Zoning Bylaw.

V. Conditions

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



TOWN OF ARLINGTON
REDEVELOPMENT BOARD

Application for Special Permit In Accordance with Environmental Design
Review Procedures (Section 3.4 of the Zoning Bylaw)

PLANNING & COMMUNITY
DEVELOPMENT

2020 NOV 12 P 12:33

Docket No. _____

1. Property Address 86 River Street
Name of Record Owner(s) Frank Balurdi Phone 781-248-2370
Address of Owner 30 Harvard Ave. Medford, MA 02155
Street City, State, Zip

2. Name of Applicant(s) (if different than above) Craig Murphy
Address Cambridge Repro-Graphics, 21 McGrath Hgwy, Somerville, MA 02143 Phone 617-623-2838
Status Relative to Property (occupant, purchaser, etc.) Contractor

3. Location of Property Map 041.0 Block 0006 Lot 0011.0
Assessor's Block Plan, Block, Lot No.

4. Deed recorded in the Registry of deeds, Book _____, Page _____;
-or- registered in Land Registration Office, Cert. No. _____, in Book _____, Page _____.

5. Present Use of Property (include # of dwelling units, if any) Auto Service (commercial)

6. Proposed Use of Property (include # of dwelling units, if any) Same as above

7. Permit applied for in accordance with the following Zoning Bylaw section(s) MA Building Codes
Town of Artlington Bylaws
section(s) title(s)

8. 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.

Install internally lit sign 3'x12' on front of building and Smooth Auto Lettering on side of building

(In the statement below, strike out the words that do not apply)

The applicant states that Frank Balurdi is the owner ~~or purchaser or lessee or licensee~~ of the property in Arlington located at 86 River Street 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.

Craig Murphy
Signature of Applicant(s)

Cambridge Repro-Graphics, 21 McGrath Hgwy, Somerville, MA 02143 617-623-2838
Address Phone



DRAWING TITLE: Smooth Auto	CUSTOMER:	CONTACT PHONE :
PROJECT ADDRESS:		DATE :
JOB NUMBER:	E-MAIL:	
JOB DESCRIPTION:		

Proposed View of Property

PLANNING & COMMUNITY
DEVELOPMENT
2020 NOV 12 P 12:33



SIDE OF BUILDING



DRAWING TITLE: Smooth Auto	CUSTOMER:	CONTACT PHONE :
PROJECT ADDRESS:		DATE :
JOB NUMBER:	E-MAIL:	
JOB DESCRIPTION:		

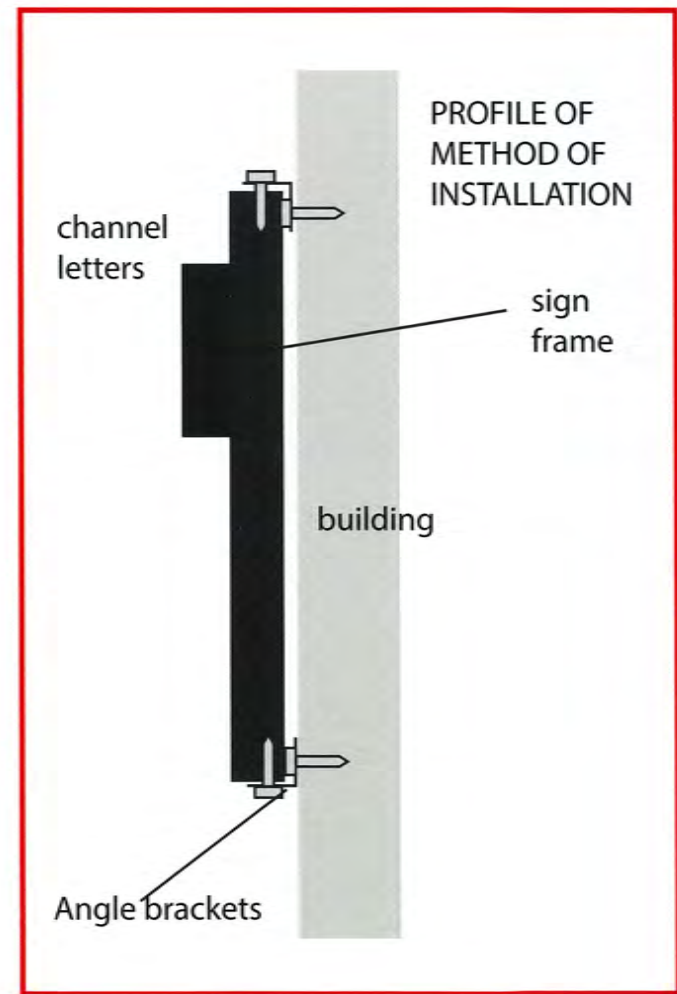
SIGN OVER GARAGE

SIGN WILL BE AN INTERNALLY LIT LIGHT BOX SIGN
 TIRE MARKINGS WILL BE PRINTED GRAPHICS ON FACE
 'Car care center' WILL BE CUT AND LIT WITH RED LEDs
 'Smooth Auto' WILL BE CHANNEL LETTERS WITH PERFORATED VINYL
 TO APPEAR BLACK DURING DAY AND LIGHT UP WHITE AT NIGHT

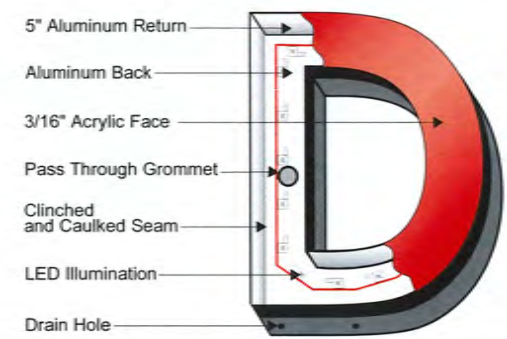
Smooth Automotive

Car Care & Tire Center

3'



Front Lit Channel Letters 12'



FRONT VIEW



DRAWING TITLE: Smooth Auto	CUSTOMER:	CONTACT PHONE :
PROJECT ADDRESS:		DATE :
JOB NUMBER:	E-MAIL:	
JOB DESCRIPTION:		

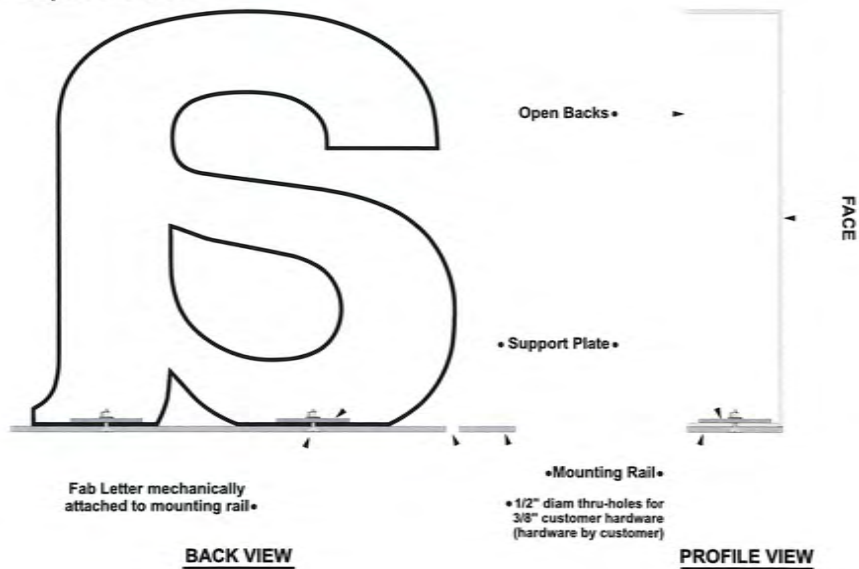
SIGN INSTALLED TO METAL AWNING

SIGN WILL BE Routed BRUSHED ALUMINUM LETTERS MOUNTED ONTO THE METAL AWNING

Smooth Automotive | 15.5"

15'

MOUNTING TYPE G-2a Free standing mount with open backs & support plates.
Graphics under 18"h





Town of Arlington Redevelopment Board
Application for Special Permit in accordance with
Environmental Design Review (Section 3.4)

Required Submittals Checklist

Two full sets of materials and one electronic copy are required. A model may be requested. Review the ARB's Rules and Regulations, which can be found at arlingtonma.gov/arb, for the full list of required submittals.

- Dimensional and Parking Information Form (see attached)
- Site plan of proposal
- Model, if required
- Drawing of existing conditions
- Drawing of proposed structure
- Proposed landscaping. May be incorporated into site plan
- Photographs
- Impact statement
- Application and plans for sign permits
- Stormwater management plan (for stormwater management during construction for projects with new construction)

FOR OFFICE USE ONLY

- Special Permit Granted Date: _____
- Received evidence of filing with Registry of Deeds Date: _____
- Notified Building Inspector of Special Permit filing Date: _____

TOWN OF ARLINGTON
 Dimensional and Parking Information
 for Application to
 The Arlington Redevelopment Board

Docket No. _____

Property Location 86 River Street

Zoning District R2

Owner: Frank Balurdi

Address: 30 Harvard Ave., Medford, MA 02155

Present Use/Occupancy: No. of Dwelling Units:

Uses and their gross square feet:

Automotive Service Station - 1 unit

Automotive Service Station - 1024 gsf

Proposed Use/Occupancy: No. of Dwelling Units:

Uses and their gross square feet:

Automotive Service Station - 1 unit

Automotive Service Station - 2400 gsf

	<u>Present Conditions</u>	<u>Proposed Conditions</u>	<u>Min. or Max. Required by Zoning for Proposed Use</u>
Lot Size	7030	7030	min.
Frontage	60	60	min. 60
Floor Area Ratio			max.
Lot Coverage (%), where applicable			max.
Lot Area per Dwelling Unit (square feet)	7030	7030	min. 6000
Front Yard Depth (feet)			min.
Side Yard Width (feet) right side			min.
left side			min.
Rear Yard Depth (feet)			min.
Height	22'		min.
Stories	1.5		stories
Feet	22'		feet
Open Space (% of G.F.A.)			min.
Landscaped (square feet)			(s.f.)
Usable (square feet)			(s.f.)
Parking Spaces (No.)	appx 8		min.
Parking Area Setbacks (feet), where applicable			min.
Loading Spaces (No.)			min.
Type of Construction	Type V-B		
Distance to Nearest Building			min.

11/16/20

RE: Smooth Automotive Impact Statement

The purpose of this proposal is to allow Smooth Automotive signs that will attract business to his location while also providing a pleasing image of the sign and property for the citizens of Arlington.

This proposal comprises of 2 signs:

Main Sign: This is a 3'x12' internally lit wall sign. The sign has a non lit white backer with non lit tire markings that fall off the two "o's" in Smooth. The black letters of "Smooth Auto" will be raised acrylic letters that will appear black during the day and white when lit at night. The edges of the letters will be white in both cases.

Secondary Sign: This sign will be individually cut brushed aluminum letters mounted on top of the side metal awning.

Petition for Special Permit under Environmental Design Review

The following is answers to the petition standards provided by Arlington:

STANDARDS 1-6: These standards were well addressed during the build-out of the property. The buildout created landscaping where there was none, a beautiful building that is in keeping with the environment. The building now features open space, circulation, water drainage and hidden utilities.

STANDARD 7: The main sign is located over the garage bays where it would be easily seen. The sign is set back from the curb appx 35' and from the traffic much more than that. The size and coloring shown in the drawings are designed to be understated and yet found easily by vehicle and pedestrian traffic.

Secondary sign is well understated and mainly allows the traffic to realize that they arrived at the property if traveling along River Street.

STANDARD 8: NA

STANDARD 9: The signs will provide a safety service to the public by providing a simple and clear message assisting vehicular traffic approaching both sides of this service station.

STANDARD 10-12: N/A

Special Permit Criteria:

- 1: The Bylaw allows the Redevelopment Board to permit signs that are greater size, quantity or location
- 2: The signs will be a service to the public good by providing direction to the service station
- 3: The signs proposed will assist vehicular traffic approaching the service station from both Mystic Valley Parkway and River Street.
- 4: N/A
- 5: N/A
- 6: The city will be well served with these updated signs that replace Finochetti's Auto signs that was an outdated banner on the building.
- 7: The previous use of the property was a service station. The new use is a service station. The difference is now there is a pleasing to the eye building with beautiful landscaping and signs.



Town of Arlington, Massachusetts

Docket #3638, 400-402 Massachusetts Avenue *Continued Public Hearing*

Summary:

7:30 p.m.

Board will continue public hearing for Special Permit #3638 to review application filed on October 15, 2020 and supplemented on November 5, 2020, by 400-402 Mass Avenue, LLC, at 400-402 Massachusetts Avenue, Arlington, MA, in accordance with the provisions of MGL Chapter 40A § 11, and the Town of Arlington Zoning Bylaw Section 3.4, Environmental Design Review. The applicant proposes to establish a mixed-use building with four (4) residential units and one (1) office unit in an existing building in a B1 Neighborhood Office District. The opening of the Special Permit is to allow the Board to review and approve the development under Section 3.4, Environmental Design Review.

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ATTACHMENTS:

Type	File Name	Description
Reference Material	EDR_Public_Hearing_Memo_Docket_3638_400-402_Mass_Ave_11-19-20.pdf	EDR Public Hearing Memo Docket 3638 400-402 Mass Ave
Reference Material	Jennifer_Raitt_supplement_submission_400-402_Mass_2020_12_16.pdf	Jennifer Raitt Supplemental Submission 400-402 Mass Ave.
Reference Material	400_Mass_Ave_-_LEED_v4_for_BD+C_-_2020_12_15.pdf	400 Mass Ave LEED
Reference Material	400_MASS_AVE_-_Sustainable_goals_2020_12_15.pdf	400 Mass Ave Sustainable Goals 2020
Reference Material	Land_and_Sea_Real_Estate_2020_12_15.pdf	Land and Sea Real Estate 2020
Reference Material	Mass_Ave_Arlington_Apartments_2020_12_15.pdf	Mass Ave Arlington Apartments 2020
Reference Material	New_York_Times_2020_12_15.pdf	New York Times 2020 12 15
Reference Material	Application_Materials_Submitted_11-5-20.pdf	Application Materials Submitted 11-5-20
Reference Material	Application_Materials_Submitted_10-15-20_-_Superseded.pdf	Application Materials Submitted 10-15-20
Reference Material	400-402_Mass_Ave_ZBA_Decision_dated_6-23-20.pdf	400-402 Mass Ave ZBA Decision dated 6-23-20
Reference Material	Docket_#2306_400-402_Mass_Ave_Decision_date_4-9-1980.pdf	Docket #2306 400-402 Mass Ave Decision date 4-9-1980-



Town of Arlington, Massachusetts
Department of Planning & 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: Jennifer Raitt, Secretary Ex Officio

Subject: Environmental Design Review, 400-402 Massachusetts Ave, Arlington, MA
Docket #3638

Date: November 19, 2020

I. Docket Summary

This is an application by 400-402 Mass Avenue, LLC to establish a mixed-use building with four (4) residential units and (1) office unit in an existing building at 400-402 Massachusetts Avenue. The opening of Special Permit Docket #3633 will allow the Board to review and approve the development in the B1 Neighborhood Office District under Section 3.4 Environmental Design Review (EDR).

A 1980 Zoning Board of Appeals (ZBA) decision was issued relative to this property which limited the number of residential units on the property to two (2) with one (1) onsite parking space per dwelling unit. The Special Permit decision also conditioned the entrance to the basement office be from the front of the building with an open stairway leading down from the front inside entrance and clearly marked as to how to enter the basement office.

On June 23, 2020, the ZBA issued a decision (attached) amending the 1980 decision. The ZBA found that it would be appropriate for the ARB to evaluate the application under Environmental Design Review as the ARB is the Special Permit Granting Authority for the site and proposed use. The ZBA decided that if the ARB grant a special permit after finding that all applicable review criteria are met then the four conditions of the 1980 Special

Permit would be withdrawn. If the ARB does not grant a special permit, then the 1980 conditions would stand.

The Applicant does not propose any exterior changes to the existing building. Based on the information presented in the application materials, the Applicant is seeking review by the ARB in order to convert office space into dwelling units. If there are any exterior changes proposed, including signage, the Applicant must seek a Certificate of Appropriateness from the Arlington Historic Districts Commission due to being located within the Avon Place Historic District.

Materials submitted for consideration of this application:

- Application for EDR Special Permit including dimensional and parking information, dated October 15, 2020 and updated November 7, 2020;
- Narrative and impact statement dated October 15, 2020 and updated November 7, 2020;
- LEED Considerations, prepared by Lagrasse Yanowitz & Feyl, dated October 15, 2020 and updated November 7, 2020;
- Building Façade Photos, dated October 15, 2020 and updated November 7, 2020;
- Existing Floor Plans, prepared by Lagrasse Yanowitz & Feyl, dated January 14, 2020; and
- Proposed Floor Plans, prepared by Lagrasse Yanowitz & Feyl, dated May 28, 2020.

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.

The use is allowed in the B1 Neighborhood Office District with a Special Permit under the jurisdiction of the ARB due to its location on Massachusetts Avenue. 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 Master Plan recommends supporting commercial areas by encouraging new redevelopment, including residential and commercial uses, in and near commercial corridors. This building is located in the Arlington Center commercial district and in close proximity to amenities located on Massachusetts Avenue. The corridor is served by transit and the site by existing infrastructure. This project will provide a net increase of two residential units. 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 use will not create undue traffic congestion or unduly impair pedestrian safety. 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.

The proposed use will not overload any municipal systems. 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.

All such regulations are fulfilled.

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 or welfare.

The proposed use does not impair the integrity or character of the B1 district or adjoining districts and 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.

The proposed use will not be in excess or detrimental to the character of the neighborhood. 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.

There are no exterior changes proposed. Existing landscaping at the front of the building and along the Avon Place sidewalk will remain. 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.

The existing building is situated in a stretch of Massachusetts Avenue in Arlington Center that is zoned B1. Within this district there are: two mixed-use buildings of residential and office space; a funeral home; two two-family dwellings; a three-family dwelling; and a single-family dwelling. The proposed mix of office space and residential space is consistent with the current uses in this B1 district. With no exterior changes to the existing building at 400-402 Massachusetts Avenue, there will be no change to the existing architectural pattern along this stretch of Massachusetts Avenue. 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 existing open space remains as there are no exterior changes to the existing structure. The site includes 864 square feet of landscaped open space and zero square feet of usable open space. The Board can find that this condition is met.

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 Applicant is proposing six parking spaces on site, and is requesting a parking reduction per Section 6.1.5. The parking requirement for the building is as follows:

Parking Requirement			
		<u>Zoning Requirement</u>	<u>Total Parking Required</u>
Office Space	630 sf	1/500 sf*	0
Residential	3 one-bed 1 two-bed	1.15 spaces per one-bed 1.5 spaces per two-bed	5 spaces
Total Parking			6 spaces
Section 6.1.5 Reduction			Not necessary
Total Parking Provided			6 spaces
* First 3,000 sf of non-residential space in mixed-use projects is exempt.			

Because the first 3,000 square feet of mixed-use buildings is exempt from the parking requirement (Section 6.1.10.C.), providing six parking spaces is consistent with the requirements of Section 6.1 and a parking reduction under Section 6.1.5 is not necessary. However, the Transportation Demand Management (TDM) Plan is accepted and should be implemented. The TDM Plan includes providing covered bicycle parking and storage, providing an electric charging station, and installing a shower in the office unit. While these items seem appropriate for the proposal, the Applicant should clarify the following: specify if a shower is proposed; identify where the EV charger will be installed; and provide details on how the covered bicycle storage will be provided, including the number of short- and long-term bicycle parking spaces per Section 6.1.12(A).

Providing tandem (stacked) parking is allowed per the bylaw and the parking spaces appear to be sized appropriately. The Applicant should provide additional information on how the six parking spaces will be assigned to limit conflicts among the building tenants.

The vehicle parking spaces and overall site circulation may be constrained. The stacked parking on the side entry aisle appears narrow and the side exit aisle also appears narrow. Compact parking spaces may be recommended and additional safety measures installed onsite to accommodate vehicles and pedestrians on the property.

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 insure 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.

No stormwater controls are present on the site, and the proposal does not trigger the addition of additional controls. However, stormwater from the roof appears to sheet flow off the property and the Applicant could investigate ways to better control and mitigate flow before it reaches the street.

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.

There will be no changes to the existing utility service infrastructure as a result of this proposal. The Board can find that 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.

The application materials do not include any information about new signage at the building, nor does the application indicate whether the existing office signage will be removed. Final signage plans will need to be submitted, reviewed, and approved by the ARB and the Historic Districts Commission as this property is located in the Avon Place Historic District.

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 application materials do not provide any information about how solid waste and recycling will be screened and maintained. The photos provided with the application materials show totes placed along the building rear. The Applicant should provide either a closed and screened area at the building rear or space within the building for waste and recycling.

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 existing building provides safe and convenient access into and around the property. The Board can find that 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.

Based on the information presented in the applicant materials, there are no proposed exterior changes to the existing building. If there are any exterior changes proposed, including signage, the Applicant must seek a Certificate of Appropriateness from the Arlington Historic Districts Commission due to being located within the Avon Place Historic District. 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.

There are no proposed changes that would affect the microclimate. 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 not provided, but a memo from Lagrasse Yanowitz & Feyl provides an overview of the sustainable building practices that will be incorporated as part of the renovation. The Board can find that this condition is met.

IV. Findings

1. The proposed project is approved under Section 3.4, Environmental Design Review.

V. Conditions

1. The final design and sign plans shall be subject to the approval of the Arlington Redevelopment Board or administratively approved by the Department of Planning and Community Development. Any substantial or material deviation during construction from the approved plans and specifications is subject to the written approval of the Arlington Redevelopment Board
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 the Town Bylaws.
6. All utilities serving or traversing the site (including electric, telephone, cable, and other such lines and equipment) shall be underground.

7. Upon the issuance of the building permit the Applicant shall file with the Inspectional Services Department and the Police Department the names and telephone numbers of contact personnel who may be reached 24 hours each day during the construction period.
8. Any final building signage will be reviewed and approved by the Arlington Historic Districts Commission, Department of Planning and Community Development, and Inspectional Services.
9. The Final Transportation Demand Management Plan shall be submitted for review and approval by the Department of Planning and Community Development.

ROBERT J. ANNESE
ATTORNEY AT LAW

December 16, 2020

VIA E-MAIL

Jennifer Raitt, Director
Department of Planning and Community Development
Town of Arlington
730 Massachusetts Avenue
Arlington, MA 02476

RE: 400-402 Massachusetts Avenue

Dear Ms. Raitt:

I am sending along a supplement to the Application for Environmental Review filed in behalf of 400-402 Mass Avenue, LLC, following the ARB Hearing which occurred on December 7, 2020.

During the course of the hearing there was discussion with respect to comments made by Members of the ARB that one of the four (4) residential units proposed by Petitioner be converted to an office unit.

Other comments were made relating to providing a different trash enclosure area as well as moving the interior permanent bicycle storage area which is proposed in a lower level in the building to an upper street level.

Comments were also made with respect to the parking configuration at the site which involves vehicles backing out on to the street with an indication that backing out on to the street was not an approach that was permissible or acceptable.

The architect for the Petitioner, Ken Feyl has drafted modified plans which I am sending to the Board at this time showing five (5) parking spaces instead of six (6) as originally proposed with one (1) of the parking spaces being used for a 6' x 12' covered trash enclosure, an exterior three (3) bicycle rack for short-term bicycle parking as well as an interior permanent bicycle storage area, once again at the lower level as originally proposed by Petitioner.

Jennifer Raitt, Director
Department of Planning and Community Development
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December 16, 2020
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I am also submitting a LEED check list with a narrative provided by the Petitioner's architect.

It is important for the Members of the ARB to be aware that the building at 400-402 Massachusetts Avenue has existed for many years and has been occupied by tenants, whether residential or commercial for many years with the occupants of the building of necessity backing out on to the street and using a tandem parking approach in the parking lot at the building.

The building has certainly existed prior to passage of the Amended Zoning Bylaw in 1975 and, in fact, was originally built in 1799.

Petitioner's proposal does not involve exterior changes of any kind to the building with the result that the exterior appearance of the building would not change with regard to Petitioner's proposal.

The building is located on a small lot which contains 4,756 square feet and is unlike many other development properties in the Town where the lots are much larger with the result that modifications to a building could be made on a lot containing much more land area than Petitioner's lot given those owners more land area to work with in redesigning the exterior of a building.

With respect to bicycle parking a current residential tenant carries their bicycle up to the second floor of the building for storage when the bicycle is not in use.

Petitioner's current submittal proposes that the long-term bicycle storage area remain at the lower level because of the difficulty and significant changes which would have to occur within the building to have the bicycle storage area at street level given the size of the lot and the interior configuration of the building.

Carrying a bicycle down to a lower level in the building would certainly be no more difficult and perhaps easier than carrying a bicycle up to the second floor within the building.

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Department of Planning and Community Development
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The current plans also show a three (3) bicycle short-term bicycle rack located outside of the building.

The trash enclosure area has been moved from the building into a parking space as mentioned previously so that the trash area is some distance from the building itself.

Petitioner cannot change the parking arrangement at the site with respect to tandem parking and backing out on to the street because of the physical characteristics of the lot and it is important to note that this situation, i.e., tandem parking and backing out on to the street has existed at the property for many years and exists in many areas of East Arlington.

In summary, I would request that the Members of the Board who made comments with regard to not allowing the fourth (4th) residential unit, but rather having that unit become an office unit reassess their position in light of the present and future circumstances relating to how employees and employers are conducting their business affairs since the pandemic began, six (6) months or so ago.

Many employees are now working from home because of the pandemic and in many instances those employees will never go back to a physical building with respect to conducting their work activities.

Indeed, an article appeared in the *New York Times* on December 11, 2020 which discusses the fact that even in Manhattan once the pandemic becomes more under control it is likely that many employees will not go back to their former offices to conduct their work activities but will continue to do so offsite through Zoom approaches.

To quote an individual representing a company which controls 26 million square feet of city office space in the *New York Times*' article, "Anyone that thinks the way that people used the workplace in the past isn't going to change post-pandemic is fooling themselves". See New York Times articles dated December 11, 2020)

Jennifer Raitt, Director
Department of Planning and Community Development
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Petitioner has obtained a letter from a real estate brokerage firm that specializes in commercial real estate leasing and investment in the Greater Boston and Southern New Hampshire area i.e., Land and Sea Real Estate, Inc. with the Principal of that firm being Demetrius Spaneas.

He indicates within the substance of that letter dated December 14, 2020 in part as follows:

“Commercial real estate, and office in particular, is going through major changes—and reevaluations—at this time. Office as we know has changed. This is due to the advancement of technology and the relationship between management and their workers. The ability to work remotely has become a major factor and incentive to attracting a strong, dynamic, and tech-savvy workforce. The need for traditional office has diminished greatly over the last few years.”

“We have seen the impact that Coronavirus has had on traditional office space. The pandemic has exacerbated the above trend greatly. Offices are averaging less than 20% occupied, and we don't see this trend changing any time soon, even after the pandemic is but a memory. Companies, both large and small, have realized that they no longer need a physical presence. Work forces that have been remote these past months will, in all likelihood, stay remote. It is both cost efficient for the companies, and logistically easier for many workers. Many office buildings are now begin repurposed, mainly for residential.”

This information is being furnished to the Members of the ARB to show why the Pasciuto Family which owns many properties in the Town, and which has and continues to deal with vacancies in commercial units has filed a Special Permit Request to have four (4) residential units rather than three (3) approved so that they do not wind up with another vacant commercial unit.

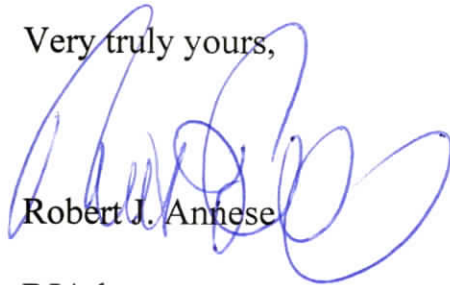
The Pasciuto family is certainly willing to invest money to perform work within the 400-402 Mass Ave building as with their other properties in town but they are not interested in doing so if the space they will be creating will not be economically productive for them given the change in the utilization

Jennifer Raitt, Director
Department of Planning and Community Development
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of commercial space which has occurred and will as the above information indicates continue to occur into the future.

Consequently, the Petitioner is requesting that its request for Special Permit be approved, as modified in this supplemental submission.

Very truly yours,



Robert J. Annese

RJA:lm

Enclosures



LEED v4 for BD+C: Core and Shell
Project Checklist

Project Name: 400 Mass Ave Apartments - Arlington, MA
Date: 12/11/2020

Y ? N

Y	?	N	Credit	Integrative Process	1
0 2 0 Location and Transportation 20					
Y	?	N	Credit	LEED for Neighborhood Development Location	20
Y	?	N	Credit	Sensitive Land Protection	2
Y	?	N	Credit	High Priority Site	3
Y	?	N	Credit	Surrounding Density and Diverse Uses	6
Y	1	N	Credit	Access to Quality Transit	6
Y	1	N	Credit	Bicycle Facilities	1
Y	?	N	Credit	Reduced Parking Footprint	1
Y	?	N	Credit	Green Vehicles	1
0 0 0 Sustainable Sites 11					
Y	?	N	Prereq	Construction Activity Pollution Prevention	Required
Y	?	N	Credit	Site Assessment	1
Y	?	N	Credit	Site Development - Protect or Restore Habitat	2
Y	?	N	Credit	Open Space	1
Y	?	N	Credit	Rainwater Management	3
Y	?	N	Credit	Heat Island Reduction	2
Y	?	N	Credit	Light Pollution Reduction	1
Y	?	N	Credit	Tenant Design and Construction Guidelines	1
0 1 0 Water Efficiency 11					
Y	?	N	Prereq	Outdoor Water Use Reduction	Required
Y	?	N	Prereq	Indoor Water Use Reduction	Required
Y	?	N	Prereq	Building-Level Water Metering	Required
Y	?	N	Credit	Outdoor Water Use Reduction	2
Y	1	N	Credit	Indoor Water Use Reduction	6
Y	?	N	Credit	Cooling Tower Water Use	2
Y	?	N	Credit	Water Metering	1
0 0 0 Energy and Atmosphere 33					
Y	?	N	Prereq	Fundamental Commissioning and Verification	Required
Y	?	N	Prereq	Minimum Energy Performance	Required
Y	?	N	Prereq	Building-Level Energy Metering	Required
Y	?	N	Prereq	Fundamental Refrigerant Management	Required
Y	?	N	Credit	Enhanced Commissioning	6
Y	?	N	Credit	Optimize Energy Performance	18
Y	?	N	Credit	Advanced Energy Metering	1
Y	?	N	Credit	Demand Response	2
Y	?	N	Credit	Renewable Energy Production	3
Y	?	N	Credit	Enhanced Refrigerant Management	1
Y	?	N	Credit	Green Power and Carbon Offsets	2

0 3 0 Materials and Resources 14					
Y	?	N	Prereq	Storage and Collection of Recyclables	Required
Y	?	N	Prereq	Construction and Demolition Waste Management Planning	Required
Y	?	N	Credit	Building Life-Cycle Impact Reduction	6
Y	1	N	Credit	Building Product Disclosure and Optimization - Environmental Product Declarations	2
Y	?	N	Credit	Building Product Disclosure and Optimization - Sourcing of Raw Materials	2
Y	1	N	Credit	Building Product Disclosure and Optimization - Material Ingredients	2
Y	1	N	Credit	Construction and Demolition Waste Management	2

0 2 0 Indoor Environmental Quality 10					
Y	?	N	Prereq	Minimum Indoor Air Quality Performance	Required
Y	?	N	Prereq	Environmental Tobacco Smoke Control	Required
Y	1	N	Credit	Enhanced Indoor Air Quality Strategies	2
Y	1	N	Credit	Low-Emitting Materials	3
Y	?	N	Credit	Construction Indoor Air Quality Management Plan	1
Y	?	N	Credit	Daylight	3
Y	?	N	Credit	Quality Views	1

0 0 0 Innovation 6					
Y	?	N	Credit	Innovation	5
Y	?	N	Credit	LEED Accredited Professional	1

0 0 0 Regional Priority 4					
Y	?	N	Credit	Regional Priority: Specific Credit	1
Y	?	N	Credit	Regional Priority: Specific Credit	1
Y	?	N	Credit	Regional Priority: Specific Credit	1
Y	?	N	Credit	Regional Priority: Specific Credit	1

0 8 0 TOTALS Possible Points: 110

Certified: 40 to 49 points, Silver: 50 to 59 points, Gold: 60 to 79 points, Platinum: 80 to 110



400 MASS AVE – LEED CONSIDERATIONS

The improvements at 400-402 Massachusetts Avenue will look to incorporate the items below per 'LEED_v4.1_Residential_BD_C_Multifamily_Homes' to support the sustainable building practices goal in Arlington, MA.

LOW EMITTING MATERIALS

These materials are to be integrated to reduce concentrations of chemical contaminants that can damage air quality, human health, productivity, and the environment. Some of these building materials are as follows:

-Paints and Coatings

At least 75% of all paints and coatings, by volume or surface area, are to meet the VOC emissions evaluation AND 100% meet the VOC content evaluation.

-Adhesives and Sealants

At least 75% of all adhesives and sealants, by volume or surface area, are to meet the VOC emissions evaluation AND 100% meet the VOC content evaluation

-Flooring

At least 90% of all flooring materials (carpet, ceramic, vinyl, rubber, engineered, solid wood, laminates), by cost or surface area, is to meet the VOC emissions evaluation OR inherently non emitting sources criteria, OR salvaged and reused materials criteria.

INDOOR AIR QUALITY

The LEED objective is to establish better quality indoor air in the building after construction and during occupancy. Before each dwelling unit is occupied, air cleaning, a flush-out with a recirculating HEPA Air Filtration Device, and air testing in the unit to Demonstrate that 10 micron particles do not exceed 8 µg/m³ should be performed.

ACCESS TO QUALITY TRANSIT

Functional entry is located within ¼ mile walking distance to existing bus stop.

ENVIRONMENTALLY PREFERABLE PRODUCTS

At least 70% of each new compliant building component (floor covering, insulation, framing/structural systems, drywall, doors cabinets, countertops and/or interior trim), by weight or volume, will aim meet one of the requirements below:

The product contains at least 25% reclaimed material, including salvaged, refurbished, or reused materials. For renovation projects, existing components are considered reclaimed. Wood by-products can be counted as reclaimed material. These include items from secondary manufacturers; felled, diseased, or dead trees from urban or suburban areas; orchard trees that are unproductive and cut for replacement; and wood recovered from landfills or water bodies.

The product contains at least 25% postconsumer or 50% pre consumer content.

Wood products must be Forest Stewardship Council (FSC) Certified, or USGBC-approved equivalent.

Bio-based materials. Bio-based products must meet the Sustainable Agriculture Network's Sustainable Agriculture Standard. Bio-based raw materials must be tested using ASTM Test Method D6866 and be legally harvested, as defined by the exporting and receiving country. Exclude hide products, such as leather and other animal skin material.

Concrete that consists of at least 30% fly ash or slag used as a cement substitute.

Extended producer responsibility. Products purchased from a manufacturer (producer) that participates in an extended producer responsibility program or is directly responsible for extended producer responsibility.

WATER USE REDUCTION

The project will seek to reduce aggregate water consumption by 20% from the baseline for each new fixture (toilets, showerheads, dishwashers, etc.)

MINIMUM ENERGY PERFORMANCE

For new dwelling units, heating and cooling systems will look to meet the following equipment selection sizing guidelines, or next nominal size:

Cooling Equipment:

Single-Speed Compressor: 90-130% of total heat gain

Two-Speed Compressor: 90-140% of total heat gain

Variable-Speed Compressor: 90-160% of total heat gain

Heating Equipment:

100-140% of total heat loss AND energy performance compliance.



December 14, 2020

Arlington Redevelopment Board
730 Massachusetts Ave, Annex
Arlington, MA 02476

To Whom it may concern:

My name is Demetrius Spaneas and I am the President of Land and Sea Real Estate, Inc. We are a boutique brokerage that specializes in commercial real estate leasing and investment in Greater Boston and Southern NH.

I have been asked by one of the large commercial property owners in Arlington, the Pasciuto family, to briefly give my thoughts on the state of office in the Boston suburbs, and office vs residential.

Commercial real estate, and office in particular, is going through major changes—and reevaluations—at this time. Office as we know has changed. This is due to the advancement of technology and the relationship between management and their workers. The ability to work remotely has become a major a factor and incentive to attracting a strong, dynamic and tech-savvy workforce. The need for traditional office has diminished greatly over the last few years.

We have seen the impact that Coronavirus has had on traditional office space. The pandemic has exacerbated the above trend greatly. Offices are averaging less than 20% occupied, and we don't see this trend changing any time soon, even after the pandemic is but a memory. Companies, both large and small, have realized that they no longer need a physical presence. Work forces that have been remote these past months will, in all likelihood, stay remote. It is both cost

One Main Street
Suite 306
Andover, MA 01810



efficient for the companies, and logistically easier for many workers. Many office buildings are now being repurposed, mainly for residential.

The great issue in Massachusetts is the housing crisis. After the housing crash in 2008, there were 40% less builders working nationally, which meant 40% less new housing. The issue in Massachusetts is much worse as the lack of buildable land combined with state regulations has cut the housing inventory down significantly. Before 2008, the average age of the first-time home buyer was 27; now, it is up into the mid-30's. This means that people can't afford housing—the prices have skyrocketed for lack of inventory—and people are renting longer, which is putting major strain on the apartment market. Add this to the fact that the pandemic has interrupted, if not downright cancelled, numerous apartment and housing developments, and the housing crisis escalates. Before the pandemic, there was a projected 2 million unit deficit of housing. I can only imagine what the numbers will look like this next year. The fact that Arlington has a housing waitlist of over 400 should give some indication.

In sum, I believe in my professional opinion that office space in an urban/suburban market such as Arlington would be a wasted (un-needed) opportunity and that residential units would help to alleviate the housing crisis and be of far better service to residents within the local economy.

Please feel free to contact me, at your convenience, for further commentary.

Sincerely yours,

Demetrius Spaneas

President, Land and Sea Real Estate, Inc.

Stamp:

400 MASS AVE ARLINGTON

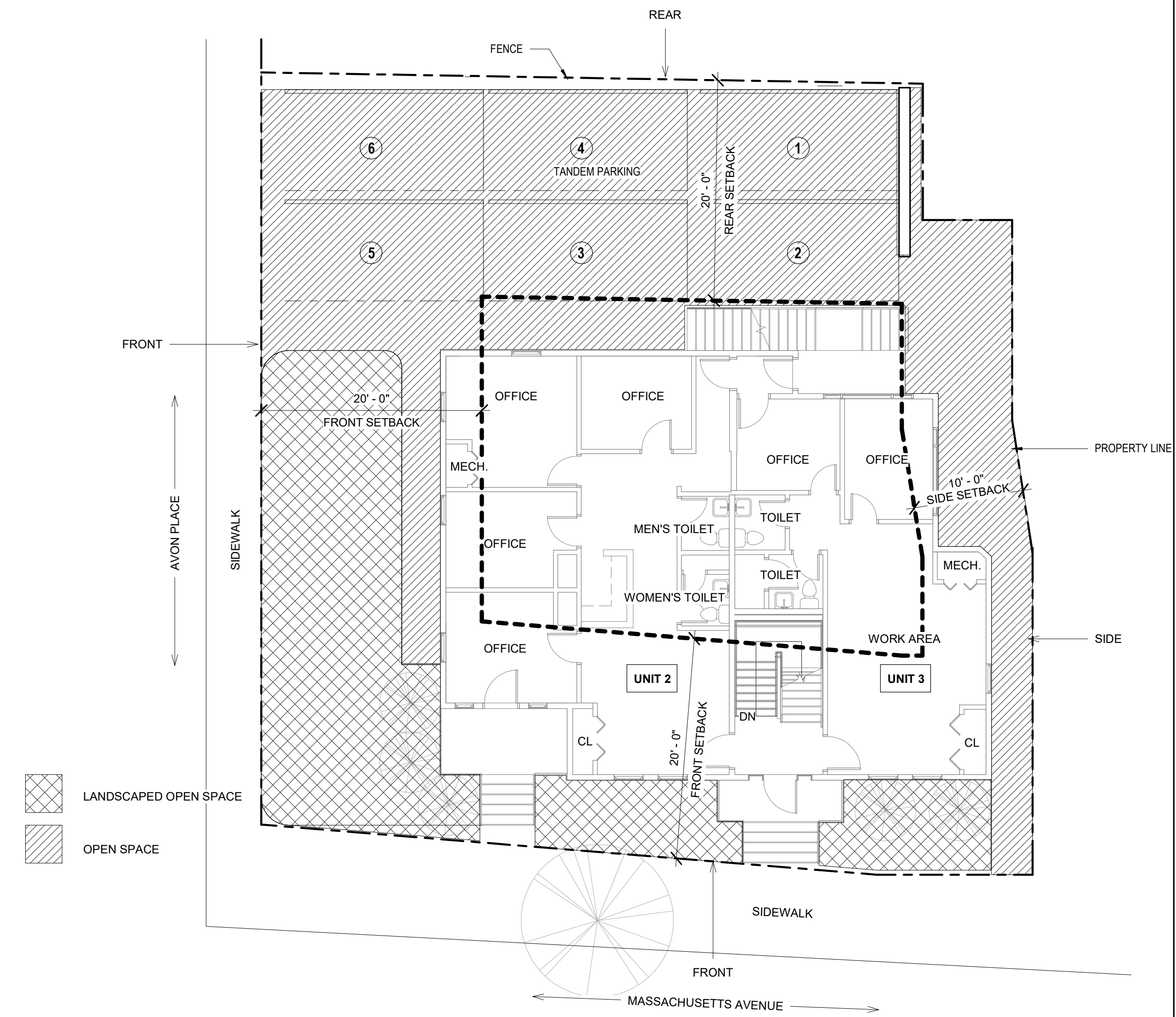
EXISTING FLOOR PLANS

prepared for:
location: Approver

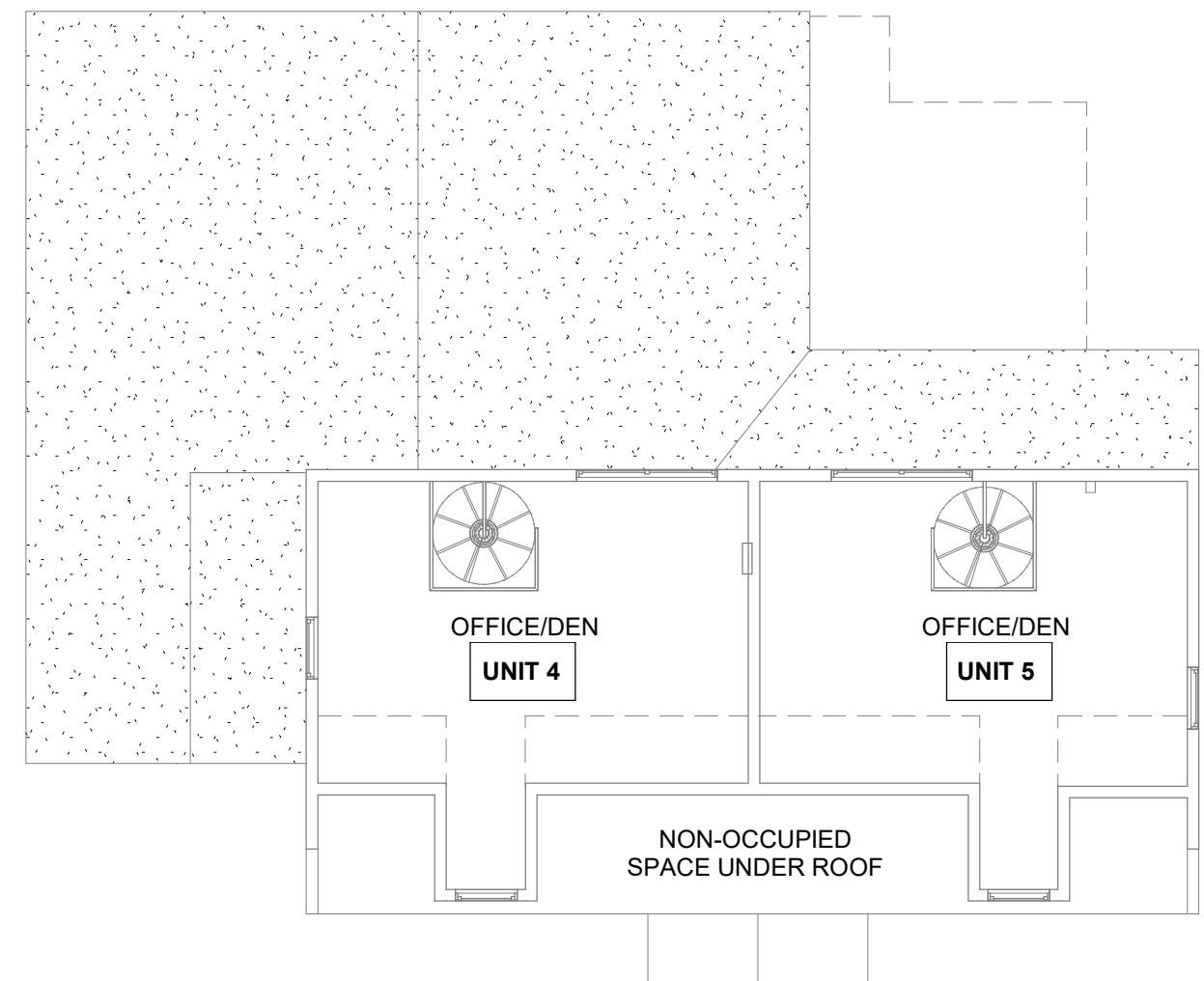
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Mark	Date
REVISIONS	
DATE	12/11/2020
SCALE	As indicated
JOB NO.	2876
SHEET NO.	

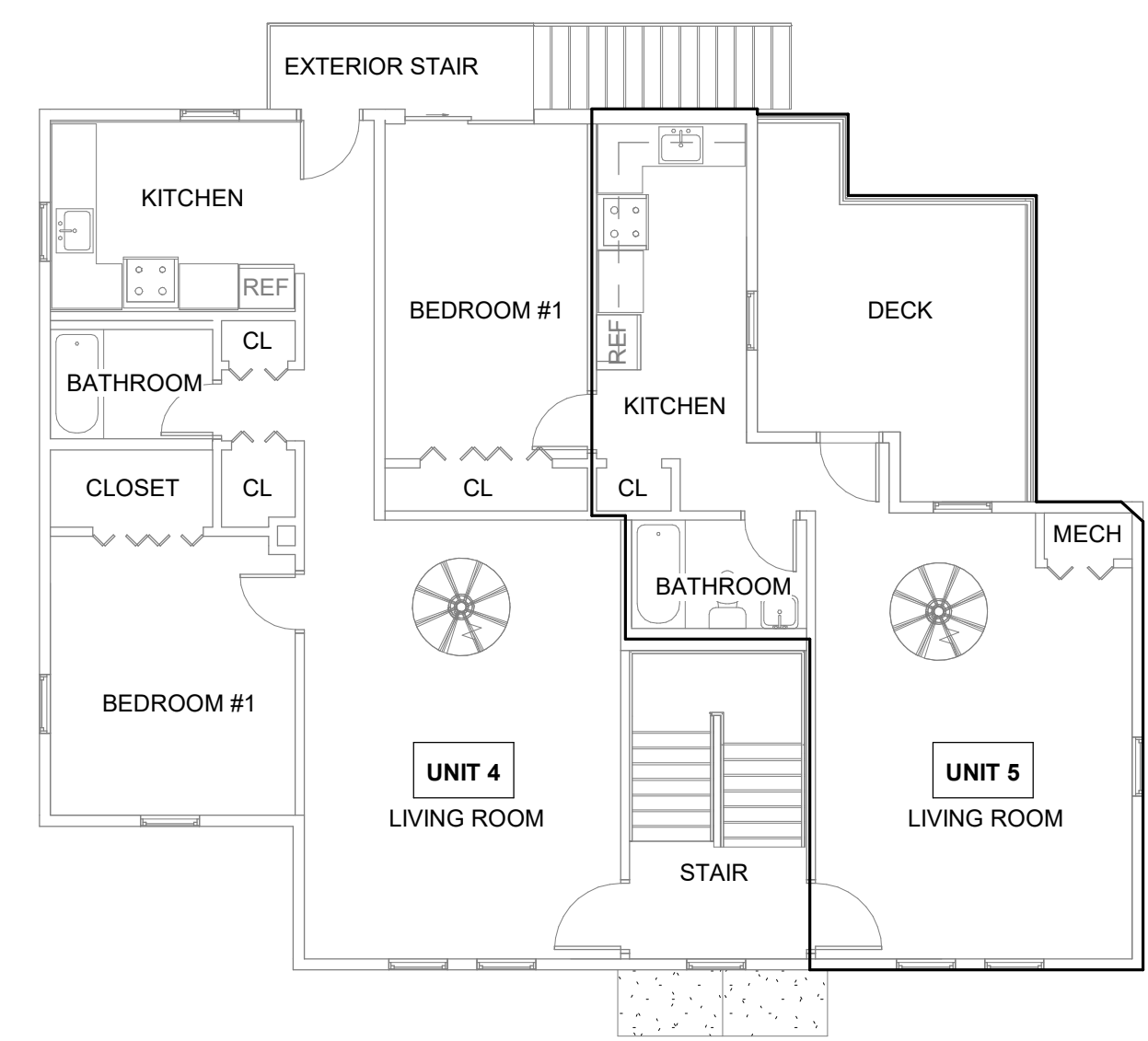
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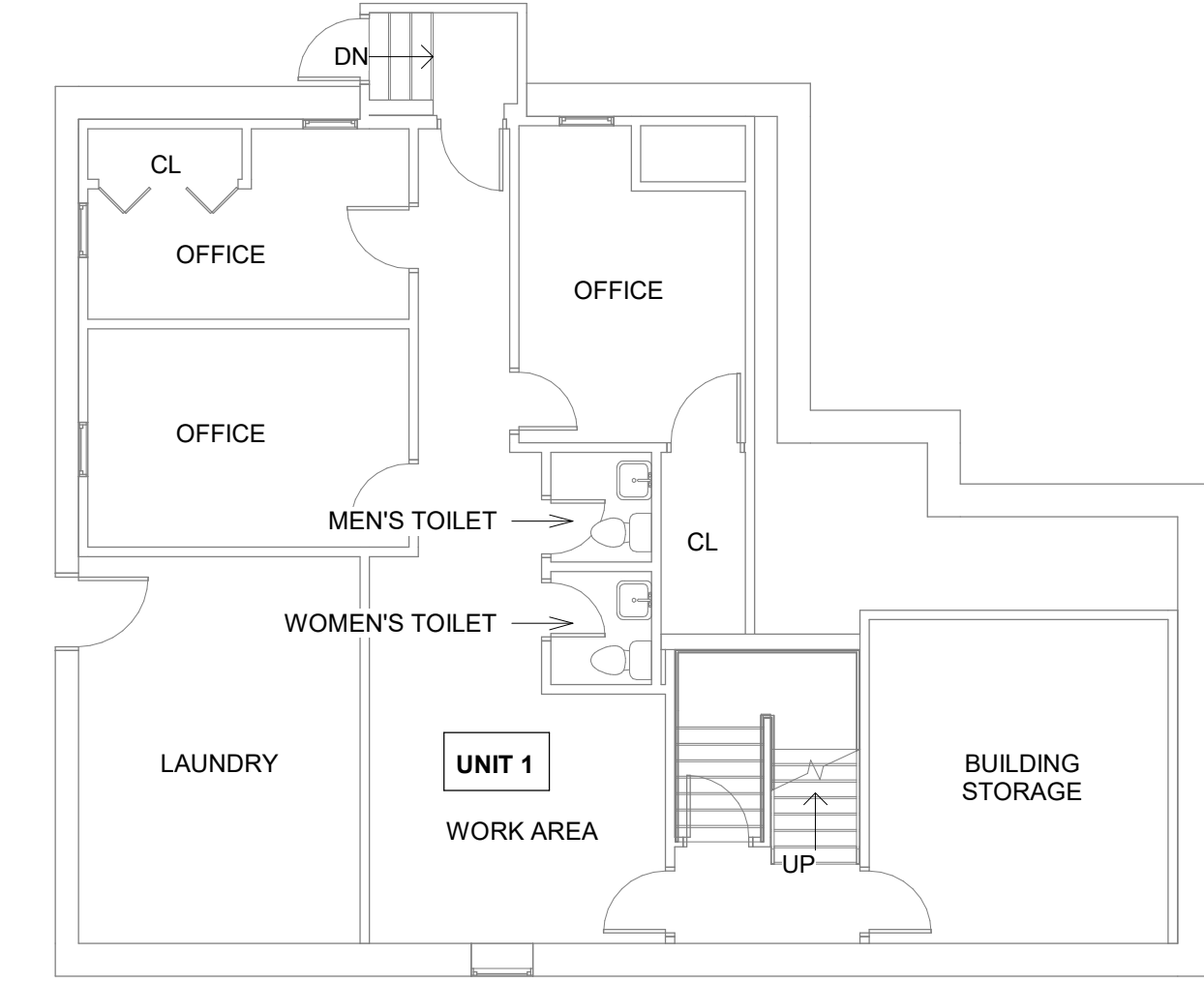
2 EXISTING FIRST FLOOR PLAN + SITE W/ ZONING INFORMATION
1/8" = 1'-0"



4 THIRD FLOOR PLAN
1/8" = 1'-0"



3 SECOND FLOOR PLAN
1/8" = 1'-0"



1 BASEMENT PLAN
1/8" = 1'-0"

SUMMARY USE GROUPS			
FLOOR	UNIT	EXISTING	PROPOSED
BASEMENT	UNIT 1	BUSINESS	RESIDENTIAL 1 BEDROOM
1ST FLOOR	UNIT 2	BUSINESS	RESIDENTIAL 2 BEDROOM
1ST FLOOR	UNIT 3	BUSINESS (NO CHANGE)	BUSINESS (NO CHANGE)
2ND FLOOR	UNIT 4	RESIDENTIAL 1 BEDROOM (NO CHANGE)	RESIDENTIAL 1 BEDROOM (NO CHANGE)
2ND FLOOR	UNIT 5	RESIDENTIAL 1 BEDROOM (NO CHANGE)	RESIDENTIAL 1 BEDROOM (NO CHANGE)
		2 BEDROOMS	5 BEDROOMS

Stamp:

400 MASS AVE ARLINGTON

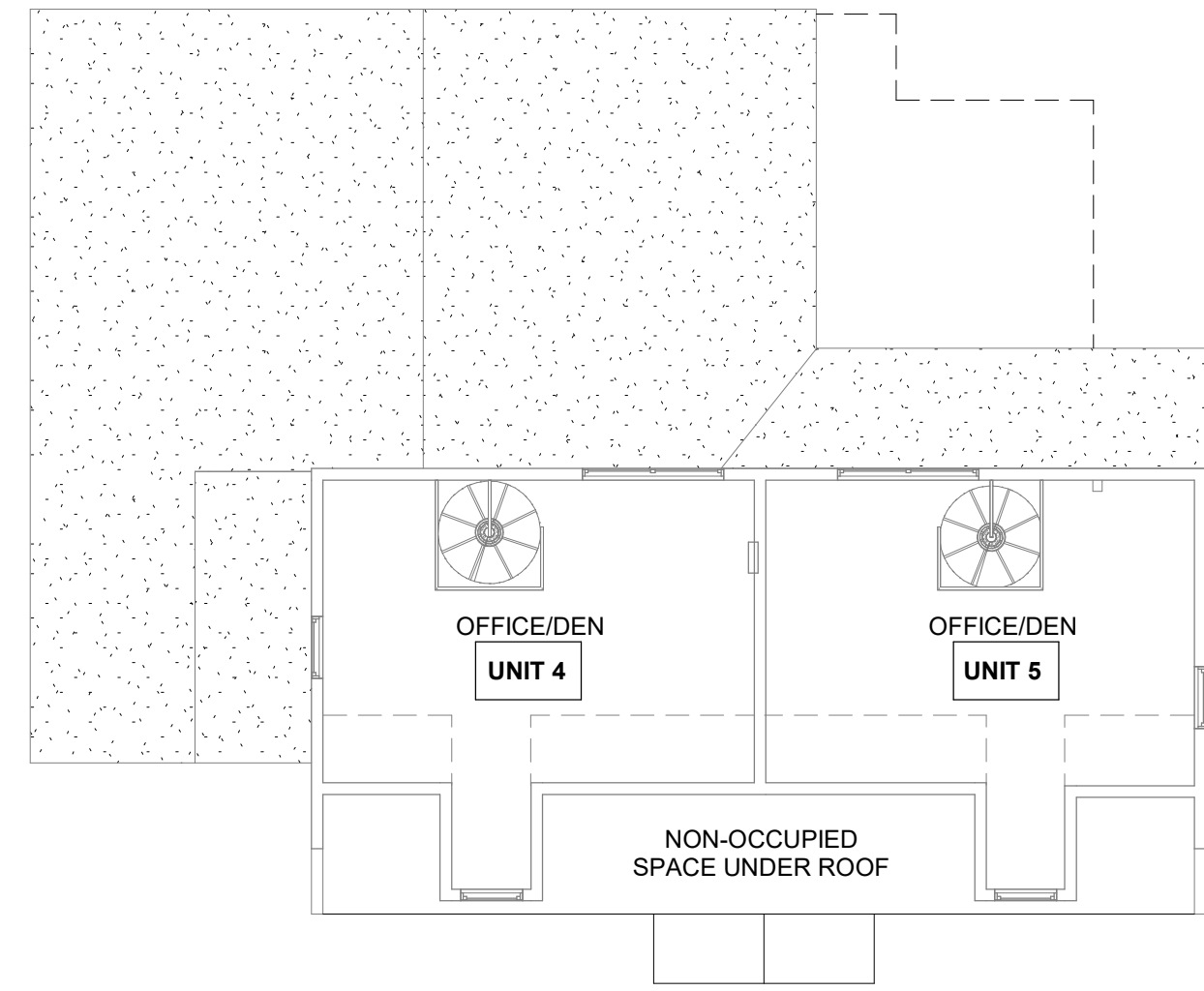
PROPOSED FLOOR PLANS

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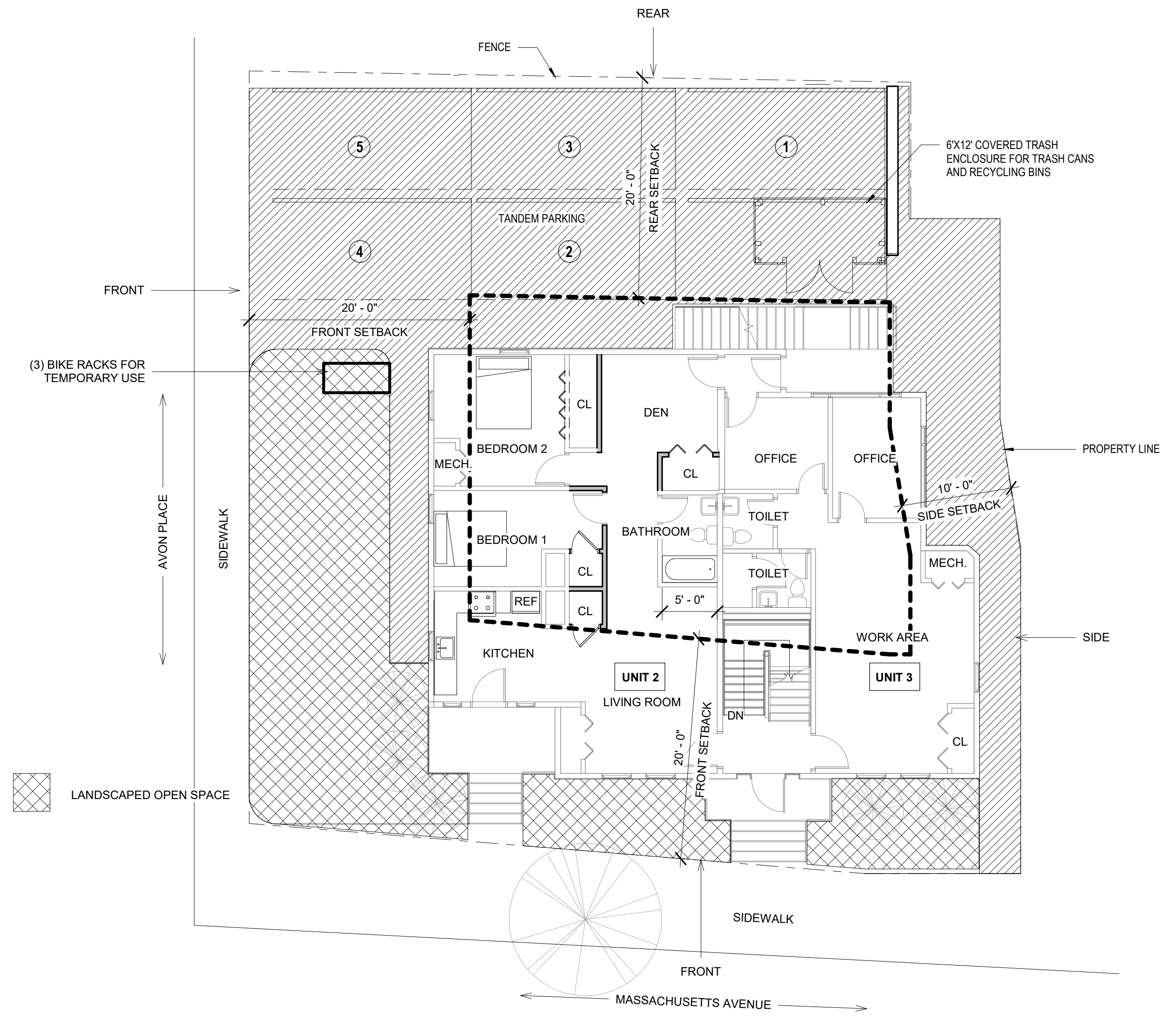
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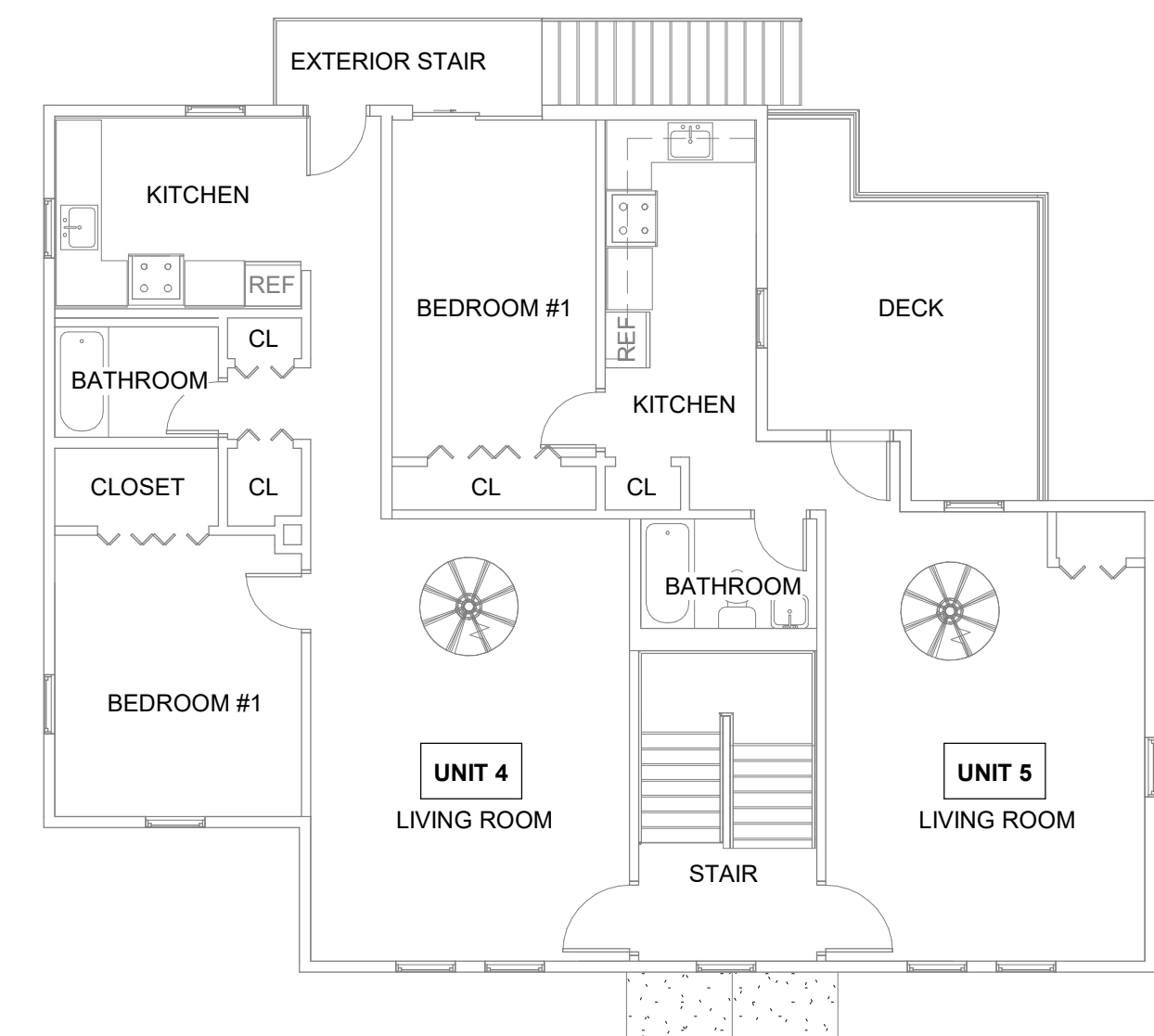
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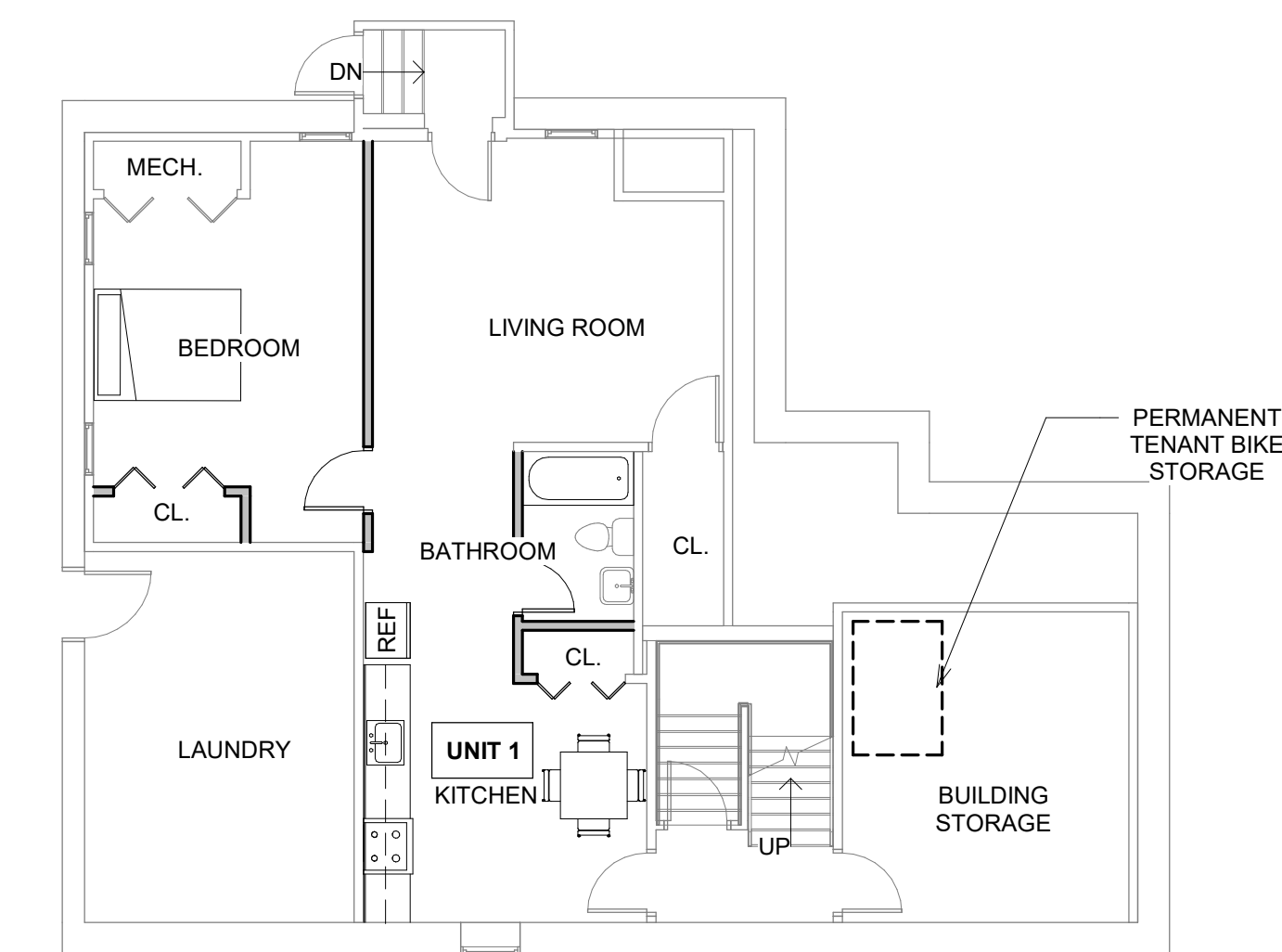
4 THIRD FLOOR PLAN (NO CHANGES)
1/8" = 1'-0"



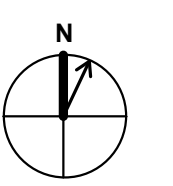
2 PROPOSED FIRST FLOOR PLAN + SITE
W/ZONING INFORMATION
1/8" = 1'-0"



3 SECOND FLOOR PLAN (NO CHANGES)
1/8" = 1'-0"



1 BASEMENT PLAN -PROPOSED
1/8" = 1'-0"



In California, countless redwoods, giant sequoias and Joshua trees have perished in wildfires this year. The blackened wreckage sends a clear message: These trees are in the fight of their lives.



They Are Among the World's Oldest Living Things. The Climate Crisis Is Killing Them.

By JOHN BRANCH | Photographs by MAX WHITTAKER | Page A21

Left Is Pushing Biden to Slash Student Debts

This article is by Eric L. Green, like Broadwater and Stacy Cowley.

WASHINGTON — President-elect Joseph R. Biden Jr. is facing pressure from congressional Democrats to cancel student loan debt on a vast scale, quickly and by executive action, a campaign that will be one of the first tests of its relationship with the liberal wing of his party. Mr. Biden has endorsed canceling \$10,000 in federal student debt per borrower through legislation, and insisted that chipping away at the \$1.7 trillion in loan debt held by more than 43 million borrowers is integral to his economic plan. But Democratic leaders, backed by the party's left flank, are pressing for up to \$50,000 of debt relief per borrower, executed on Day 1 of his presidency.

More than 200 organizations — including the American Federation of Teachers, the N.A.A.C.P. and others that were integral to his campaign — have joined the push.

The Education Department is effectively the country's largest consumer bank and the primary lender, since 2010, for higher education. It owns student loans totaling \$1.4 trillion, so forgiveness of some of that debt would be a rapid injection of cash into the pockets of many people suffering from the economic effects of the pandemic.

"There are a lot of people who came out to vote in this election who frankly did it as their last shot at seeing whether the government can really work for them," said Representative Pramila Jayapal, Democrat of Washington and the chairwoman of the Congressional Progressive Caucus. "If we don't deliver quick relief, it's going to be very difficult to get

Continued on Page A19

Two More Biden Picks

The president-elect chose Su...

Record U.S. Deaths Create a Wave of Devastation

This article is by Sarah Mervosh, Giulia McDonnell Nieto del Rio and Neil MacFarquhar.

DALLAS — Lillian Blancas was a fighter, a proud daughter of immigrants, part of the first generation in her family to attend college and a lawyer in El Paso who was on the brink of fulfilling her dream of becoming a judge.

Instead, Ms. Blancas, 47, died alone in her hospital room this week, just before a runoff election on Saturday in which she was the favorite, becoming part of a grim cascade of Americans who have died from the coronavirus as it rages out of control. More than 3,000 deaths were reported on Wednesday for the first time since the pandemic began.

"We're completely devastated. Heartbroken. We can't find a reason," said her sister, Gabriela Te-

Daily Toll Tops 3,000, but Experts Warn Worst Is to Come

mann, who recalled staring through the glass doors of Ms. Blancas's hospital room, wishing that she could stroke her hair one last time.

The new daily death record — 3,055 individuals who blew out birthday candles, made mistakes, laughed and cried before succumbing to the virus — far surpassed the spring peak of 2,752 deaths on April 15 and amounted to a stunning embodiment of the pandemic's toll. In a single day, the country, numbed and divided, lost more Americans to the coronavirus than were killed in the Sept. 11

terror attacks or the attack on Pearl Harbor.

Catherine Troist, an infectious-disease epidemiologist at the UTHealth School of Public Health in Houston, said she had cried watching the faces of coronavirus victims on "PBS NewsHour" and expected the death toll to accelerate, in part because current numbers likely do not reflect infections from Thanksgiving gatherings.

"The worst is yet to come in the next week or two or three," she said. "What happens after that is going to depend on our behavior today."

The most recent deaths come as the country is recording more new cases and hospitalizations than ever before. More than 290,000 people have died in the United States during the pandemic.

With a current average of more than 2,200 deaths per day, Continued on Page A8



ADAM ALTMAN/AGENCE FRANCE PRESSE — GETTY IMAGES

PFIZER'S VACCINE CLEARS A BIG STEP TOWARD APPROVAL

F.D.A. Authorization Is Expected Soon, as Caseloads Continue to Soar

This article is by Katie Thomas, Noah Welland and Sharon LaFraniere.

Pfizer's Covid-19 vaccine passed a critical milestone on Thursday when a panel of experts formally recommended that the Food and Drug Administration authorize the vaccine. The agency is likely to do so within days, giving health care workers and nursing home residents first priority to begin receiving the first shots early next week.

The F.D.A.'s vaccine advisory panel, composed of independent scientific experts, infectious disease doctors and statisticians, voted 17 to 4, with one member abstaining, in favor of emergency authorization for people 16 and older. With rare exceptions, the F.D.A. follows the advice of its advisory panels.

With this formal blessing, the nation may finally begin to slow the spread of the virus just as infections and deaths surge, reaching a record of more than 3,000 daily deaths on Wednesday. The F.D.A. is expected to grant an emergency use authorization on Saturday, according to people familiar with the agency's planning, though they cautioned that last-minute legal or bureaucratic re-

quirements could push the announcement to Sunday or later.

The initial shipment of 6.4 million doses will leave warehouses within 24 hours of being cleared by the F.D.A., according to federal officials. About half of those doses will be sent across the country, and the other half will be reserved for the initial recipients to receive their second dose about three weeks later.

The arrival of the first vaccines is the beginning of a complex, monthlong distribution plan coordinated by federal and local health authorities, as well as large hospitals and pharmacy chains, that if successful, will help return a grieving and economically depressed country back to some semblance of normal, maybe by summer.

"With the high efficacy and good safety profile shown for our vaccine, and the pandemic essentially out of control, vaccine introduction is an urgent need," Kathryn Jansen, a senior vice president and the head of vaccine research and development at Pfizer, said at the meeting.

The vote caps a whirlwind year for Pfizer and its German partner for Pfizer and its German partner Continued on Page A8

As Oil Demand Declines, Exxon Is at Crossroads

By CLIFFORD KRAUSS

HOUSTON — Over the last 135 years, Exxon Mobil has survived hostile governments, ill-fated investments and the catastrophic Exxon Valdez oil spill. Through it all, the oil company made bundles of money.

But suddenly Exxon is slipping badly, its long latent vulnerabilities exposed by the coronavirus pandemic and technological shifts that promise to transform the energy world because of growing concern about climate change.

The company, for decades one of the most profitable and valuable American businesses, lost \$2.4 billion in the first nine months of the year, and its share price is down about 35 percent this year. In August, Exxon was tossed out of the Dow Jones industrial average, replaced by Salesforce, a software company. The change symbolized the passing of the baton from Big Oil to an increasingly dominant technology industry.

"Is Exxon a survivor?" asked Jennifer Rowland, an energy analyst at Edward Jones. "Of course they are, with great global assets, great people, great technical know-how. But the question really is, can they thrive? There is a lot of skepticism about that right now."

Exxon is under growing pressure from investors. D.E. Shaw, a longtime shareholder that recently increased its stake in Exxon, is demanding that the company cut costs and improve its environmental record, according to a person briefed on the matter. Another activist investor, Engine No. 1, is pushing for similar changes in an effort backed by the California State Teachers Retirement System and the Church of England. And on Wednesday, the New York State comptroller, Thomas P. DiNapoli, said the state's \$226 billion pension fund would sell shares in oil and gas companies that did not move fast enough to reduce emissions.

Of course, every oil company is struggling with the collapse in en-



CARLY JONES FOR THE NEW YORK TIMES A shuttered business in Midtown, where offices lay vacant.

Hard Questions For a Midtown Left Withering

By MATTHEW HAAG and DANA RUBINSTEIN

The pandemic is pummeling New York City's commercial real estate industry, one of its main economic engines, threatening the future of the nation's largest business districts as well as the city's finances.

The damage caused by the emptying of office towers and the permanent closure of many stores is far more significant than many experts had predicted early in the crisis.

The powerful real estate industry is so concerned that the shifts in workplace culture caused by the outbreak will become long-lasting that it is promoting a striking proposal: to turn more than one million square feet of Manhattan office space into housing.

Nearly 14 percent of office space in Midtown Manhattan is vacant, the highest rate since 2009. On Madison Avenue in Midtown, one of the most affluent real stretches in the country, more than a third of all storefronts are empty, double the rate from five years ago.

The collapse of commercial real estate is another major burden for New York, since the industry provides a significant portion of the city's tax revenues.

Filings to erect new buildings in the city, a key indicator of industry

Tracking an Outbreak New York City

A DISTRICT TRANSFORMED

A Midtown Left Reeling Considers Converting Offices Into Apartments

From Page A1

confidence, have dropped 22 percent this year to 1,187, the lowest number since 2010.

As of late October, only 10 percent of Manhattan's one million office workers were reporting to the office, according to a survey by the Partnership for New York City, an influential business group.

And this already bleak picture could even get worse, real estate experts and industry executives said.

"It would probably be fair to say we haven't hit bottom yet," said James Whelan, president of the Real Estate Board of New York.

It does not appear that the major commercial landlords in the city are facing financial collapse, but the stocks of the ones that are publicly traded are down sharply since March.

The fallout from the crisis can be seen in a rising tide of litigation between landlords and tenants, even at some of New York's most gilded addresses.

At the Shops at Columbus Circle, a luxury mall overlooking Central Park, the developer has accused a group of high-end retailers, including Michael Kors and Hugo Boss, of skipping out on more than \$7 million in rent and fees. On Fifth Avenue, the Italian designer Valentino has sued its landlord to free itself from a lease of nearly \$1.6 million per month.

New York City's finances — money to pick up trash, repair parks and street lights — rely on the health of the industry.

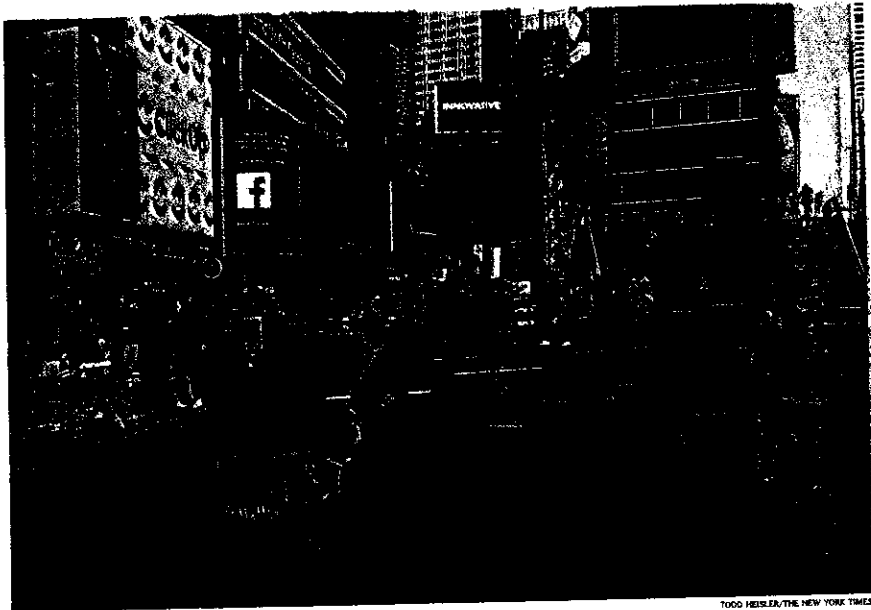
Property taxes represent the largest source of city revenue, and commercial property accounts for the largest share of that overall levy, 41 percent, according to Thomas P. DiNapoli, the state comptroller.

Commercial property sales have plummeted by nearly 50 percent through October, according to Rahul Jain, a deputy state comptroller.

A weakened commercial real estate market will make it "much harder for businesses and the economy to get back to normal," Mr. DiNapoli said.

The lack of workers is having a ripple effect on rents. Across Manhattan's retail corridors, asking commercial rents have dropped nearly 13 percent from last year, according to CBRE, a commercial real estate firm. The steepest declines are in areas dominated by office buildings, including Times Square and Grand Central Terminal, and shopping destinations like SoHo.

The industry's troubles, initially sparked by the exodus of office workers during the state's stay-at-home orders in the spring, have persisted as many commuters



Just 10 percent of Manhattan's one million office workers are reporting to the office. Rents in Times Square have declined steeply.

have settled into long-term or permanent remote-work arrangements. Tourists have also largely disappeared.

As a result, tensions are growing between the city's powerful landlords and some of their equally powerful tenants. Property owners have accused blue-chip companies of using the pandemic to withhold rent they can afford, while tenants have portrayed landlords as greedy and unwilling to acknowledge economic reality.

"It's not easy, but we need to make sacrifices, and landlords need to make sacrifices," said Lawrence Berger, chairman of FannzLids Holdings, which owns Lids, an athletic headwear store whose flagship shop is in Times Square.

The shop has been sued over more than \$511,000 in unpaid rent and charges at four other Manhattan stores that were closed for months at a time.

"The amazing thing to us is that in New York, they're going after rent for times when we weren't allowed to be open," Mr. Berger said. "We have worked out deals with our landlords across the country except in New York City."

Landlords like Related, which owns the Shops at Columbus Circle and has sued five of its tenants

say, they have their own financial obligations and tenants that can afford rent should pay.

The litigation does not capture the behind-the-scenes, high-stakes negotiations that have led to resolutions without resorting to court, said William H. Mack, a commercial lawyer at the firm Davidoff Hatcher & Citron in New York.

Mr. Mack has been hired by Hugo Boss in its effort to reduce or void its lease at Columbus Circle. "This is 80 to 90 percent of what I've been doing since March and April," he said.

At the Real Estate Board of New York, whose members include nearly every major landlord and developer in New York, the prospect of systemic changes in work habits looms large.

"Anyone that thinks the way that people used the workplace in the past isn't going to change post-pandemic is fooling themselves," said Scott Rechler, chair of the Regional Plan Association and the chief executive of RYR Realty, which controls 26 million square feet of city office space.

Employers have discovered that productivity does not necessarily suffer in the absence of shared work space and that smaller office footprints and more lenient work-from-home policies

might make lasting economic sense.

As a result, the landlord group is proposing that the city and state allow developers to more easily convert Manhattan and borough offices into residences.

Roughly 140 million of Manhattan's 400 million square feet of office space is considered to be of average quality or is in older and less luxurious buildings, according to Cashman and Wakefield, a real estate brokerage. The real estate board puts the citywide supply of those buildings at roughly 210 million square feet.

The real estate group estimates that converting even just 10 percent of that office space to residential would create 14,000 apartments citywide, including as many as 10,000 in Manhattan — a significant amount in a city routinely short of enough housing, especially affordable homes.

Changes to zoning rules needed for any conversions would require that some portion of new housing be set aside as affordable, the board said.

Mark A. Willis, a senior policy fellow at New York University's Furman Center for Real Estate and Urban Policy, said that before the pandemic, job growth was outpacing housing growth in the city, causing demand to far outstrip

supply and exacerbating the city's persistent housing shortage.

"Facilitating the reuse of buildings to adapt to changes in the economy is, to me, a very smart idea," Mr. Willis said.

Some tenants are using the current downturn — and the resulting lower prices per square foot — to trade up for nicer office space, the board said. That is a boon for higher-end office landlords, but could bode ill for landlords of lower-rated buildings.

Converting office buildings to homes would not only provide a potential financial lifeline to landlords, but would also benefit retailers, the real estate board argues, because the presence of office users during the day and apartment dwellers at night would increase foot traffic.

There is no reason, they argue, for Midtown to retain its status as New York's last predominantly office district, bustling during the day but quieter at night.

They cite the success of Lower Manhattan, which in recent decades has turned from an almost exclusively office district into a vibrant residential neighborhood.

The proposal would require changes to zoning and density rules that would have to be approved by the City Council and the State Legislature and embraced

by the mayor and governor. Gov. Andrew M. Cuomo's office would say only that he would review the idea.

A spokesman for Mayor Bill de Blasio, who is term-limited and about to begin his last year in office, welcomed the housing proposal.

"City Hall is always looking for sensible, equitable ways to deliver more housing," said the spokesman, Bill Neidhardt.

Still, converting office space to apartments is not easy. Landlords would still need to wait for buildings to empty, which can take years.

The landlord group says the city and state should help expedite conversions by lifting zoning restrictions that require manufacturing in areas like the garment district, changing density requirements that bar apartments and creating new tax breaks for landlords.

Whether city and state elected officials will green-light a measure that would help real estate developers when so many tenants are struggling is an open question.

Several candidates vying to succeed Mr. de Blasio have vowed to refuse campaign donations from real estate developers.

Nor is it clear how many landlords would actually take advantage of the proposed changes.

Jeff Gural, who controls a large portfolio of aging buildings in Manhattan, said he would rather remain in his current line of work.

"We don't have that much vacant space to begin with," Mr. Gural said. "And I believe there will be a demand for the kind of space that we have."

Another possible source for expanding housing would be to convert hotels, many of which have closed as the industry has been decimated by a plunge in tourism and business travel.

That idea is gaining traction among some developers and affordable housing advocates. One group that is trying to shape the 2021 mayoral debate, United For Housing, will argue in an upcoming report that the next mayor should prioritize converting hotels into permanent supportive and affordable housing.

As for the real estate board's proposal, some housing advocates say the pandemic is an opportunity to get creative about easing the city's housing crisis.

"We need a comprehensive plan for how to bring on new housing resources, and the idea of converting office buildings to residential I think has a lot of upside," said Brenda Rosen, the president and chief executive of Breaking Ground, which describes itself as the state's largest provider of supportive housing.

INCREASING ROBBERIES

City Lifeline Comes Under Threat As Crime Sweeps Through Bodegas

By EDGAR SANDOVAL

It was shortly after 6 o'clock one night in late October when Hardik Parekh, the manager of a corner store in Queens, saw a man he recognized as a chronic shoplifter walk in. Not again, he thought.

Mr. Parekh shared a glance with a co-worker, Mohamediyar Tarwala, 26, who quickly moved to escort the man out the door. The mundane moment then took a terrifying turn. The man pulled out a firearm and fatally shot Mr. Tarwala, Mr. Parekh said.

"Lately, after the pandemic, I don't know why, but we had people come in and threatening us," Mr. Parekh said, standing near the spot where his friend collapsed. "I was thinking it would end up in

people have been killed in or just outside the stores, according to the data.

The surge comes as a second wave of the virus hits the city and a steep rise in gun violence that plagued New Yorkers over the summer shows no signs of slowing down. Shootings have doubled this year over last, and murders are up nearly 40 percent.

Fernando Mateo, one of the founders of the United Bodegas of America, an organization that represents about 20,000 bodegas in New York, said the pandemic had provided cover for a small number of criminals to target neigh-

borhoods. Cameras captured the gruesome scene as the gang members stabbed him to death.

Since then, a handful of bodega owners have added safety measures, such as panic buttons, brighter lights and special locks. But Mr. Mateo said the majority of bodega operators cannot afford the added security, which can cost thousands of dollars.

Until recently, Mr. Parekh was one of them. He said he finally invested in a panic button and is adding bright lights at his store, Crossbay Express.

For months he said he looked the other way when he noticed people sneaking out of his shop without paying for items like ice cream, beer or canned goods, be-



Spinelli. "It can quickly escalate. Our advice is to call 911 instead."

On a chilly day in mid-November, the officers made their round in the 44th Precinct, where he deags, some adorned with colorful street murals, could be seen on a most every street block. The first stop was at a Pioneer Supermarket, a larger than average corner store, where the owner, De Morel, 55, welcomed them with a smile.

Mr. Morel told the officers man he recognized as a regular customer had walked out of the store a recent day without paying for sausages. A store manager had not stopped the man, but instead gave a surveillance video to the police, he said.

"I don't let nothing slide," Mr. Morel said. "You steal at my store I want you arrested."

Rita Clark, a longtime customer she relied on the store for necessities throughout the pandemic. "This young lady is he 24/7," Mr. Morel said, gesturing Ms. Clark with a giggle. "A customers are like my family."

ROBERT J. ANNESE

ATTORNEY AT LAW

November 4, 2020

VIA FEDEX

Jennifer Raitt, Director
Department of Planning and Community Development
Town of Arlington
730 Massachusetts Avenue
Arlington, MA 02476

RE: 400-402 Massachusetts Avenue

Dear Ms. Raitt:

I am sending along an Application for Environmental Review filed in behalf of 400-402 Mas Avenue, LLC, the owner of real estate located at 400-402 Massachusetts Avenue, Arlington.

The Application is being filed in connection with the mixed-use bylaw as the Applicant is proposing to convert an existing building containing two residential dwelling units and three business units into a building containing four residential dwelling units and one business unit.

This Application is being filed both digitally and I am sending three (3) hard copies to your office by FedEx as well.

Would you please let me know the date the Application will be heard by the ARB.

Thank you for your cooperation.

Very truly yours,


Robert J. Annese

Enclosures

TOWN OF ARLINGTON
REDEVELOPMENT BOARD

Application for Special Permit In Accordance with Environmental Design
Review Procedures (Section 3.4 of the Zoning Bylaw

Docket No. _____

1. Property Address: 400-402 Mass Ave
Name of Record Owner(s): 400-402 Mass Avenue, LLC Phone: 781-646-4911
Address of Owner: 455 Mass Ave, Suite #1, Arlington, MA 02474
Street City, State, ZIP
2. Name of Applicant(s) (if different than above): SAME
Address: _____ Phone: _____
Status Relative to Property (occupant, purchaser, etc.): _____
3. Location of Property: MAP 101.0 BLOCK 0002 LOT 0003.A
Assessor's Block Plan, Block, Lot No.
4. Deed recorded in the Middlesex South District Registry of Deeds, Book 70704, Page 49; or- registered in Land Registration Office, Cert. No _____, Book _____, Page _____
5. Present Use of Property (include # of dwelling units, if any): (2) Residential dwelling units, (3) business units
6. Proposed Use of Property (include # of dwelling units, if any): (4) Residential dwelling units, (1) business unit
7.

Permit applied for in accordance with the following Zoning Bylaw section(s):	<u>Section 6.1.5(c)</u> <u>Section 4.4</u> <u>Section 5.3.16</u>	<u>Transportation demand management relief</u> <u>Environmental Design Review</u> <u>Yards or setbacks for lots adjoining a street or public open space</u> <u>As well as the mixed-use zoning bylaw amendment</u>
--	--	---
8. 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.

See attached Statement incorporated by reference into the terms of this Application.

(In the statement below, strike out the words that do not apply)

The applicant states that 400-402 Mass Avenue, LLC is the **OWNER** of the property in Arlington located at 400-402 Mass Ave, 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)

c/o Robert J. Annese, 1171 Mass Ave., Arlington, MA 02476
Address

781-646-4911
Phone

Town of Arlington Redevelopment Board
Application for Special Permit in accordance with
Environmental Design Review (Section 3.4)

Required Submittals Checklist

File each in triplicate except for model
References are to Arlington Zoning Bylaw

- √ Dimensional and Parking Information Form
- √ Site plan of proposal
- Model, if required
- √ Drawing of existing conditions
- √ Drawing of proposed structure
- Proposed landscaping. May be incorporated into site plan
- Photographs
- √ Impact statement
- √ Application and plans for sign permits
- Stormwater management plan (for stormwater management during construction for projects with new construction)

FOR OFFICE USE ONLY

_____ Special Permit Granted	Date: _____
_____ Received evidence of filing with Registry of Deeds	Date: _____
_____ Notified Building Inspector of Special Permit filing	Date: _____

TOWN OF ARLINGTON
REDEVELOPMENT BOARD

Petition for Special Permit under Environmental Design Review (see Section 3.4 of the Arlington Zoning Bylaw for Applicability)

For projects subject to Environmental Design Review, (see section 3.4), please submit a statement that completely describes your proposal, and addresses each of the following standards.

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 landscaped open space which is presently 864 square feet +/- will remain at 864 square feet +/- while zoning would require 555 square feet +/-.

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

The exterior physical characteristics of the building will no change as all of the changes will be interior changes to the building.

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 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 useable open space which 0 will remain at 0 with respect to Petitioner's proposed interior plans to the building.

4. **Circulation.** With respect to vehicular, 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 8.13 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.

Traffic circulation will remain unchanged with one way traffic in and out to the parking spaces located to the rear of the building.

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 storm water treatment by means of swales, filters, plantings, roof gardens, native vegetation, and leaching catch basins. Storm water 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 at 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 insure the maintenance of all storm water 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 the future maintenance needs.

The surface water drainage will remain unchanged.

6. **Utility Service.** 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 indicated.

There will be no changes to the utility services to the property and the method of sanitary sewage disposal and solid waste disposal will remain unchanged.

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. Advertising features are subject to the provisions of Section 6.2 of the Zoning Bylaw.

Petitioner is still discussing any advertising features with respect to the building and is of the view that that matter can be dealt with administratively by the Planning Department.

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.

There will be no new machinery installed at the building and landscaping will be as shown on Petitioner's plans.

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 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.

All open and enclosed spaces as presently existing will remain unchanged and are safe for inhabits of the building as well as neighboring residents and passerby's.

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 practicable, whether these exist on the site or on adjacent properties.

There will be no exterior changes to the existing building.

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 impact on light, air, and water resources, or on noise and temperature levels of the immediate environment.

Not applicable.

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.
[LEED checklists can be found at <http://www.usgbc.org/DisplayPage.aspx?CMSPageID=220b>]

Petitioner is submitting a LEED's report of LaGrasse Yanowitz & Feyl with respect to LEEDS considerations with regard to the building.

In addition, projects subject to Environmental Design Review must address and meet the following Special Permit Criteria (see Section 3.3.3 of the Zoning Bylaw)

1. The use requested is listed in the Table of Use Regulations as a special permit in the district for which application is made or is so designated elsewhere in this Bylaw.

The building is located in the B1 zone.

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

The requested use will add additional residential units to the Town residential base which is in keeping with the master plan with respect to a mixed use zone such as a B1 zone and has been apparent for many years that the Town and its inhabitants and potential inhabitants would benefit from mixed use development in the Town.

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

There will be no significant change in traffic to or from the property such as to impair pedestrian safety as there will be no change to the traffic pattern as has existed at the property for many years.

4. 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.}

The requested use will not overload of any town municipal system.

5. Any special regulations for the use, set forth in Article 11, are fulfilled.

This requirement is satisfied with respect to the plans.

6. 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 requested use is similar to other uses in the neighborhood of the property as there is a mix of commercial and residential uses in the neighborhood and will be in keeping with the character and nature of those uses. Once again, there will be no exterior changes to the existing building.

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

The requested use as mentioned in item No. 6 will not by its addition to the neighborhood in which the property is located cause an excess of that particular use that could be detrimental to the character of the neighborhood.

TOWN OF ARLINGTON
 Dimensional and Parking Information
 for Application to
 The Arlington Redevelopment Board

Docket No. _____

Property Location ARLINGTON, MA

Zoning District B1

Owner: 400-402 MASS AVE LLC

Address: 400-402 MASS AVE, ARLINGTON

Present Use/Occupancy: No. of Dwelling Units:

(2) Res Dwelling Units + (3) Business Units

Proposed Use/Occupancy: No. of Dwelling Units:

(4) Res Dwelling Units + (1) Business Unit –

Uses and their gross square feet:

Residential: 2,225 GSF / Business: 2,692 GSF / (638 GSF Circ+Stor)

Uses and their gross square feet:

Residential: 4,287 GSF / Business: 630 GSF / (638 GSF Circ+Stor)

**as well as the mixed-use
 zoning bylaw amendment**

	Present Conditions	Proposed Conditions	Min. or Max. Required by Zoning for Proposed Use
Lot Size	4756 SF	4756 SF	min. 5,000 SF
Frontage	71.7FT Mass Ave 68FT Avon St.	71.7FT Mass Ave 68FT Avon St.	min. 50 FT
Floor Area Ratio	1.16	1.16	max. .75
Lot Coverage (%), where applicable	--	--	max. N/A
Lot Area per Dwelling Unit (square feet)	(2 Dwelling Units) 2378 SF	(4 Dwelling Units) 1189 SF	min. 2,500 SF
Front Yard Depth (feet)	0 FT	0 FT	min. 20 FT
Side Yard Width (feet)			
			min. 10 FT
			min. 10 FT
Rear Yard Depth (feet)	20 FT	20 FT	min. 20 FT
Height	--	--	min. --
Stories	2 & 3/4 STY	2 & 3/4 STY	stories 3
Feet	29.9 FT	29.9 FT	feet 35 FT
Open Space (% of G.F.A.)	--	--	min. --
Landscaped (square feet)	864 SF +/-	864 SF +/-	(s.f.) 10%, OR 555 SF
Usable (square feet)	0	0	(s.f.) 20%, OR 1111 SF
Parking Spaces (No.)	6	6	min. 6
Parking Area Setbacks (feet), where applicable	N/A	N/A	min. --
Loading Spaces (No.)	0	0	min. --
Type of Construction	WOOD FRAME, TYPE VB		
Distance to Nearest Building	10'-3" +/-	10'-3" +/-	min. N/A

400-402 Massachusetts Avenue
Arlington, MA

Environmental Impact Statement

The property located at 400-402 Massachusetts Avenue contains 4,756 square feet+/- and is in a B1 zone which zone is defined in Section 5.5 - Business Districts section of the Zoning Bylaw and at 5.5.1, Subsection A.

The definition in the Zoning Bylaw for a property located in a B1 zone is as follows:

“B1: Neighborhood Office District. In the Neighborhood Office District, the predominant uses include one- and two-family dwellings, houses with offices on the ground floor, or office structures which are in keeping with the scale of adjacent houses. Primarily located on or adjacent to Massachusetts Avenue, this district is intended to encourage preservation of small-scale structures to provide contrast and set off the higher-density, more active areas along the Avenue. Mixed-use buildings without retail space are allowed in this district. The Town discourages uses that would detract from the desired low level of activity, consume large amounts of land, or otherwise interfere with the intent of this Bylaw.”

The property was the subject of a 1980 Zoning Hearing and Decision which provided that there be no more than two (2) apartments developed on the site and that there would be at least one on-site parking space per dwelling unit to be set aside for apartment tenants and that the entrance to the basement space be from the front of the building with an open stairway leading down from the inside entrance and clearly marked as to how to enter the basement.

The Petitioner’s representative has now filed a Petition to Amend the Special Permit in accordance with the new mixed-use bylaw which applies in an B1 zone requesting that the building be allowed to have one (1) office unit and

four (4) residential units in accordance with plans submitted to the Zoning Board and which are also being submitted to the Arlington Redevelopment Board (hereinafter “ARB”) at this time.

While the 1980 Zoning Decision limited the number of apartments in the buildings to two (2) under the mixed-use bylaw and in accordance with the provisions Section 3.4, further Section 3.4.4 of the Zoning Bylaw, the ARB has the jurisdiction with respect to any work or changes to be made to the existing building and in exercising its jurisdiction the ARB is to follow certain standards in reviewing Petitioner’s plans in accordance with a portion of the language of Section 3.4.4 which states the following:

“The Standards are intended to provide a frame of reference for the Applicant in the development of site and building plans as well as a method of review for the review authority. They shall not be regarded as inflexible requirements and they are not intended to discourage creativity, invention and innovation.”

The property is located in a mixed-use area directly across from the main Arlington Fire Station, within steps of the heart of Arlington Center with its significant retail uses, but at the fringe of that area at a point where there is a transition to more residential uses, including a number of apartment buildings, smaller mixed-use offices and residential buildings as well as commercial buildings such as the commercial building located at 397 Massachusetts Avenue, across from the Fire Station.

Petitioner does not propose changes to the exterior of the building but rather seeks to maintain the mixed-use history of the building with respect to its plans.

The proposed use comports comfortably with the language contained in the definition of the neighborhood office district contained in the Zoning Bylaw as the proposed use will provide contrast and set off the higher-density, more active areas along the Massachusetts Avenue and further would not detract from a low-level of activity with respect to the use.

The total gross floor area (GFA) would remain the same with respect to Petitioner's plans and the property is nonconforming with respect to the Zoning Bylaw lot size, floor area ratio, lot area per dwelling, front, side yard depths, useable open space and parking space minimum requirements contained in the Bylaw.

As a result of the increase in the requested number of residential units from two (2) to four (4), the proposal would increase the nonconformity with respect to the lot area per dwelling unit by reducing it from 2032 square feet per unit to 921 square feet per unit.

Petitioner also proposes to increase the two (2) parking spaces currently located at the property from two (2) to six (6), while the required parking spaces would be 6.1 parking spaces as set forth within the substance of the Zoning Bylaw with respect to the proposed use which requires Petitioner to request a reduction with respect to the parking requirements contained in the Zoning Bylaw.

Accordingly, Petitioner is prepared in accordance with Section 6.1.5, further subsection C of the Zoning Bylaw to comply with the provisions of the Transportation Demand Management (TDM) conditions contained in subsection C as follows:

- (1) Provide covered bicycle parking and storage;
- (2) Provide an electric charging station; and

(3) Installation of a shower in the office unit.

The Zoning of Board Appeals in a decision dated June 23, 2020 unanimously voted that in light of the fact that the Petitioner's proposal invokes the jurisdiction of Section 3.4 of the Zoning Bylaw under Environmental Design Review, that the ARB can review the proposal in accordance with the criteria of Sections 3.3.3 and 3.4 and if the ARB approves Petitioner's proposal then that decision would be the controlling decision with respect to Petitioner's mixed-use proposal, but if the proposed Petition was not approved by the ARB, then the 1980 Special Permit Zoning Board of Appeals conditions would remain in effect.

The Members of the Zoning Board went on to find that the 1980 Special Permit issued by the Zoning Board which allowed for two (2) apartments and one (1) office on the site and which also made provision for parking spaces for the dwelling units would essentially be superseded by the decision of the ARB since the Zoning Board in any event would not have the authority to issue a Special Permit under Environmental Design Review as that jurisdiction was solely the authority of the ARB.

In summary, the relief sought by Petitioner is for conversion of the property from two (2) residential units and one (1) business units into four (4) residential dwelling units and one (1) business unit.

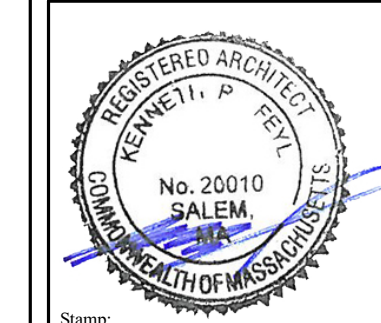
The permit applied for requires relief from the following sections of the Zoning Bylaw:

1. Section 6.1.5, (C) – Transportation Management relief;
2. Section 3.4. Environmental Design Review;
3. Section 5.3.16 – Yards and setbacks for lots adjoining a street or public open space; and

4. Mixed-use amendment to the zoning bylaw.

Petitioner has addressed the standards of Section 3.4 of the Zoning Bylaw as follows:

1. The landscaped opened space which is presently 864 square feet+/- will remain at 864+/- square feet while zoning would require 555 square feet+/-.
2. The exterior of the building will not change as all the changes will be interior changes.
3. The useable open space which is 0 will remain at 0 with respect to Petitioner's proposed interior plans to the building.
4. Traffic circulation will remain unchanged with one-way traffic in and out to the parking spaces which are located to the rear of the building.
5. The surface water drainage will remain unchanged.
6. There will be no changes to the utility service to the property.
7. Petitioner will, in all likelihood, discuss any advertising features with respect to the proposal with the Planning Department and would expect that any proposal made could be dealt with administratively by the Planning Department.
8. There will be no new machinery installed at the building.
9. All opened and closed spaces at the building will remained unchanged.
10. Petitioner has submitted a LEED's report of LAGRASSE YANOWITZ & FEYL with respect to LEED considerations with respect to the proposal as a part of its submission to the ARB.



**400 MASS AVE
 ARLINGTON**

EXISTING FLOOR PLANS

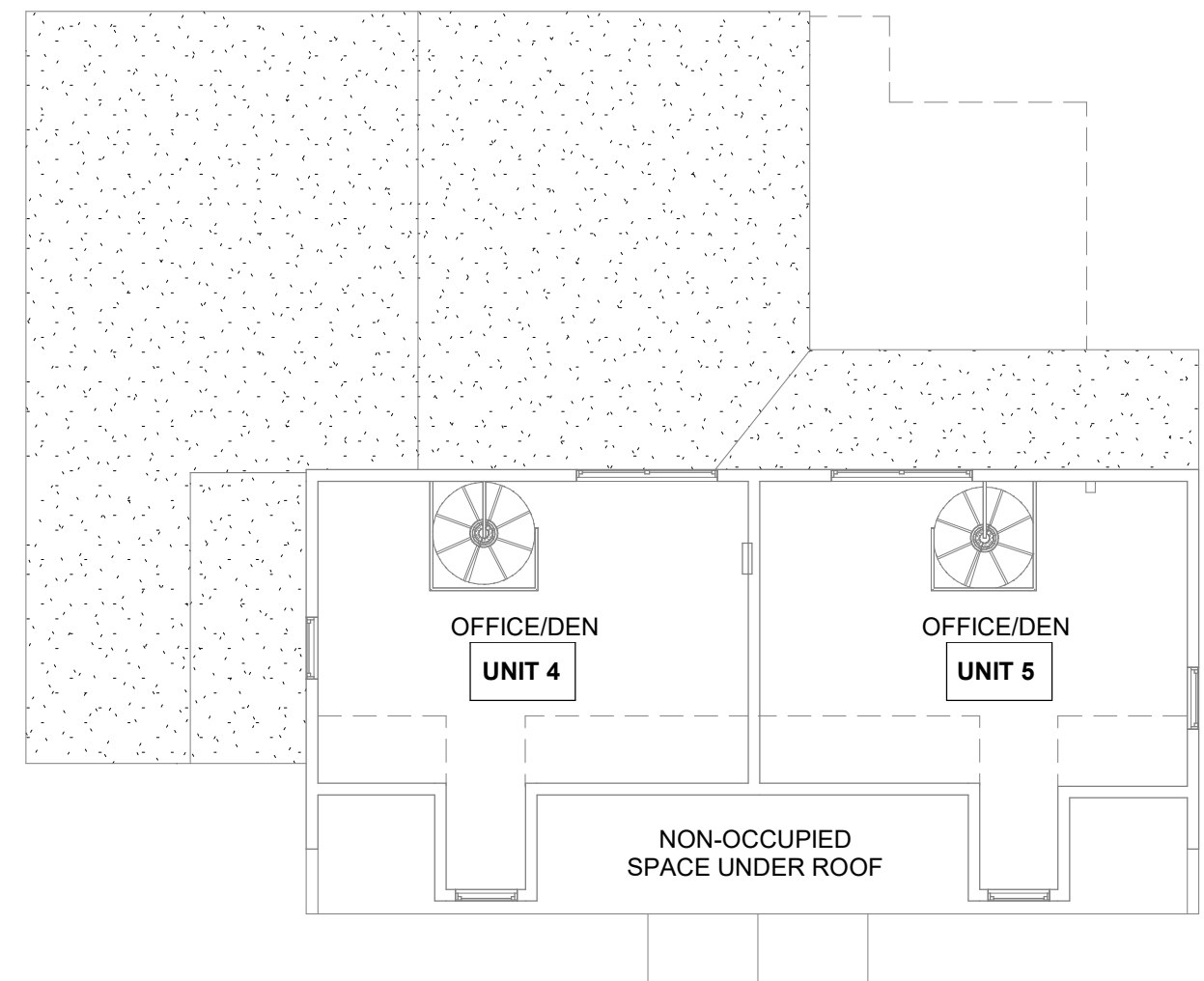
Prepared for:
 Location: Approver
 Title

LYF 2020 ©

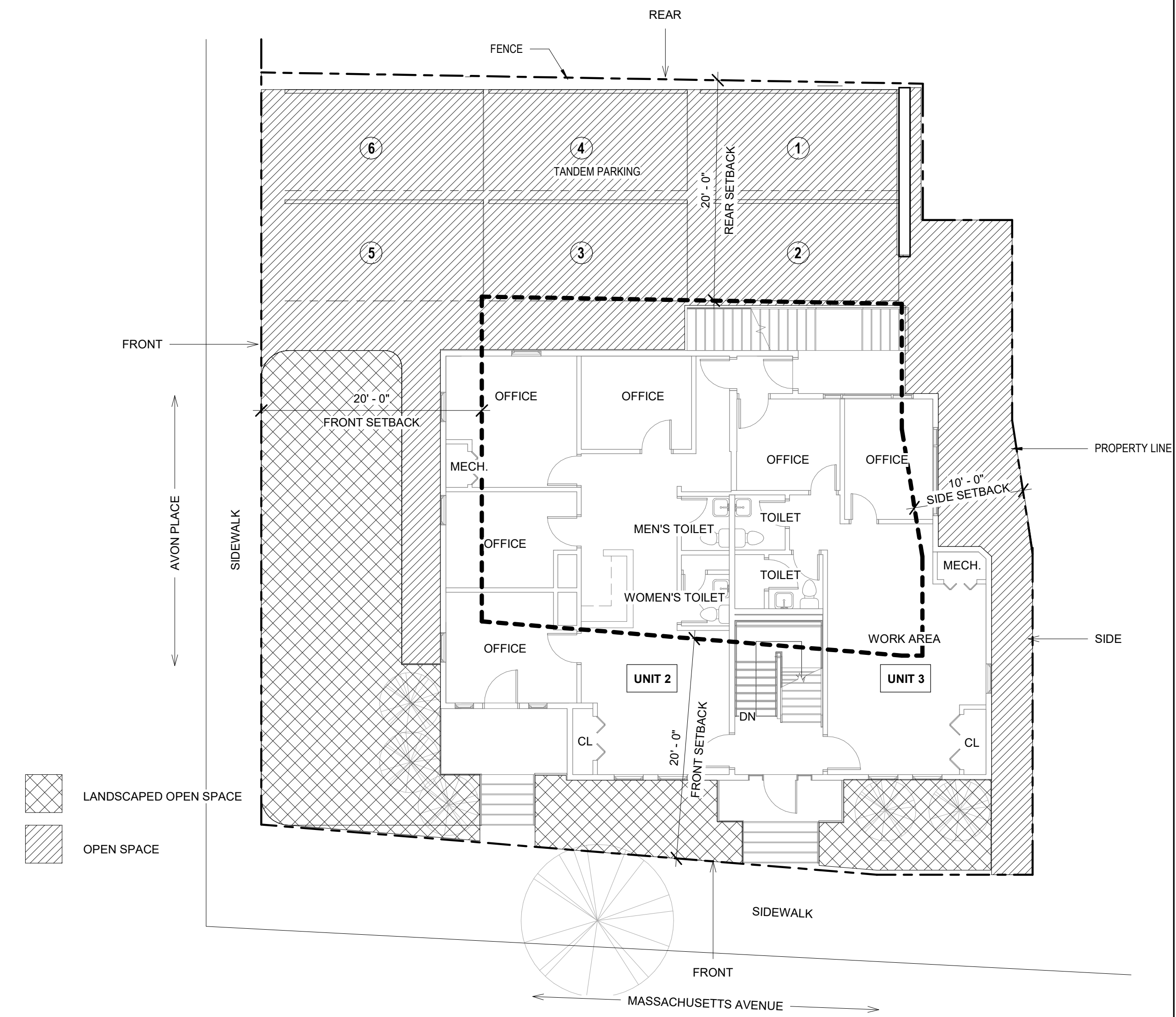
ALL PLANS, SPECIFICATIONS AND IDEAS ARE THE PROPERTY OF LYF. RIGHTS OF USE ARE CONDITIONAL AND ARE GRANTED UNDER FULL COMPENSATION AND LIMITED TO A ONE-TIME USE TO CONSTRUCT A SINGLE PROJECT ON THE SITE SO INDICATED. USE OF THE WORK AND ANY DERIVATIVE WORK COVERED UNDER THIS COPYRIGHT FOR OTHER PROJECTS IS PROHIBITED. THE USE OR REPRODUCTION OF THESE PLANS FOR ANY OTHER CONSTRUCTION OR PERMIT APPLICATION IS STRICTLY PROHIBITED WITHOUT PRIOR WRITTEN PERMISSION OF LYF.

Mark	Date
Revisions	
Date	01/14/2020
Scale	As indicated
Job No.	2876
Sheet No.	

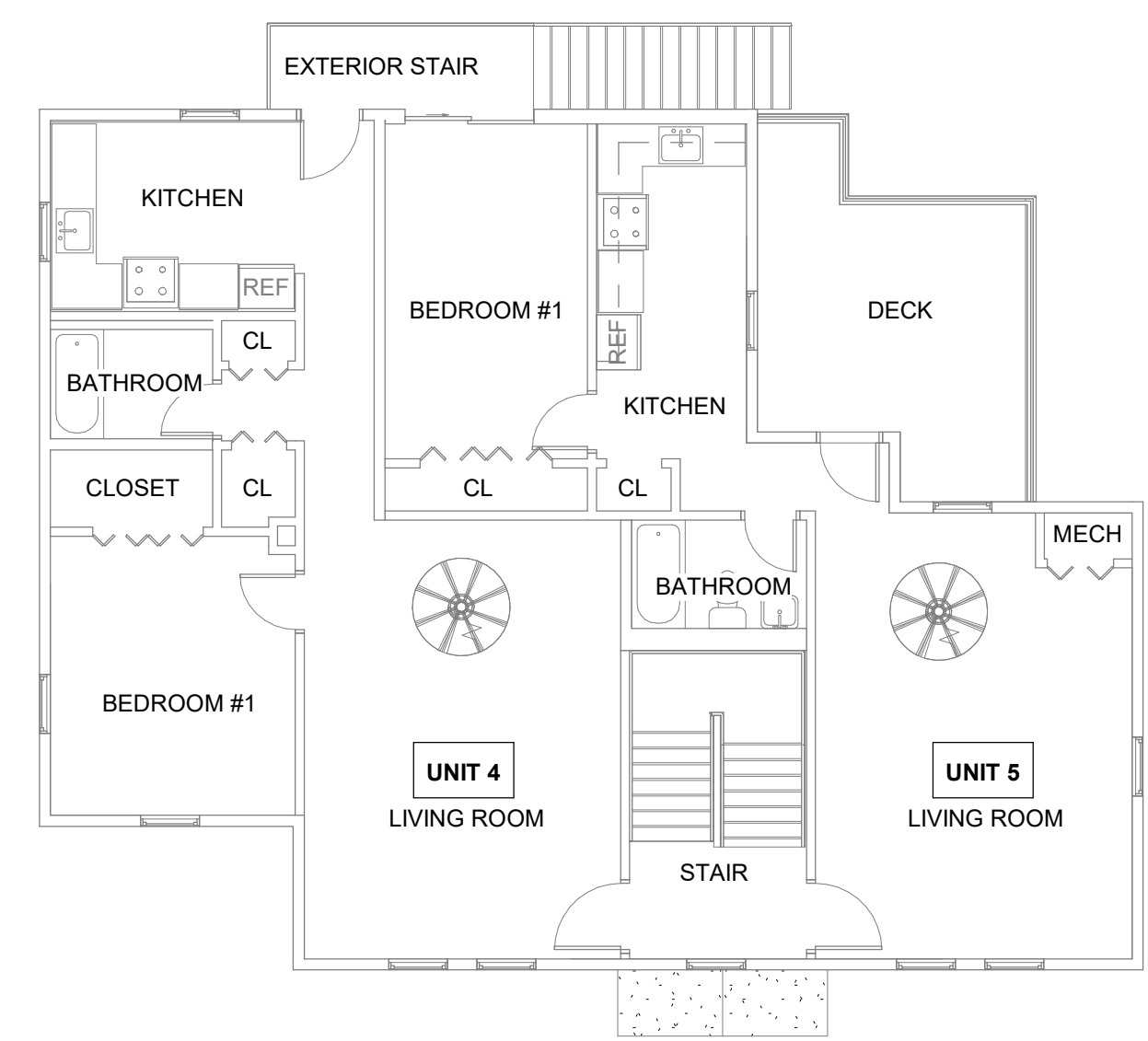
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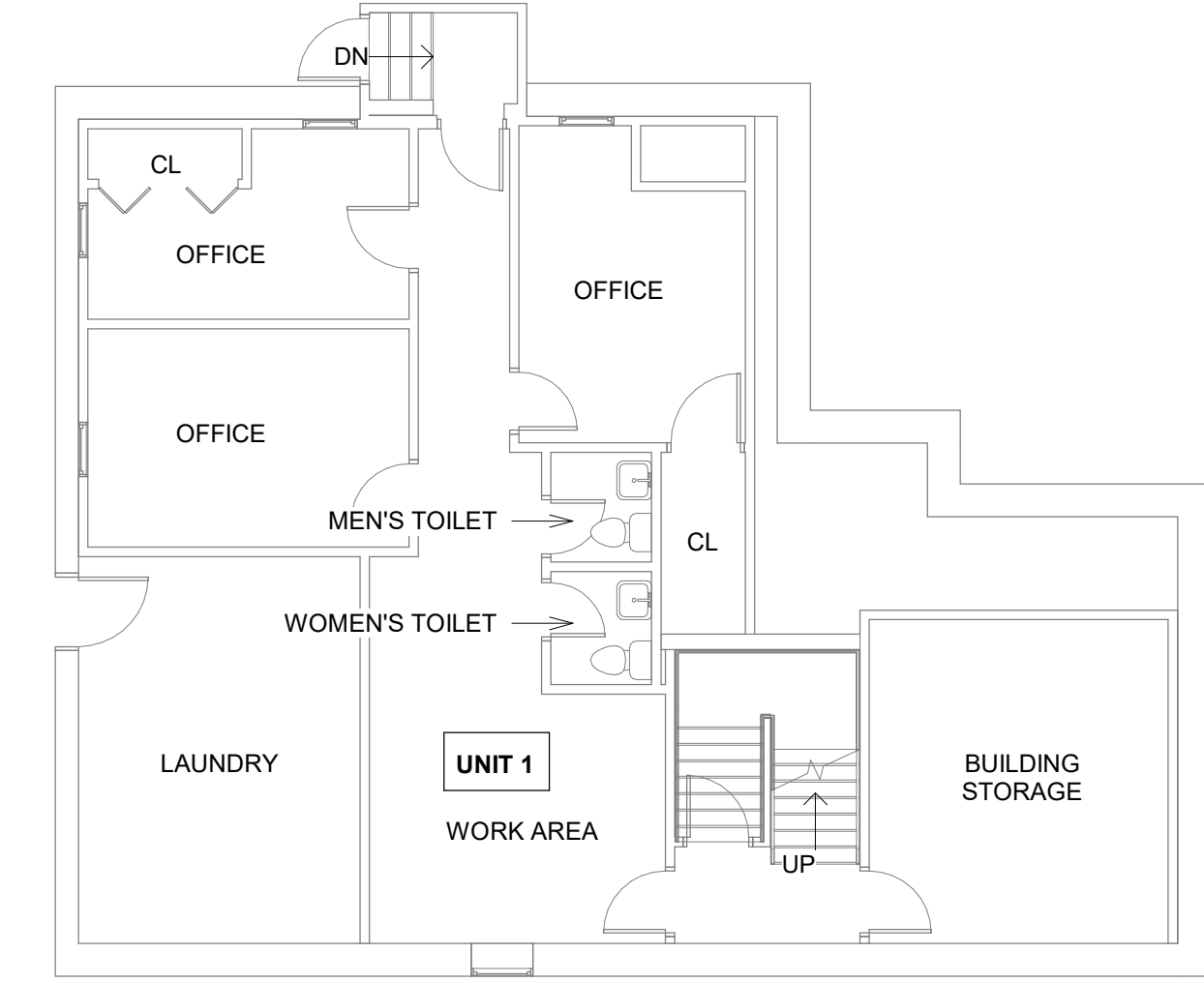
4 THIRD FLOOR PLAN
 1/8" = 1'-0"



2 EXISTING FIRST FLOOR PLAN + SITE W/
 ZONING INFORMATION
 1/8" = 1'-0"



3 SECOND FLOOR PLAN
 1/8" = 1'-0"



1 BASEMENT PLAN
 1/8" = 1'-0"

SUMMARY USE GROUPS			
FLOOR	UNIT	EXISTING	PROPOSED
BASEMENT	UNIT 1	BUSINESS	RESIDENTIAL 1 BEDROOM
1ST FLOOR	UNIT 2	BUSINESS	RESIDENTIAL 2 BEDROOM
1ST FLOOR	UNIT 3	BUSINESS (NO CHANGE)	BUSINESS (NO CHANGE)
2ND FLOOR	UNIT 4	RESIDENTIAL 1 BEDROOM (NO CHANGE)	RESIDENTIAL 1 BEDROOM (NO CHANGE)
2ND FLOOR	UNIT 5	RESIDENTIAL 1 BEDROOM (NO CHANGE)	RESIDENTIAL 1 BEDROOM (NO CHANGE)
		2 BEDROOMS	5 BEDROOMS



LAGRASSE YANOWITZ & FEYL

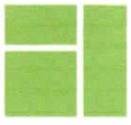
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www.LYFArchitects.com

400 MASSACHUSETTS AVE. ARLINGTON, MA

BUILDING FACADE PHOTOS



400 MASS AVE – LEED CONSIDERATIONS

The improvements at 400-402 Massachusetts Avenue will look to incorporate the items below per 'LEED_v4.1_Residential_BD_C_Multifamily_Homes' to support the sustainable building practices goal in Arlington, MA.

LOW EMITTING MATERIALS

These materials are to be integrated to reduce concentrations of chemical contaminants that can damage air quality, human health, productivity, and the environment. Some of these building materials are as follows:

-Paints and Coatings

At least 75% of all paints and coatings, by volume or surface area, are to meet the VOC emissions evaluation AND 100% meet the VOC content evaluation.

-Adhesives and Sealants

At least 75% of all adhesives and sealants, by volume or surface area, are to meet the VOC emissions evaluation AND 100% meet the VOC content evaluation

-Flooring

At least 90% of all flooring materials (carpet, ceramic, vinyl, rubber, engineered, solid wood, laminates), by cost or surface area, is to meet the VOC emissions evaluation OR inherently non emitting sources criteria, OR salvaged and reused materials criteria.

INDOOR AIR QUALITY

The LEED objective is to establish better quality indoor air in the building after construction and during occupancy. Before each dwelling unit is occupied, air cleaning, a flush-out with a recirculating HEPA Air Filtration Device, and air testing in the unit to Demonstrate that 10 micron particles do not exceed 8 µg/m³ should be performed.

ACCESS TO QUALITY TRANSIT

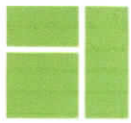
Functional entry is located within ¼ mile walking distance to existing bus stop.

ENVIRONMENTALLY PREFERABLE PRODUCTS

At least 70% of each new compliant building component (floor covering, insulation, framing/structural systems, drywall, doors cabinets, countertops and/or interior trim), by weight or volume, will aim meet one of the requirements below:

The product contains at least 25% reclaimed material, including salvaged, refurbished, or reused materials. For renovation projects, existing components are considered reclaimed. Wood by-products can be counted as reclaimed material. These include items from secondary manufacturers; felled, diseased, or dead trees from urban or suburban areas; orchard trees that are unproductive and cut for replacement; and wood recovered from landfills or water bodies.

The product contains at least 25% postconsumer or 50% pre consumer content.



Wood products must be Forest Stewardship Council (FSC) Certified, or USGBC-approved equivalent.

Bio-based materials. Bio-based products must meet the Sustainable Agriculture Network's Sustainable Agriculture Standard. Bio-based raw materials must be tested using ASTM Test Method D6866 and be legally harvested, as defined by the exporting and receiving country. Exclude hide products, such as leather and other animal skin material.

Concrete that consists of at least 30% fly ash or slag used as a cement substitute.

Extended producer responsibility. Products purchased from a manufacturer (producer) that participates in an extended producer responsibility program or is directly responsible for extended producer responsibility.

WATER USE REDUCTION

The project will seek to reduce aggregate water consumption by 20% from the baseline for each new fixture (toilets, showerheads, dishwashers, etc.)

MINIMUM ENERGY PERFORMANCE

For new dwelling units, heating and cooling systems will look to meet the following equipment selection sizing guidelines, or next nominal size:

Cooling Equipment:

Single-Speed Compressor: 90-130% of total heat gain

Two-Speed Compressor: 90-140% of total heat gain

Variable-Speed Compressor: 90-160% of total heat gain

Heating Equipment:

100-140% of total heat loss AND energy performance compliance.

TOWN OF ARLINGTON
REDEVELOPMENT BOARD

Application for Special Permit In Accordance with Environmental Design
Review Procedures (Section 3.4 of the Zoning Bylaw)

Docket No. _____

1. Property Address: 400-402 Mass Ave
Name of Record Owner(s): 400-402 Mass Avenue, LLC Phone: 781-646-4911
Address of Owner: 455 Mass Ave, Suite #1, Arlington, MA 02474
Street City, State, ZIP

2. Name of Applicant(s) (if different than above): SAME
Address: _____ Phone: _____
Status Relative to Property (occupant, purchaser, etc.): _____

3. Location of Property: MAP 101.0 BLOCK 0002 LOT 0003.A
Assessor's Block Plan, Block, Lot No.

4. Deed recorded in the Middlesex South District Registry of Deeds, Book 70704, Page 49; or- registered
in Land Registration Office, Cert. No _____, Book _____, Page _____

5. Present Use of Property (include # of dwelling units, if any): (2) Residential dwelling units, (3) business units

6. Proposed Use of Property (include # of dwelling units, if any): (4) Residential dwelling units, (1) business unit

7. Permit applied for in accordance with the following Zoning Bylaw section(s):
Section 6.1.5(c) Transportation demand management relief
Section 4.4 Environmental Design Review
Section 3.16 Yards or setbacks for lots adjoining a street or public open space

8. 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.

See attached Statement incorporated by reference into the terms of this Application.

(In the statement below, strike out the words that do not apply)

The applicant states that 400-402 Mass Avenue, LLC is the OWNER of the property in Arlington located at 400-402 Mass Ave, 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.

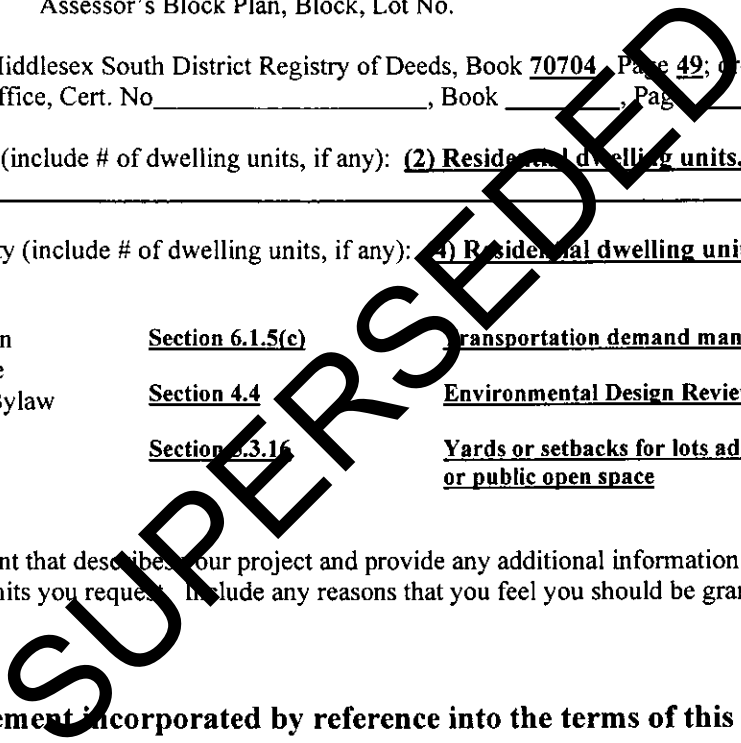
Signature of Applicant(s)

c/o Robert J. Annese, 1171 Mass Ave., Arlington, MA 02476

Address

781-646-4911

Phone





**Town of Arlington Redevelopment Board
Application for Special Permit in accordance with
Environmental Design Review (Section 3.4)**

Required Submittals Checklist

Two full sets of materials and one electronic copy are required. A model may be requested. Review the ARB's Rules and Regulations, which can be found at arlingtonma.gov/arb, for the full list of required submittals.

- Dimensional and Parking Information Form (see attached)
- Site plan of proposal
- Model, if required
- Drawing of existing conditions
- Drawing of proposed structure
- Proposed landscaping. May be incorporated into site plan
- Photographs
- Impact statement
- Application and plans for sign permits
- Stormwater management plan (for stormwater management during construction for projects with new construction)

SUPERSEDED

FOR OFFICE USE ONLY

- Special Permit Granted Date: _____
- Received evidence of filing with Registry of Deeds Date: _____
- Notified Building Inspector of Special Permit filing Date: _____

TOWN OF ARLINGTON
REDEVELOPMENT BOARD

Petition for Special Permit under Environmental Design Review (see Section 3.4 of the Arlington Zoning Bylaw for Applicability)

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The landscaped open space which is presently 864 square feet +/- will remain at 864 square feet +/- while zoning would require 555 square feet +/-.

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4. **Circulation.** With respect to vehicular, 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 8.13 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.

Traffic circulation will remain unchanged with one way traffic in and out to the parking spaces located to the rear of the building.

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 storm water treatment by means of swales, filters, plantings, roof gardens, native vegetation, and leaching catch basins. Storm water 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 at 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 insure the maintenance of all storm water 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 the future maintenance needs.

The surface water drainage will remain unchanged.

6. **Utility Service.** 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 indicated.

There will be no changes to the utility services to the property and the method of sanitary sewage disposal and solid waste disposal will remain unchanged.

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. Advertising features are subject to the provisions of Section 6.2 of the Zoning Bylaw.

Petitioner is still discussing any advertising features with respect to the building and is of the view that that matter can be dealt with administratively by the Planning Department.

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.

There will be no new machinery installed at the building and landscaping will be as shown on Petitioner's plans.

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 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.

All open and enclosed spaces as presently existing will remain unchanged and are safe for inhabits of the building as well as neighboring residents and passerby's.

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 practicable, whether these exist on the site or on adjacent properties.

There will be no exterior changes to the existing building.

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 impact on light, air, and water resources, or on noise and temperature levels of the immediate environment.

Not applicable.

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.
- [LEED checklists can be found at <http://www.usgbc.org/DisplayPage.aspx?CMSPageID=220b>]

Petitioner is submitting a LEED's report of LaGrasse Yanowitz & Feyl with respect to LEEDS considerations with regard to the building.

In addition, projects subject to Environmental Design Review must address and meet the following Special Permit Criteria (see Section 3.3.3 of the Zoning Bylaw)

1. The use requested is listed in the Table of Use Regulations as a special permit in the district for which application is made or is so designated elsewhere in this Bylaw.

The building is located in the B1 zone.

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

The requested use will add additional residential units to the Town residential base which is in keeping with the master plan with respect to a mixed use zone such as a B1 zone and has been apparent for many years that the Town and its inhabitants and potential inhabitants would benefit from mixed use development in the Town.

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

There will be no significant change in traffic to or from the property such as to impair pedestrian safety as there will be no change to the traffic pattern as has existed at the property for many years.

4. 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 hazard, affecting health, safety or the general welfare.

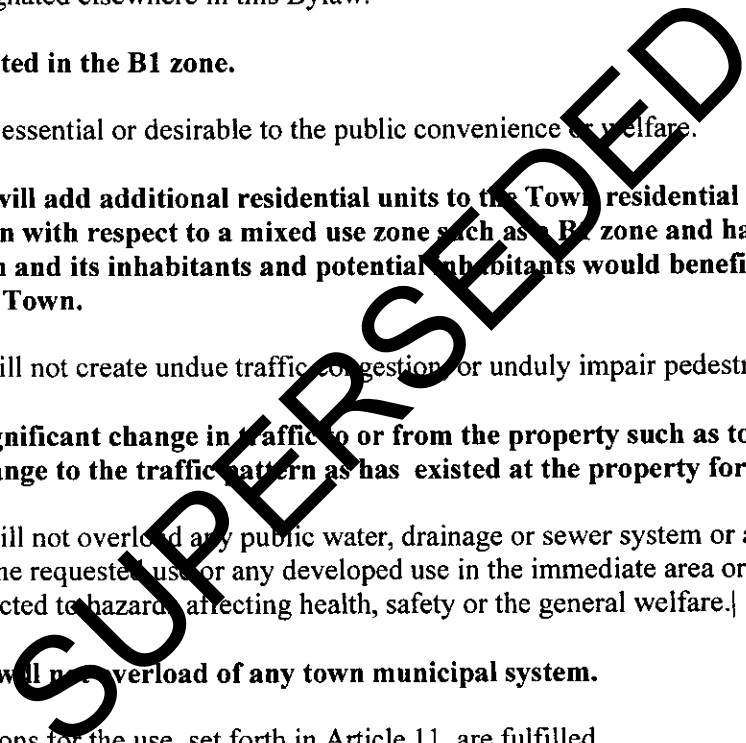
The requested use will not overload of any town municipal system.

5. Any special regulations for the use, set forth in Article 11, are fulfilled.

This requirement is satisfied with respect to the plans.

6. 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 requested use is similar to other uses in the neighborhood of the property as there is a mix of commercial and residential uses in the neighborhood and will be in keeping with the character and nature of those uses. Once again, there will be no exterior changes to the existing building.



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

The requested use as mentioned in item No. 6 will not by its addition to the neighborhood in which the property is located cause an excess of that particular use that could be detrimental to the character of the neighborhood.

SUPERSEDED

TOWN OF ARLINGTON
 Dimensional and Parking Information
 for Application to
 The Arlington Redevelopment Board

Docket No. _____

Property Location ARLINGTON, MA

Zoning District B1

Owner: 400-402 MASS AVE LLC

Address: 400-402 MASS AVE, ARLINGTON

Present Use/Occupancy: No. of Dwelling Units:

(2) Res Dwelling Units + (3) Business Units

Uses and their gross square feet:

Residential: 2,225 GSF / Business: 2,692 GSF / (638 GSF Circ+Stor)

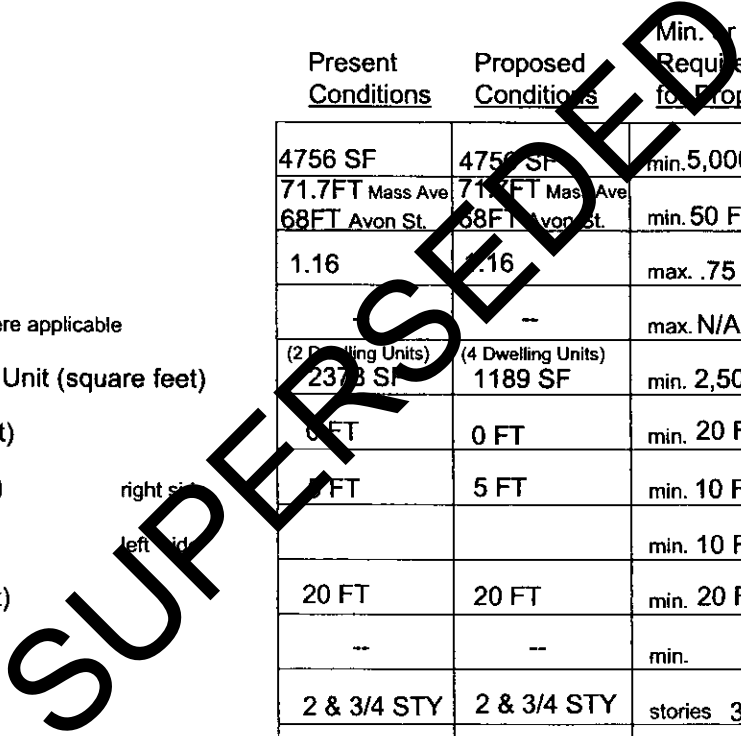
Proposed Use/Occupancy: No. of Dwelling Units:

(4) Res Dwelling Units + (1) Business Unit

Uses and their gross square feet:

Residential: 4,287 GSF / Business: 630 GSF / (638 GSF Circ+Stor)

	Present Conditions	Proposed Conditions	Min. or Max. Required by Zoning for Proposed Use
Lot Size	4756 SF	4756 SF	min. 5,000 SF
Frontage	71.7 FT Mass Ave 68 FT Avon St.	71.7 FT Mass Ave 68 FT Avon St.	min. 50 FT
Floor Area Ratio	1.16	1.16	max. .75
Lot Coverage (%), where applicable		--	max. N/A
Lot Area per Dwelling Unit (square feet)	(2 Dwelling Units) 2378 SF	(4 Dwelling Units) 1189 SF	min. 2,500 SF
Front Yard Depth (feet)	0 FT	0 FT	min. 20 FT
Side Yard Width (feet)	right side 5 FT	5 FT	min. 10 FT
	left side		min. 10 FT
Rear Yard Depth (feet)	20 FT	20 FT	min. 20 FT
Height	--	--	min. --
Stories	2 & 3/4 STY	2 & 3/4 STY	stories 3
Feet	29.9 FT	29.9 FT	feet 35 FT
Open Space (% of G.F.A.)	--	--	min. --
Landscaped (square feet)	864 SF +/-	864 SF +/-	(s.f.) 10%, OR 555 SF
Usable (square feet)	0	0	(s.f.) 20%, OR 1111 SF
Parking Spaces (No.)	6	6	min. 6
Parking Area Setbacks (feet), where applicable	N/A	N/A	min. --
Loading Spaces (No.)	0	0	min. --
Type of Construction	WOOD FRAME, TYPE VB		
Distance to Nearest Building	10'-3" +/-	10'-3" +/-	min. N/A



400-402 Massachusetts Avenue
Arlington, MA

Environmental Impact Statement

The property located at 400-402 Massachusetts Avenue contains 4,756 square feet+/- and is in a B1 zone which zone is defined in Section 5.5 - Business Districts section of the Zoning Bylaw and at 5.5.1, Subsection A.

The definition in the Zoning Bylaw for a property located in a B1 zone is as follows:

“B1: Neighborhood Office District. In the Neighborhood Office District, the predominant uses include one- and two-family dwellings, houses with offices on the ground floor, or office structures which are in keeping with the scale of adjacent houses. Primarily located on or adjacent to Massachusetts Avenue, this district is intended to encourage preservation of small-scale structures to provide contrast and set off the higher-density, more active areas along the Avenue. Mixed-use buildings without retail space are allowed in this district. The Town discourages uses that would detract from the desired low level of activity, consume large amounts of land, or otherwise interfere with the intent of this Bylaw.”

The property was the subject of a 1980 Zoning Hearing and Decision which provided that there be no more than two (2) apartments developed on the site and that there would be at least one on-site parking space per dwelling unit to be set aside for apartment tenants and that the entrance to the basement space be from the front of the building with an open stairway leading down from the inside entrance and clearly marked as to how to enter the basement.

The Petitioner’s representative has now filed a Petition to Amend the Special Permit in accordance with the new mixed-use bylaw which applies in an B1 zone requesting that the building be allowed to have one (1) office unit and

four (4) residential units in accordance with plans submitted to the Zoning Board and which are also being submitted to the Arlington Redevelopment Board (hereinafter "ARB") at this time.

While the 1980 Zoning Decision limited the number of apartments in the buildings to two (2) under the mixed-use bylaw and in accordance with the provisions Section 3.4, further Section 3.4.4 of the Zoning Bylaw, the ARB has the jurisdiction with respect to any work or changes to be made to the existing building and in exercising its jurisdiction the ARB is to follow certain standards in reviewing Petitioner's plans in accordance with a portion of the language of Section 3.4.4 which states the following:

"The Standards are intended to provide a frame of reference for the Applicant in the development of site and building plans as well as a method of review for the review authority. They shall not be regarded as inflexible requirements and they are not intended to discourage creativity, invention and innovation."

The property is located in a mixed-use area directly across from the main Arlington Fire Station, within steps of the heart of Arlington Center with its significant retail uses, but at the fringe of that area at a point where there is a transition to more residential uses, including a number of apartment buildings, smaller mixed-use offices and residential buildings as well as commercial buildings such as the commercial building located at 397 Massachusetts Avenue, across from the Fire Station.

Petitioner does not propose changes to the exterior of the building but rather seeks to maintain the mixed-use history of the building with respect to its plans.

The proposed use comports comfortably with the language contained in the definition of the neighborhood office district contained in the Zoning Bylaw as the proposed use will provide contrast and set off the higher-density, more active areas along the Massachusetts Avenue and further would not detract from a low-level of activity with respect to the use.

The total gross floor area (GFA) would remain the same with respect to Petitioner's plans and the property is nonconforming with respect to the Zoning Bylaw lot size, floor area ratio, lot area per dwelling, front, side yard depths, useable open space and parking space minimum requirements contained in the Bylaw.

As a result of the increase in the requested number of residential units from two (2) to four (4), the proposal would increase the nonconformity with respect to the lot area per dwelling unit by reducing it from 2032 square feet per unit to 921 square feet per unit.

Petitioner also proposes to increase the two (2) parking spaces currently located at the property from two (2) to six (6), while the required parking spaces would be 6.1 parking spaces as set forth within the substance of the Zoning Bylaw with respect to the proposed use which requires Petitioner to request a reduction with respect to the parking requirements contained in the Zoning Bylaw.

Accordingly, Petitioner is prepared in accordance with Section 6.1.5, further subsection C of the Zoning Bylaw to comply with the provisions of the Transportation Demand Management (TDM) conditions contained in subsection C as follows:

- (1) Provide covered bicycle parking and storage;
- (2) Provide preferential parking for carpooling vehicles; and

(3) Provide bicycle or car sharing on site.

The Zoning of Board Appeals in a decision dated June 23, 2020 unanimously voted that in light of the fact that the Petitioner's proposal invokes the jurisdiction of Section 3.4 of the Zoning Bylaw under Environmental Design Review, that the ARB can review the proposal in accordance with the criteria of Sections 3.3.3 and 3.4 and if the ARB approves Petitioner's proposal then that decision would be the controlling decision with respect to Petitioner's mixed-use proposal, but if the proposed Petition was not approved by the ARB, then the 1980 Special Permit Zoning Board of Appeals conditions would remain in effect.

The Members of the Zoning Board went on to find that the 1980 Special Permit issued by the Zoning Board which allowed for two (2) apartments and one (1) office on the site and which also made provision for parking spaces for the dwelling units would essentially be superseded by the decision of the ARB since the Zoning Board in any event would not have the authority to issue a Special Permit under Environmental Design Review as that jurisdiction was solely the authority of the ARB.

In summary, the relief sought by Petitioner is for conversion of the property from two (2) residential units and one (1) business units into four (4) residential dwelling units and one (1) business unit.

The permit applied for requires relief from the following sections of the Zoning Bylaw:

1. Section 6.1.5, (C) – Transportation Management relief;
2. Section 3.4. Environmental Design Review; and
3. Section 5.3.16 – Yards and setbacks for lots adjoining a street or public open space.

Petitioner has addressed the standards of Section 3.4 of the Zoning Bylaw as follows:

1. The landscaped opened space which is presently 864 square feet+/- will remain at 864+/- square feet while zoning would require 555 square feet+/-.
2. The exterior of the building will not change as all the changes will be interior changes.
3. The useable open space which is 0 will remain at 0 with respect to Petitioner's proposed interior plans to the building.
4. Traffic circulation will remain unchanged with one way traffic in and out to the parking spaces which are located to the rear of the building.
5. The surface water drainage will remain unchanged.
6. There will be no changes to the utility service to the property.
7. Petitioner will, in all likelihood, discuss any advertising features with respect to the proposal with the Planning Department and would expect that any proposal made could be dealt with administratively by the Planning Department.
8. There will be no new machinery installed at the building.
9. All opened and closed spaces at the building will remained unchanged.
10. Petitioner has submitted a LEED's report of LAGRASSE YANOWITZ & FEYL with respect to LEED considerations with respect to the proposal as a part of its submission to the ARB.



LAGRASSE YANOWITZ & FEYL

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Stamp:

400 MASS AVE
ARLINGTON

EXISTING FLOOR PLANS

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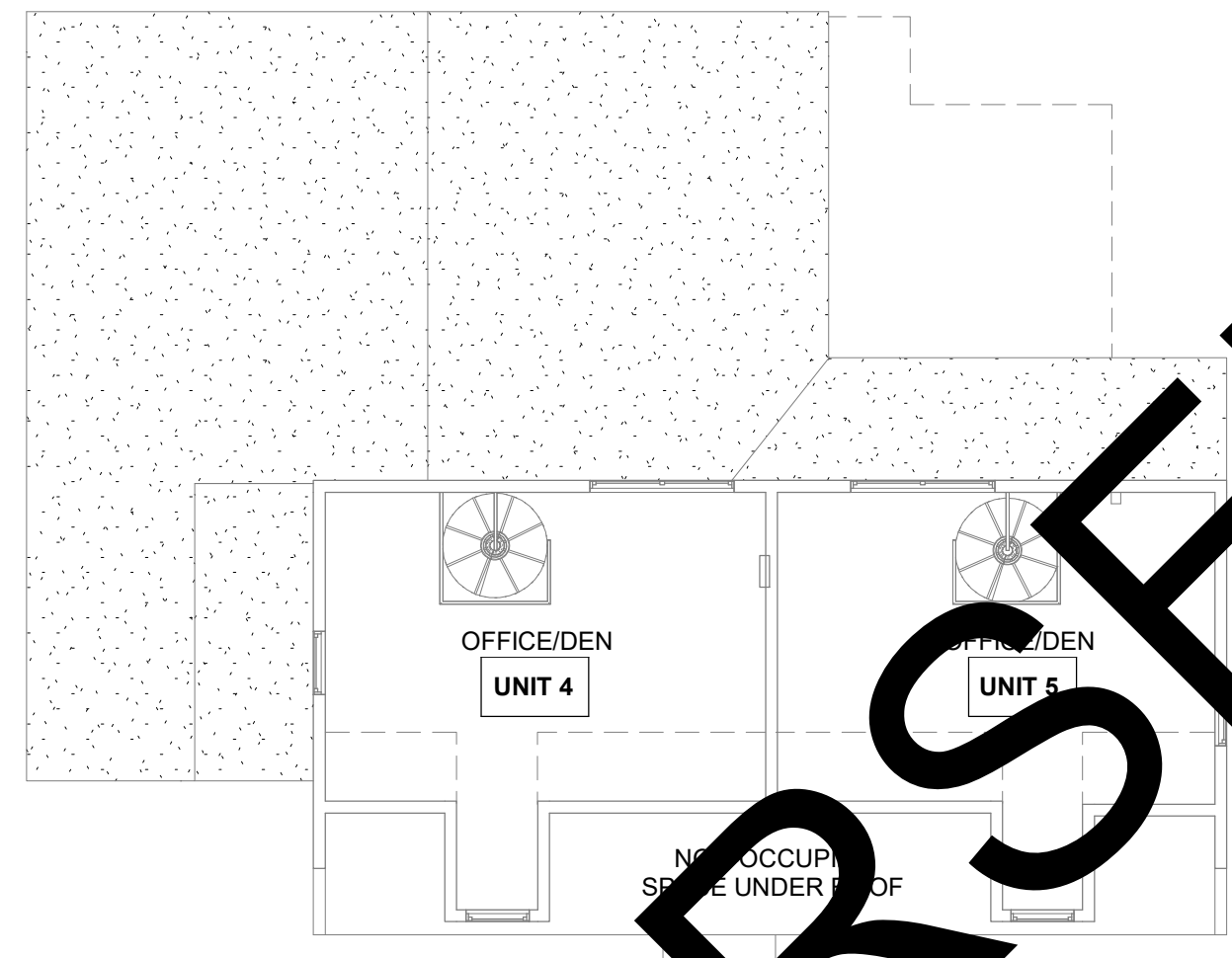
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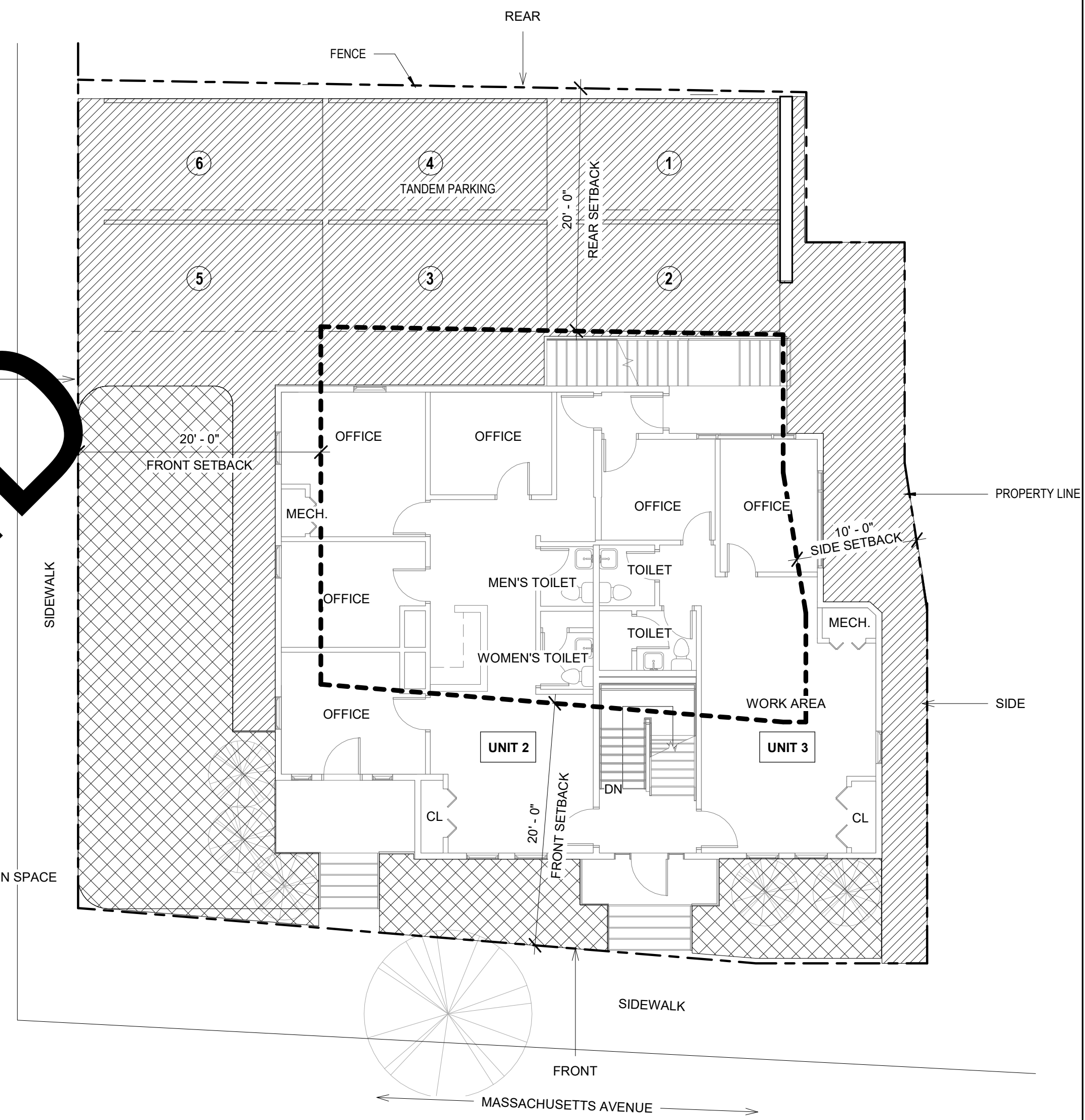
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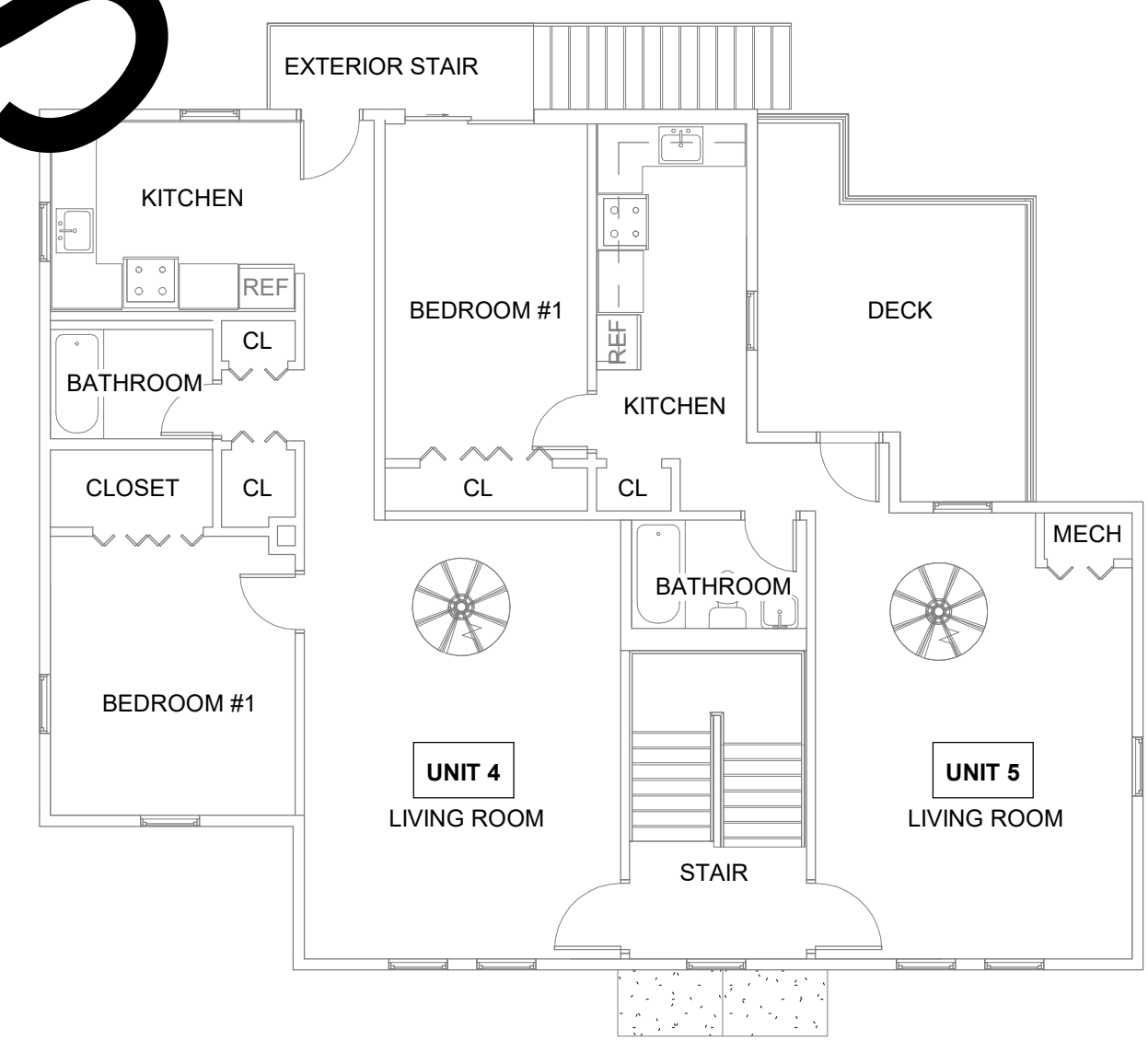
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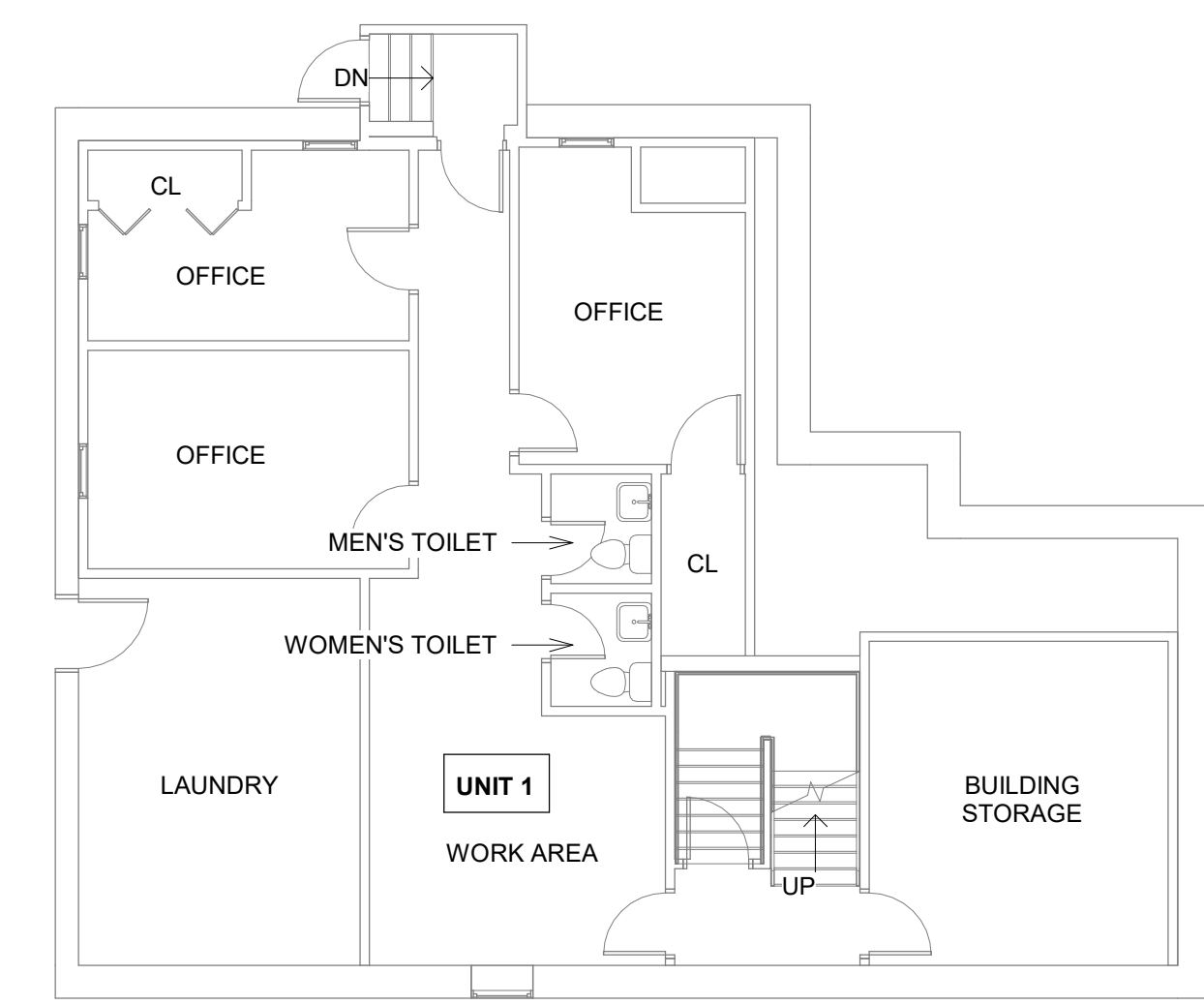
4 THIRD FLOOR PLAN
1/8" = 1'-0"



2 EXISTING FIRST FLOOR PLAN + SITE W/
ZONING INFORMATION
1/8" = 1'-0"



3 SECOND FLOOR PLAN
1/8" = 1'-0"



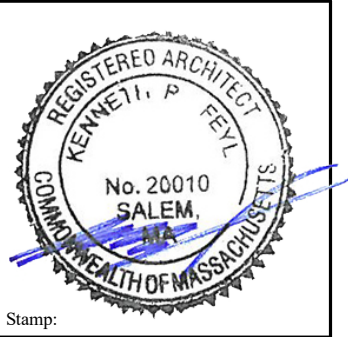
1 BASEMENT PLAN
1/8" = 1'-0"

SUMMARY USE GROUPS			
FLOOR	UNIT	EXISTING	PROPOSED
BASEMENT	UNIT 1	BUSINESS	RESIDENTIAL 1 BEDROOM
1ST FLOOR	UNIT 2	BUSINESS	RESIDENTIAL 2 BEDROOM
1ST FLOOR	UNIT 3	BUSINESS (NO CHANGE)	BUSINESS (NO CHANGE)
2ND FLOOR	UNIT 4	RESIDENTIAL 1 BEDROOM (NO CHANGE)	RESIDENTIAL 1 BEDROOM (NO CHANGE)
2ND FLOOR	UNIT 5	RESIDENTIAL 1 BEDROOM (NO CHANGE)	RESIDENTIAL 1 BEDROOM (NO CHANGE)
		2 BEDROOMS	5 BEDROOMS



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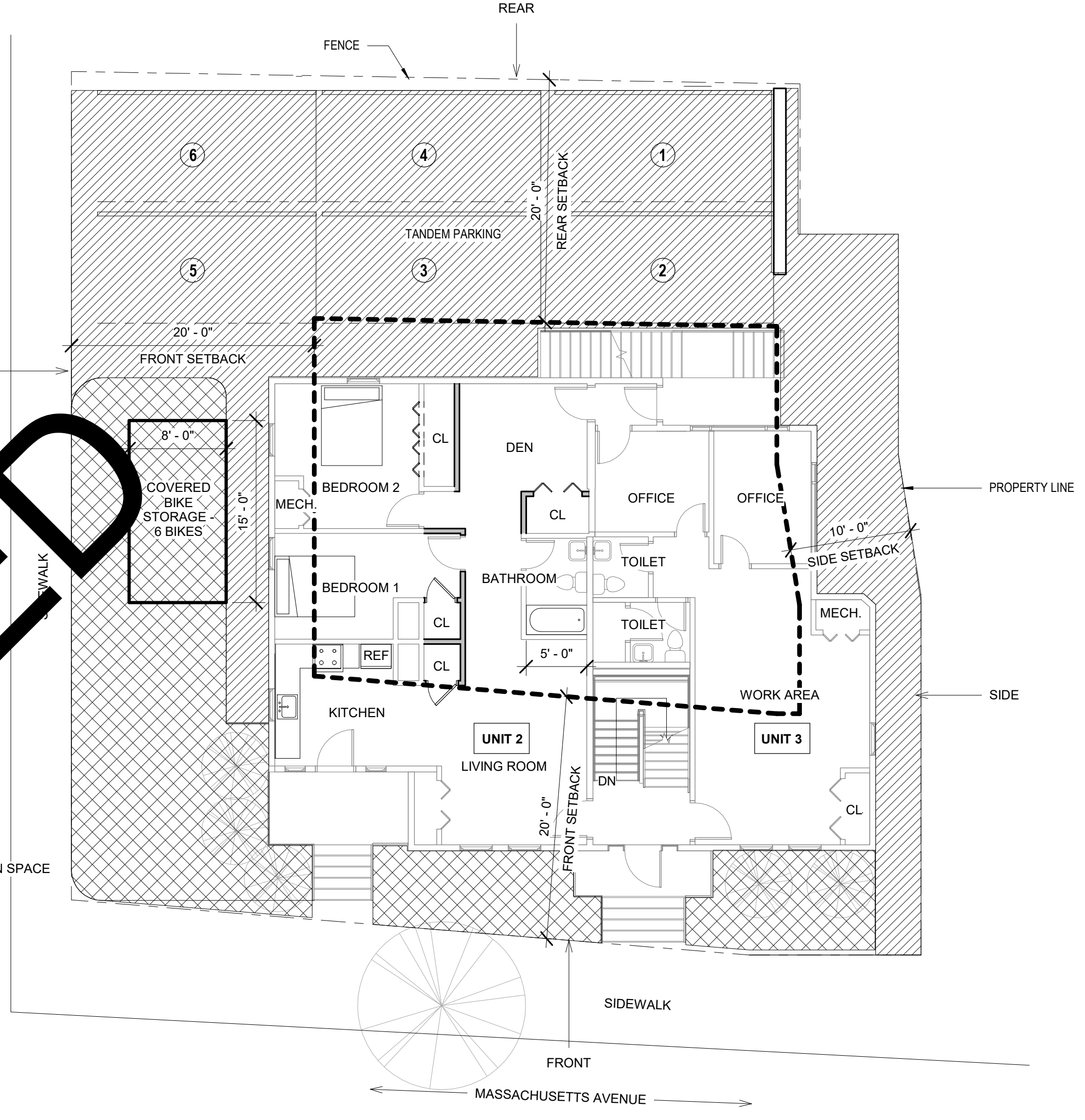
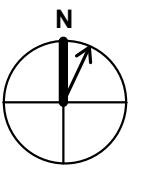
400 MASS AVE ARLINGTON

PROPOSED FLOOR PLANS

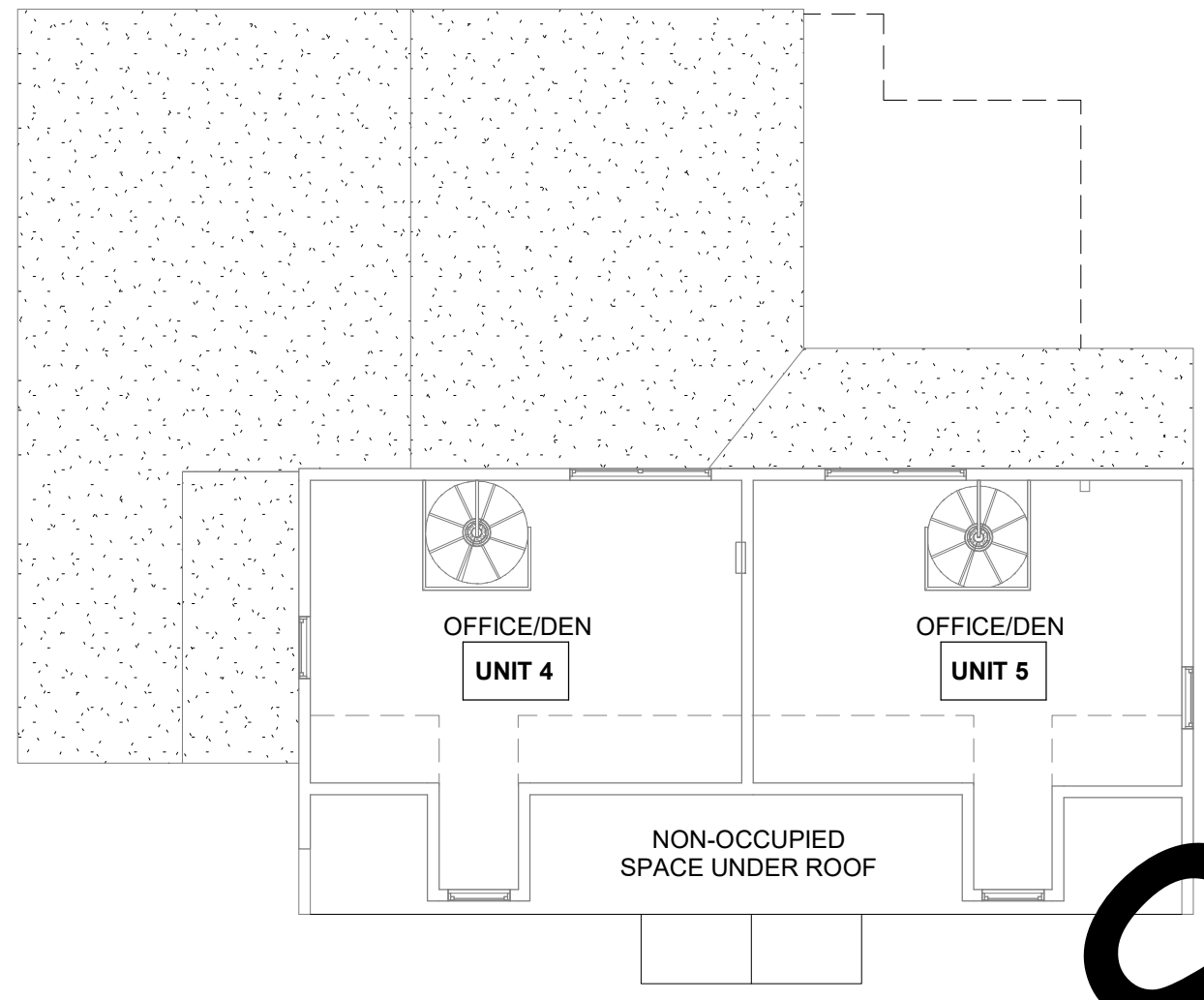
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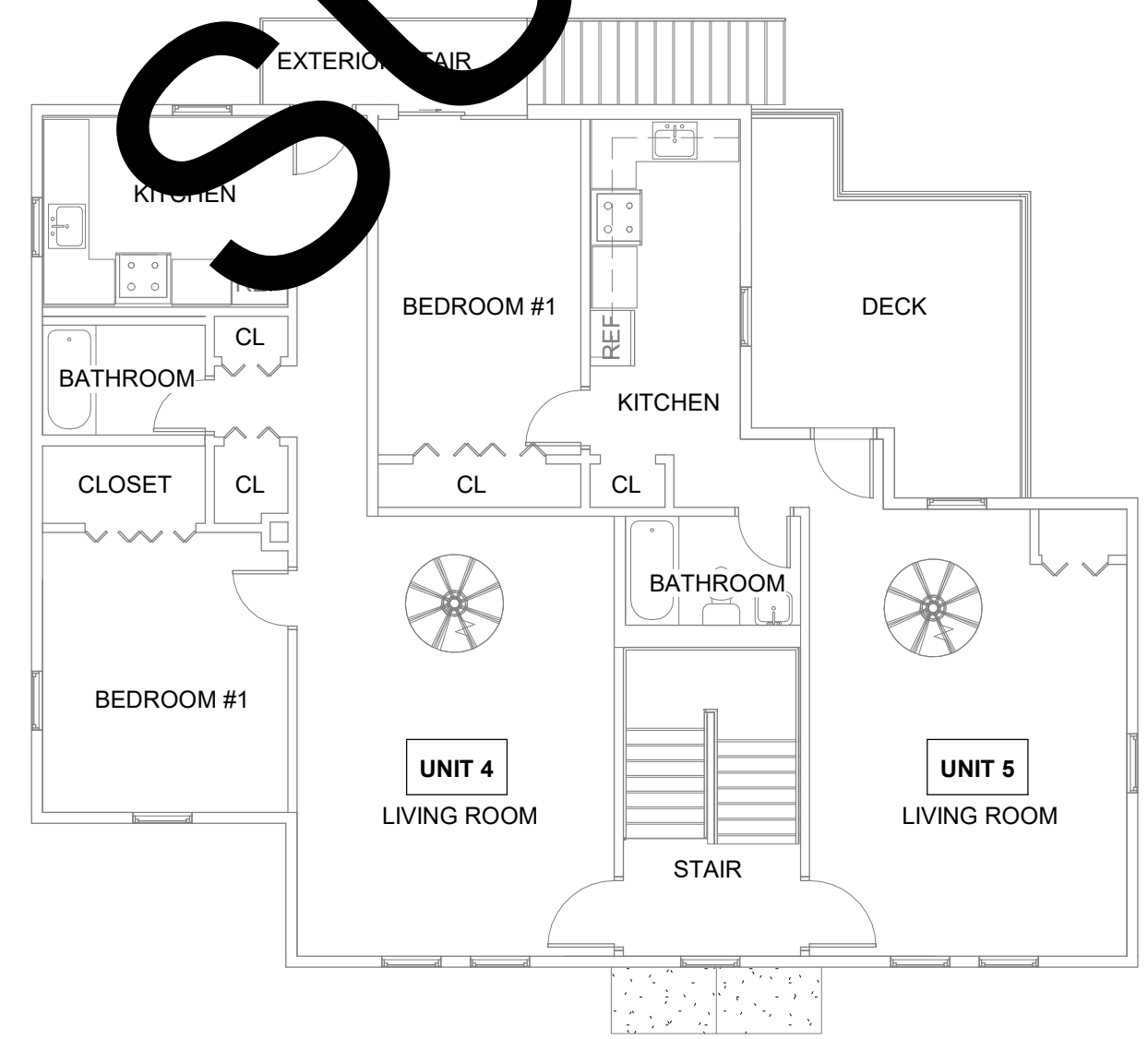
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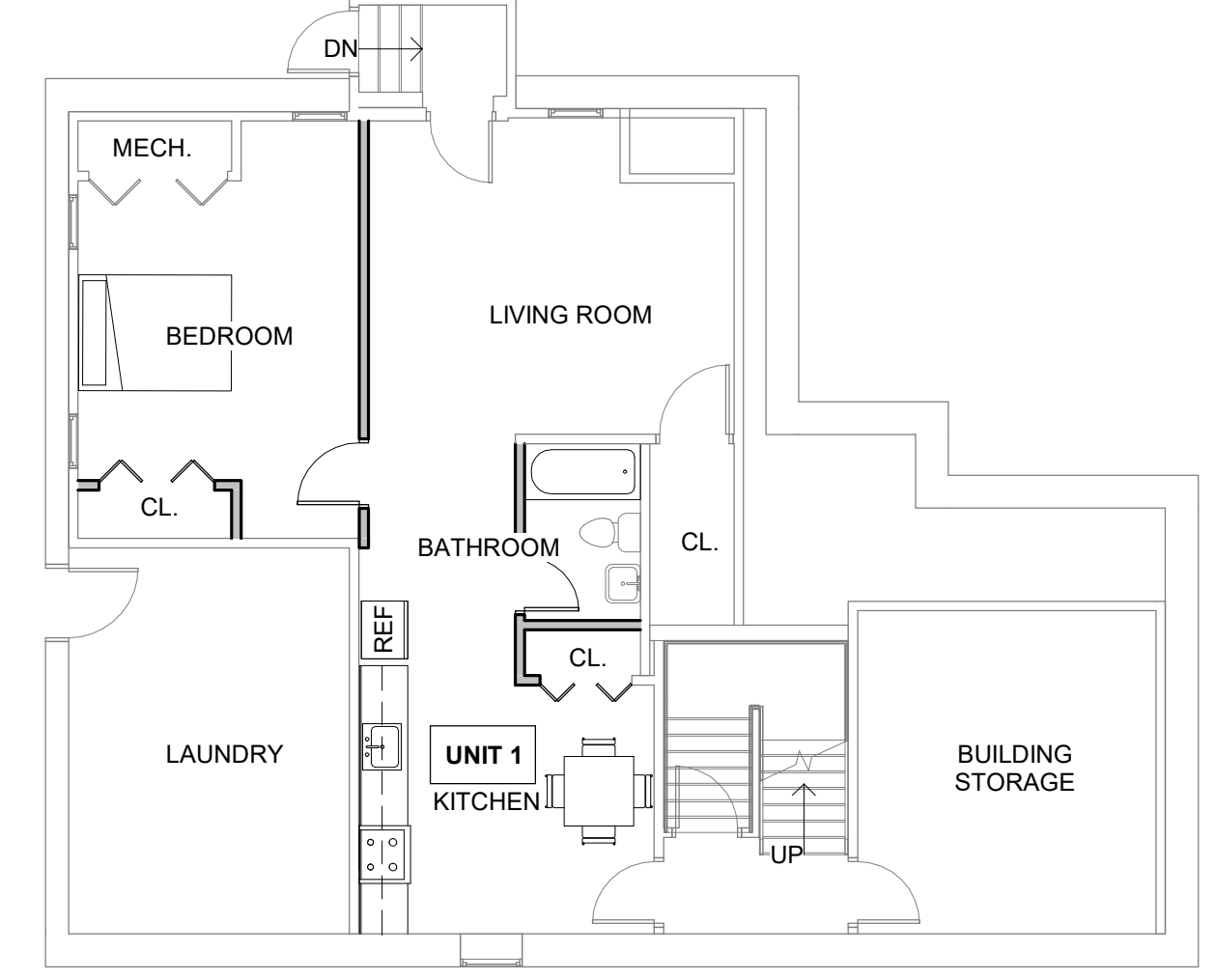
2 PROPOSED FIRST FLOOR PLAN + SITE W/ZONING INFORMATION
1/8" = 1'-0"



4 THIRD FLOOR PLAN (NO CHANGES)
1/8" = 1'-0"



3 SECOND FLOOR PLAN (NO CHANGES)
1/8" = 1'-0"



1 BASEMENT PLAN -PROPOSED
1/8" = 1'-0"

SUPERSEDED



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SUPERSEDED

400 MASSACHUSETTS AVE. ARLINGTON, MA

BUILDING FACADE PHOTOS



400 MASS AVE – LEED CONSIDERATIONS

The improvements at 400-402 Massachusetts Avenue will look to incorporate the items below per 'LEED_v4.1_Residential_BD_C_Multifamily_Homes' to support the sustainable building practices goal in Arlington, MA.

LOW EMITTING MATERIALS

These materials are to be integrated to reduce concentrations of chemical contaminants that can damage air quality, human health, productivity, and the environment. Some of these building materials are as follows:

-Paints and Coatings

At least 75% of all paints and coatings, by volume or surface area, are to meet the VOC emissions evaluation AND 100% meet the VOC content evaluation.

-Adhesives and Sealants

At least 75% of all adhesives and sealants, by volume or surface area, are to meet the VOC emissions evaluation AND 100% meet the VOC content evaluation.

-Flooring

At least 90% of all flooring materials (carpet, ceramic, vinyl, rubber, engineered, solid wood, laminates), by cost or surface area, is to meet the VOC emissions evaluation OR inherently non emitting sources criteria, OR salvaged and reused materials criteria.

INDOOR AIR QUALITY

The LEED objective is to establish better quality indoor air in the building after construction and during occupancy. Before each dwelling unit is occupied, air cleaning, a flush-out with a recirculating HEPA Air Filtration Device, and air testing in the unit to Demonstrate that 10 micron particles do not exceed 8 µg/m3 should be performed.

ACCESS TO QUALITY TRANSIT

Functional entry is located within ¼ mile walking distance to existing bus stop.

ENVIRONMENTALLY PREFERABLE PRODUCTS

At least 70% of each new compliant building component (floor covering, insulation, framing/structural systems, drywall, doors cabinets, countertops and/or interior trim), by weight or volume, will aim meet one of the requirements below:

The product contains at least 25% reclaimed material, including salvaged, refurbished, or reused materials. For renovation projects, existing components are considered reclaimed. Wood by-products can be counted as reclaimed material. These include items from secondary manufacturers; felled, diseased, or dead trees from urban or suburban areas; orchard trees that are unproductive and cut for replacement; and wood recovered from landfills or water bodies.

The product contains at least 25% postconsumer or 50% pre consumer content.



Wood products must be Forest Stewardship Council (FSC) Certified, or USGBC-approved equivalent.

Bio-based materials. Bio-based products must meet the Sustainable Agriculture Network's Sustainable Agriculture Standard. Bio-based raw materials must be tested using ASTM Test Method D6866 and be legally harvested, as defined by the exporting and receiving country. Exclude hide products, such as leather and other animal skin material.

Concrete that consists of at least 30% fly ash or slag used as a cement substitute.

Extended producer responsibility. Products purchased from a manufacturer (producer) that participates in an extended producer responsibility program or is directly responsible for extended producer responsibility.

WATER USE REDUCTION

The project will seek to reduce aggregate water consumption by 20% from the baseline for each new fixture (toilets, showerheads, dishwashers, etc.)

MINIMUM ENERGY PERFORMANCE

For new dwelling units, heating and cooling systems will look to meet the following equipment selection sizing guidelines, or next nominal size:

Cooling Equipment:

Single-Speed Compressor: 90-130% of total heat gain

Two-Speed Compressor: 90-140% of total heat gain

Variable-Speed Compressor: 90-160% of total heat gain

Heating Equipment:

100-140% of total heat loss AND energy performance compliance.

SUPERSEDED



LEED v4 for BD+C: Core and Shell
Project Checklist

Project Name: 400 Mass Ave Apartments - Arlington, MA
Date: 10/9/2020

Y ? N

Y	?	N	Credit	Integrative Process	1
---	---	---	--------	---------------------	---

0 2 0 Location and Transportation 20

Y			Credit	LEED for Neighborhood Development Location	20
Y			Credit	Sensitive Land Protection	2
Y			Credit	High Priority Site	3
Y			Credit	Surrounding Density and Diverse Uses	6
	1		Credit	Access to Quality Transit	6
	1		Credit	Bicycle Facilities	1
Y			Credit	Reduced Parking Footprint	1
Y			Credit	Green Vehicles	1

0 0 0 Sustainable Sites 11

Y			Prereq	Construction Activity Pollution Prevention	Required
Y			Credit	Site Assessment	1
Y			Credit	Site Development - Protect or Restore Habitat	2
Y			Credit	Open Space	1
Y			Credit	Rainwater Management	3
Y			Credit	Heat Island Reduction	2
Y			Credit	Light Pollution Reduction	1
Y			Credit	Tenant Design and Construction Guidelines	1

0 1 0 Water Efficiency 1

Y			Prereq	Outdoor Water Use Reduction	Required
Y			Prereq	Indoor Water Use Reduction	Required
Y			Prereq	Building-Level Water Metering	Required
Y			Credit	Outdoor Water Use Reduction	2
	1		Credit	Indoor Water Use Reduction	6
Y			Credit	Cooling Tower Water Use	2
Y			Credit	Water Metering	1

0 0 0 Energy and Atmosphere 33

Y			Prereq	Fundamental Commissioning and Verification	Required
Y			Prereq	Minimum Energy Performance	Required
Y			Prereq	Building-Level Energy Metering	Required
Y			Prereq	Fundamental Refrigerant Management	Required
Y			Credit	Enhanced Commissioning	6
Y			Credit	Optimize Energy Performance	18
Y			Credit	Advanced Energy Metering	1
Y			Credit	Demand Response	2
Y			Credit	Renewable Energy Production	3
Y			Credit	Enhanced Refrigerant Management	1
Y			Credit	Green Power and Carbon Offsets	2

0 3 0 Materials and Resources 14

Y			Prereq	Storage and Collection of Recyclables	Required
Y			Prereq	Construction and Demolition Waste Management Planning	Required
Y			Credit	Building Life-Cycle Impact Reduction	6
	1		Credit	Building Product Disclosure and Optimization - Environmental Product Declarations	2
	1		Credit	Building Product Disclosure and Optimization - Sourcing of Raw Materials	2
	1		Credit	Building Product Disclosure and Optimization - Material Ingredients	2
	1		Credit	Construction and Demolition Waste Management	2

0 5 0 Indoor Environmental Quality 10

Y			Prereq	Minimum Indoor Air Quality Performance	Required
Y			Prereq	Environmental Tobacco Smoke Control	Required
Y	2		Credit	Enhanced Indoor Air Quality Strategies	2
Y	3		Credit	Low-Emitting Materials	3
Y			Credit	Construction Indoor Air Quality Management Plan	1
Y			Credit	Daylight	3
Y			Credit	Quality Views	1

0 0 0 Innovation 6

Y			Credit	Innovation	5
Y			Credit	LEED Accredited Professional	1

0 0 0 Regional Priority 4

Y			Credit	Regional Priority: Specific Credit	1
Y			Credit	Regional Priority: Specific Credit	1
Y			Credit	Regional Priority: Specific Credit	1
Y			Credit	Regional Priority: Specific Credit	1

0 11 0 TOTALS Possible Points: 110

Certified: 40 to 49 points, Silver: 50 to 59 points, Gold: 60 to 79 points, Platinum: 80 to 110

SUPERSEDED

J.N.

COMMONWEALTH OF MASSACHUSETTS

JUL 17 11:41

MIDDLESEX, SS.

ZONING BOARD OF APPEALS

ARLINGTON, MASSACHUSETTS



Bk: 75777 Pg: 474 Doc: DECIS
Page: 1 of 5 10/01/2020 09:29 AM

In the matter of)
400-402 Massachusetts Avenue)
Arlington, Massachusetts)
Petitioner:)
400-402 Mass Avenue, LLC)

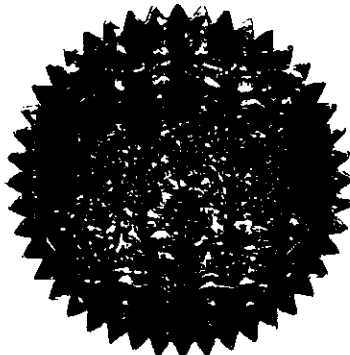
Docket Number 3624

**PETITION FOR ZONING RELIEF
REQUESTING AN AMENDMENT OF AN EXISTING SPECIAL PERMIT (DOCKET
NO. 2306 ISSUED APRIL 9, 1980)**

Title reference:
Book 70704, Page 49

HEARING DATE: June 23, 2020
DECISION: June 23, 2020

Christian Klein, Chair
Patrick Hanlon, Vice Chair
Roger DuPont
Kevin Mills
Steven Revilak



I hereby certify this is a True Copy of the Decision, as
the Arlington Zoning Board of Appeals as filed with the
Office of the Town Clerk of the Town of
Arlington, Massachusetts on JULY 17, 2020
and that 20 days have elapsed after the Decision and no
Appeal has been filed. ATTEST

Date of Issue SEPTEMBER 29, 2020 Town Clerk

James A. Boyle
Robert J. Annesse
1171 Massachusetts Ave
Arlington, MA - 02476

STATEMENT OF PROCEEDINGS

The Petitioner seeks to amend the existing Special Permit issued in Docket No. 2306 on April 9, 1980 in order to allow the Redevelopment Board to review the proposed application for a mixed use development at the 400-402 Massachusetts Avenue real estate.

Some of the conditions of the existing Special Permit would need to be waived and jurisdiction transferred to the Arlington Redevelopment Board as the property being located on Massachusetts Avenue comes within the jurisdiction of the Arlington Redevelopment Board under Environmental Design Review.

The property is located in a B1 Zoning District.

Legal notice was provided in the Arlington Advocate for two (2) consecutive weeks, with the notice indicating that a hearing would be held on Tuesday, June 23, 2020 by way of Zoom Hearing due the COVID-19 Pandemic Crises with the hearing commencing at 7:30 p.m.

The Board was in receipt of the following:

1. Plans showing conversion of the property consisting of A100 and A101;
2. A photograph compilation of the property;
3. An e-mail dated December 17, 2019 from the Planning Department to Robert J. Annese indicating their position with respect to the conversion of the property to one office and four residential units;
4. Memorandum of Fact and Law submitted by Attorney Robert J. Annese;
5. Prior Zoning Board of Appeals Decision, Docket #2306; and
6. Memorandum from the Planning Department from the Town from Jennifer Raitt, Director, Department of Planning and Community Development dated June 17, 2019

In addition, the Board was in receipt of the following correspondence from the public:

- E-mail from Chris Loreti to Christian Klein, Chair of the Zoning Board of Appeals, "Correction: Docket 3624, 400-402 Massachusetts Avenue", dated June 19, 2020.
- E-mail from Chris Loreti to Christian Klein, Chair of the Zoning Board of Appeals, "Additional Comments: Docket 3624, 400-402 Massachusetts Avenue", dated June 22, 2020.
- E-mail from Chris Loreti to Christian Klein, Chair of the Zoning Board of Appeals, re Additional Comments: Docket 3624, 400-402 Massachusetts Avenue, dated June 23, 2020.
- E-mail from Patricia Worden to Christian Klein, Chair of the Zoning Board of Appeals, "hearing, 400-402 Massachusetts Av.", dated June 23, 2020.

The evidence introduced at the hearing indicated that the 1980 Zoning Decision provided that there be no more than two (2) apartments developed on the site and that there be at least one (1) onsite parking space per dwelling unit to be set aside for apartment tenants and that the entrance to the basement space be from the front of the building with an open stairway leading down from the inside entrance and clearly marked as to how to enter the basement.

Petitioner now seeks to amend that Special Permit in accordance with the new mixed use bylaw for the Town requesting that the building be allowed to have one (1) office unit and four (4) residential units in accordance with the plans submitted with its zoning application and that the requested relief be transferred to the Arlington Redevelopment Board since the ARB has the primary jurisdiction to hear the appeal.

The property contains 4,756 square feet and is nonconforming with respect to the terms of the present zoning bylaw with regard to front yard setback, side yard setback and there is no useable open space.

There are presently two (2) parking spaces at the property and Petitioner proposes a total of six (6) parking spaces while the required parking spaces would be 6.1 parking spaces in accordance with the zoning bylaw.

The Petitioner's evidence during the course of the Hearing indicated that the relief sought before the ARB related to a Special Permit issued by the Zoning Board on April 9, 1980 in Docket No. 2306 in accordance with Section 5-26 (Districts and Uses) of the Zoning Bylaw.

The Zoning Board's 1980 Decision limited the number of apartments in the structure to two (2). Since the date of the prior decision the Zoning Bylaw has been amended to allow for a mixed use development in the B1 Zoning District in which the property is located.

The evidence introduced by Petitioner indicated that Petitioner's requested relief relates to an increase in the number of allowable residential units in the building from two to four with the intent to maintain one office unit.

The total gross floor area (GFA) would remain the same.

The structure is non-conforming with respect to the Zoning Bylaw's lot size, floor area ratio, lot area per dwelling, front, side yards depths, usable open space and parking space minimum requirements contained in the Bylaw.

As a result of the increase in the requested number of residential units, the proposal would increase the non-conformity to the lot area per dwelling unit by reducing it from 2032 square feet per unit to 921 square feet per unit.

Petitioner proposes an increase in the number of parking spaces to six, which would meet the 1980 Special Permit's requirements of one parking space per one bedroom residential unit.

Petitioner indicated that if there is any increase in the number of bedrooms per unit, then the Petitioner, at the time of the Hearing before the ARB could request a parking reduction in the mixed use district subject to a "Transportation Demand Management Plan" (TDM).

FINDINGS OF FACT AND DECISION OF THE BOARD

The Board finds that amending the existing Special Permit (Docket #2306, issued April 9, 1980) to allow the Arlington Redevelopment Board to openly and fully review a proposed application for mixed use on the property is appropriate. The Board finds that the original conditions for granting the Special Permit can be reconsidered during Environmental Design Review under Section 3.4 of the Zoning Bylaw and should be withdrawn in the event that the Redevelopment Board finds that the Special Permit Decision Criteria of Sections 3.3.3 and 3.4 would be met by the mixed-use proposal. In addition, the Board finds that if a proposed application for mixed-use is not approved by the Redevelopment Board, the existing use of the property continues to be appropriate, and the 1980 Special Permit conditions should remain in effect.

The applicant seeks to amend the current special permit for this use in order to allow for a mixed-use development under the Zoning Bylaw. Under Section 3.4.2A and G the special permit "shall be acted upon by in accordance with the environmental design review procedures and standards of this Section 3.4." This Board does not have the authority to issue a special permit that would authorize the applicant's project. Indeed, if the property were not already subject to a special permit issued 30 years ago for a different use, the applicant would have filed its request for a Special Permit with the Redevelopment Board and we would not have been involved at all.

The property is, however, subject to an existing Special Permit that allows for two apartments and three offices on the site and makes provision for parking spaces for the dwelling units, entrances to the offices, and lighting and mechanical ventilation for basement offices. Refer to "In the matter of Frank Pacuito, Docket No. 2306 Opinion of the Board", dated April 9, 1980. This Special Permit is under the continuing jurisdiction of the Zoning Board of Appeals. If it remained in effect, and if the Redevelopment Board granted a Special Permit for the use that the applicant proposes today, the property would be subject to conflicting conditions.

Under the Zoning Bylaw, the Redevelopment Board is the Special Permit Granting Authority for this site and proposed use. It has the final say on whether the proposed project is consistent with the provisions of the Zoning Bylaw relating to Special Permits. Certainly the two Boards should not engage in duplicative review, particularly because approval of the application may involve discretionary conditions that must be prescribed by one board or the other.

The Redevelopment Board will, of course, grant a special permit only after finding that all applicable decision criteria have been met. If the Redevelopment Board approves the project, then the four conditions of the 1980 Special Permit must be withdrawn to avoid conflicting requirements. If the Redevelopment Board rejects the proposed project, then the Board of Appeals considers continuation of the current use under 1980 Special Permit's conditions to be appropriate. In order to facilitate review of the applicant's proposal by the Redevelopment Board, the jurisdiction of the Zoning Board of Appeals must be suspended during the pendency of proceedings before the Redevelopment Board.

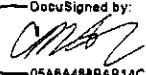
At the close of the Hearing, the Board voted unanimously to grant the Petitioner's request to amend the existing Special Permit (Docket #2306, issued April 9, 1980) with the following conditions:

- 1. Pending the issuance of a Special Permit under Environmental Design Review by the Arlington Redevelopment Board, the four conditions set forth in the original decision are withdrawn.**

- 2. Pending the issuance of a Special Permit under Environmental Design Review by the Arlington Redevelopment Board, the Zoning Board of Appeals shall terminate jurisdiction with respect to the original Special Permit grant.
- 3. Should the Applicant fail to secure a Special Permit from the Arlington Redevelopment Board, the above conditions are null and void, and the existing Special Permit shall remain in full force and effect.

The Inspector of Building is hereby notified that he is to monitor the site and should proceed with appropriate enforcement procedures at any time he determines that violations are present. The Inspector of Buildings shall proceed under Section 3.1 of the Zoning Bylaw of the Town of Arlington, Massachusetts and the provisions of Chapter 40A Section 21D of the Massachusetts General Laws, and institute non-criminal complaints. If necessary, the Inspector of Buildings may also approve and institute appropriate criminal action, also in accordance with Section 3.1.

The Board hereby makes a detailed record of all its proceedings relative to this appeal; sets forth the reasons for its decision and finding; directs that this record be filed in the office of the Redevelopment Board and in the office of the Town Clerk and shall be a public record, and that notice of this decision be made forthwith to each party in interest. Appeals to this decision, if any, shall be made pursuant to Section 17 of the Zoning Act (Massachusetts General Laws, Chapter 40A), and shall be filed within twenty days after the date of filing of such decision in the Office of the Town Clerk.

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Christian Klein RA, Chair

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 Pat Hanlon
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Patrick Hanlon, Vice Chair

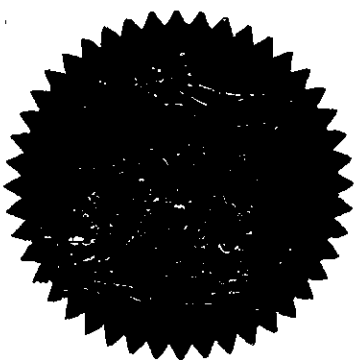
Roger DuPont, Esquire

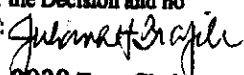
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Kevin Mills

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 Stephen Revilak



I hereby certify this is a True Copy of the Decision of the Arlington Zoning Board of Appeals as filed with the Office of the Town Clerk of the Town of Arlington, Massachusetts on JULY 17, 2020 and that 20 days have elapsed after the Decision and no Appeal has been filed. ATTEST: 
 Date of Issue SEPTEMBER 29, 2020 Town Clerk

OPINION OF THE BOARD

This is an application by Frank Pacuito of Winchester for Special Permit pursuant to Section 5.04 (Use Regulations) Section 8.11 (Municipal Parking Lots) and Section 8.12 (Parking and Loading Space Standards) of the Zoning By-Law for the Town of Arlington. Hearing was held on March 25, 1980 after statutory notice. No one opposed the application. Mr. Pacuito was represented by Atty. Richard Keshian of Arlington.

The Department of Planning & Community Development recommended granting Special Permits.

FINDINGS OF FACT

1. The applicant owns the property located at 400-402 Massachusetts Avenue, Arlington which lies within the B1 Zoning District.
2. Building on the property was damaged by fire in 1978 and applicant plans to renovate for combined office and apartment use.
3. Building will when renovated consist of two-one bedroom apartments on the second floor, two professional offices on the first floor and one professional office in a portion of the basement.

The building has been an eyesore and a blight on the Town for several years since damaged by fire and has become a veritable dumping ground for various types of debris.

The Board feels that conditions for granting a Special Permit have been established by the petition.

DECISION

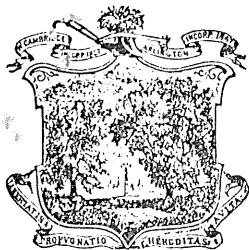
Accordingly, the Board unanimously votes to grant the Special Permit with certain conditions.

1. No more than two apartments are developed on the site.
2. At least one on-site parking space per dwelling unit is set aside for apartment tenants.
3. Entrance to basement office be from front of building with open stairway leading down from front inside entrance and clearly marked as to how to enter basement office.
4. All basement offices must have outside lighting and mechanical ventilation.

The Board hereby makes a detailed record of all its proceedings relative to this petition; sets forth the reasons for its decisions and its findings; directs that this record be filed in the Office of the Town Clerk and shall be a public record and that notice of this decision be made forthwith to each party in interest.

RECORDED
INDEXED
MAY 19 1966

TOWN OF ARLINGTON
APR 10 1980
PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT



TOWN OF ARLINGTON

MASSACHUSETTS 02174

643-6700

DEPARTMENT of PLANNING and
COMMUNITY DEVELOPMENT

MEMO TO: Zoning Board of Appeals
FROM: Dept. of Planning and Community Development
DATE: March 25, 1980
SUBJECT: Docket No. 2306 - 400-402 Massachusetts Avenue

The Department of Planning and Community Development has reviewed the petition of Frank Pasciuto to rennovate the property at 400-402 Massachusetts Avenue for combined office and apartment use, or alternatively for office use only. The building, which was damaged by fire in 1978, is noted in the Mill Brook Valley Historic Survey along with the adjoining property as follows:

400-2 William Clark House. Federal, 1977

The home of several generations of the Clark family, this house is now much altered by a coat of stucco and the loss of its original doorway and window details; but it retains its handsome proportions and central location at the foot of Franklin Street, which was constructed some years after the house itself was built. In the 1920's it housed a small candy factory and shop.

404 Carriage shop. Federal, 1799 or later

This structure was the shop of Wm. Clark & Co., harness makers and carriage trimmers and painters. It has been greatly altered and converted into a multi-family dwelling, but in its relationship to the William Clark House it still reminds us of the close union of a 19th century family's craft industry to their home life.

This property in the B1 zoning district contains 4,588 square feet of land.

For mixed office and residential uses, special paints would be required under Section 5.04, Use 6.22 (Offices in building constructed as residence), and Use 8.19 (accessory apartments). Complete office use would still require a special permit under Use 6.22. Either alternative would require a special permit under 8.11 or 8.12(n) for

one parking space. It is this department's understanding that the owner prefers the mixed-use alternative.

The special permits for both alternatives under Section 5.04 are evaluated according to Section 10.11 as follows:

1. The uses requested are listed in the Table of Use Regulations
2. Office and apartment uses are in demand and will contribute to Arlington's economy, and to the serious undersupply of housing.
3. Located on Massachusetts Avenue, the requested uses under either alternative will not create undue traffic congestion. Access to the site is further facilitated by its corner location which permits cars to enter and exit from the side street, rather than directly onto Massachusetts Avenue. Regarding parking, each alternative requires five parking spaces calculated as follows:

Office Plus Apartments

Offices Only

Bsmt. gfa = 260 s.f.
 1st Fl. gfa = 1654 s.f.
 1914 s.f.-g.f.a.

Bsmt.gfa = 260 s.f.
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 3408 s.f.

Office parking is $1914/750 = 2.55$ spaces
 Apartment parking is $2 \times 1.15^* = 2.30$
 spaces for a total of 4.85 spaces

Parking required is $3408/750$, or 4.53 spaces

* Assumes 2 one-bedroom apartments

Since fractions of spaces are rounded off in accordance with Section 8.04, both alternatives require five spaces. The site plan indicates expansion of the existing parking area from two-to four spaces. Thus one more space is required.

It is not recommended that a 20 percent reduction in spaces be granted by special permit under Section 8.12(n) since the parking standard for office space is not stringent; thus, the small overall requirement for only five spaces should closely approximate, or be slightly less than actual parking demand.

Substitution of one space within a municipal parking lot is warranted provided it is office parking. Office visitor parking is short-term (one- to two hours); whereas residential parking is long-term including overnight. Municipal parking in the area, such as the Broadway Plaza, is short-term and thus would not work as residential parking. It should be noted that the Broadway Plaza and the Russell Common lots are 350 ft. and 900 ft. respectively from the site; therefore, they are within the 1,000 feet required by Section 8.11.

4. The requested use on a previously developed lot will not overload any utility or drainage system.
5. Article 11 does not apply.
6. The requested use will not impair the character of the district provided there are not more than two apartments on this small lot. Use 8.19 allows up to three accessory apartments in accordance with the residential standards for the district. For the B1 district, each dwelling unit requires 2,500 square feet of lot area. Therefore, the density control in this situation restricts the number of apartments to two. Office use is ideally suited for this site which is in a transition area between the Central Business District and residential neighborhoods. The office/apartment mixture duplicates the building's use prior to the 1978 fire when a dentist was on the first floor and there were apartments above.
7. The proposed offices and apartments will, in fact, bring back a previous use to this neighborhood, and as such will not create an excess of such uses.

In conclusion, the Department recommends that the special permit be granted under Section 5.04, Use 6.22 and 8.19; and under Section 8.11 for parking, with the following conditions:

1. No more than two apartments are developed on the site.
2. At least one on-site parking space per dwelling unit is set aside for apartment tenants if the building includes apartments.

JMB/md

B1
4,605
~~4,500~~ sq ft level
5 units / 2 apts
8 rooms



BOARDS OF APPEALS

Town of Arlington

Arlington, Massachusetts 02174

Planning
Docket 2306

643-6700

TOWN OF ARLINGTON
MAR 17 1980

LEGAL NOTICE

Notice is herewith given in accordance with the provisions of Section 10.10,e,3 of the Zoning By-Law that there has been filed by Frank Pasciuto of Winchester, Massachusetts on February 28, 1980 a Petition seeking permission to use the premises located at ~~400-~~ 402 Massachusetts Avenue, Arlington, Massachusetts for mixed residential (second floor) and offices (basement and first floor) or in the alternative, all office use. Said proposal would require a Special Permit from Zoning By-Law under Section 5.04 (Use Regulations) Paragraph 6.22 and Paragraph 8.19 and Section 8.11 (Municipal Parking Lots) and Section 8.12 (Parking and Loading Space Standards) Paragraph N of the Zoning By-Law for the Town of Arlington.

Hearing in regard to the said Petition will be held in the Hearing Room, located on the second floor of the Robbins Town Hall, Arlington, Massachusetts on Tuesday evening, March 25, 1980 at 8:30 O'Clock P.M.

ZONING BOARD OF APPEALS

Harold C. Knight
Secretary

Docket 2306 400-402 Mass. Ave.

Calculate GFA From Floor Plans

First Floor $38.75 \times 49.7 = 1920$

Less: $14 \times 12 = 144$

$4 \times 12.5 = 50$

$4.7 \times 15.25 = 72$

266

1920

-266

1654

Total-1st. Floor GFA = 1654 #

Basemat $17.5 \times 15' = 260 \#$

Second Floor $38.75 \times 49.7 = 1920$

Less: $12 \times 12 = 144$

$10.8 \times 17.2 = 186$

$4.7 \times 20.4 = 96$

426

1920

-426

1494 #

Total-2nd Floor GFA = 1494 #

For First+Second, $\approx 3100 \#$; C_m

Lot Area = 4588, S.F.

Max Number of dwell units = $4588 / 2500 \approx 2$ units.

Parking:

a.) Cell Office

Basmt. 260

1st 1654

2nd. 1294

3408 #

b.) Mixed Office w/ Apts.

Basmt 260

1st. 1654

1914 # @ 750 = 2.55 spaces.

Pkg. demand = 4.53 pks. spaces

2nd Floor Apts, Bath-1BR

2×1.15

= 2.30 spaces.

4.83 spaces

S.P. 5.14, PG. 22 - Office: build originally permitted
P8.19 - Up to 3 dw. - 2 units.

S.P. Sec. 8.11 - Substitute of spaces with ^{of original lot} 1000' of site.

8.12 (w) reduction of phy space to 80% of sum of area conditions unique to the use
will reasonably justify reduction.



TOWN OF ARLINGTON

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For mixed office and residential uses, special paints would be required under Section 5.04, Use 6.22 (Offices in building constructed as residence), and Use 8.19 (accessory apartments). Complete office use would still require a special permit under Use 6.22. Either alternative would require a special permit under 8.11 or 8.12(n) for

one parking space. It is this department's understanding that the owner prefers the mixed-use alternative.

The special permits for both alternatives under Section 5.04 are evaluated according to Section 10.11 as follows:

1. The uses requested are listed in the Table of Use Regulations
2. Office and apartment uses are in demand and will contribute to Arlington's economy, and to the serious undersupply of housing.
3. Located on Massachusetts Avenue, the requested uses under either alternative will not create undue traffic congestion. Access to the site is further facilitated by its corner location which permits cars to enter and exit from the side street, rather than directly onto Massachusetts Avenue. Regarding parking, each alternative requires five parking spaces calculated as follows:

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Since fractions of spaces are rounded off in accordance with Section 8.04, both alternatives require five spaces. The site plan indicates expansion of the existing parking area from two-to four spaces. Thus one more space is required.

It is not recommended that a 20 percent reduction in spaces be granted by special permit under Section 8.12(n) since the parking standard for office space is not stringent; thus, the small overall requirement for only five spaces should closely approximate, or be slightly less than actual parking demand.

Substitution of one space within a municipal parking lot is warranted provided it is office parking. Office visitor parking is short-term (one- to two hours); whereas residential parking is long-term including overnight. Municipal parking in the area, such as the Broadway Plaza, is short-term and thus would not work as residential parking. It should be noted that the Broadway Plaza and the Russell Common lots are 350 ft. and 900 ft. respectively from the site; therefore, they are within the 1,000 feet required by Section 8.11.

4. The requested use on a previously developed lot will not overload any utility or drainage system.
5. Article 11 does not apply.
6. The requested use will not impair the character of the district provided there are not more than two apartments on this small lot. Use 8.19 allows up to three accessory apartments in accordance with the residential standards for the district. For the B1 district, each dwelling unit requires 2,500 square feet of lot area. Therefore, the density control in this situation restricts the number of apartments to two. Office use is ideally suited for this site which is in a transition area between the Central Business District and residential neighborhoods. The office/apartment mixture duplicates the building's use prior to the 1978 fire when a dentist was on the first floor and there were apartments above.
7. The proposed offices and apartments will, in fact, bring back a previous use to this neighborhood, and as such will not create an excess of such uses.

In conclusion, the Department recommends that the special permit be granted under Section 5.04, Use 6.22 and 8.19; and under Section 8.11 for parking, with the following conditions:

1. No more than two apartments are developed on the site.
2. At least one on-site parking space per dwelling unit is set aside for apartment tenants if the building includes apartments.

JMB/md

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March 25, 1980

one parking space. It is this department's understanding that the owner prefers the mixed-use alternative.

The special permits for both alternatives under Section 5.04 are evaluated according to Section 10.11 as follows:

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2. Office and apartment uses are in demand and will contribute to Arlington's economy, and to the serious undersupply of housing.
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4. The requested use on a previously developed lot will not overload any utility or drainage system.
5. Article 11 does not apply.
6. The requested use will not impair the character of the district provided there are not more than two apartments on this small lot. Use 8.19 allows up to three accessory apartments in accordance with the residential standards for the district. For the B1 district, each dwelling unit requires 2,500 square feet of lot area. Therefore, the density control in this situation restricts the number of apartments to two. Office use is ideally suited for this site which is in a transition area between the Central Business District and residential neighborhoods. The office/apartment mixture is duplicates the Building's use prior to the 1978 fire when a dentist was on the first floor and there were apartments above.
7. The proposed offices and apartments will, in fact, bring back a previous use to this neighborhood, and as such will not create an excess of such uses.

In conclusion, the Department recommends that the special permit be granted under Section 5.04, Use 6.22; and under Section 8.11 for parking, with the following conditions:

1. No more than two apartments are developed on the site.
2. At least one on-site parking space per dwelling unit is set aside for apartment tenants if the building includes apartments.

JMB/md



Town of Arlington, Massachusetts

Meeting Minutes (9/21/20)

Summary:

8:00 p.m. Board will review and may vote to approve meeting minutes.

ATTACHMENTS:

Type	File Name	Description
▣ Reference Material	09212020_Draft_ARB_Minutes.pdf	09212020 Draft ARB Minutes

**Joint Meeting of the Arlington Select Board and the
Arlington Redevelopment Board
Monday, September 21, 2020, 7:00 PM
Meeting Conducted Remotely via Zoom
Meeting Minutes**

This meeting was recorded by ACMi.

SELECT BOARD PRESENT: John Hurd (Chair), Joseph Curro, Stephen DeCoursey, Lenard Diggins, Diane Mahon

REDEVELOPMENT BOARD PRESENT: Rachel Zsembery (Chair), Eugene Benson, Kin Lau, Katherine Levine-Einstein, David Watson

STAFF: Adam Chapdelaine, Town Manager, Jennifer Raitt, Director of Planning and Community Development, Erin Zwirko, Assistant Director of Planning and Community Development, Doug Heim, Town Counsel, Ashley Maher, Administrative Assistant

The Select Board Chair called the meeting to order and notified all attending that the meeting is being recorded by ACMi.

The Select Board Chair explained that this meeting is being held remotely in accordance with the Governor's March 12, 2020 order suspending certain provisions of the Open Meeting Law G.L. c. 30A, Section 20. This order from Governor Baker allows for meetings to be held remotely during this time to avoid public gatherings.

The Select Board Chair introduced the second agenda item, Presentation and Discussion (led by Town Manager / Director of Planning and Community Development). Town Manager welcomed both Boards and participants. Ms. Raitt reviewed the previous joint meeting on January 13, 2020 and agreed upon next steps from that meeting. The issues discussed were: current housing needs, affordability crisis, plans in progress for Arlington, both Boards would meet and review and discuss warrant articles and zoning bylaws amendments, affordable housing trust fund and transfer fee, proposed articles which were prepared for Spring Town Meeting, discussed an outreach strategy for a community dialogue around housing.

Ms. Raitt said that after the previous joint Board meeting the following was solidified: Town Meeting process, public outreach/engagement strategy called the "Question Campaign". Ms. Raitt said that the Department's Question Campaign resulted in the following themes: diversity, diverse housing types, affordable housing and affordable housing preservation, greater density, economic development, taxes, and regional issues and concerns. The Planning Department is still sorting through the Question Campaign results.

Ms. Raitt said that a transportation plan called Connect Arlington is in the works which should be wrapped up by years end. Ms. Raitt said that the Planning Department is also working on a Net Zero plan with the Clean Energy Future Committee to help Arlington achieve net zero by the 2050 goal. Ms. Raitt said that there is a study of Economic Analysis in Industrial zoning districts to create zoning to support a variety of sizes and spaces for light manufacturing and office spaces, establishing parking requirements, minimize the environmental impact of impervious surfaces, leverage the connection with the Minuteman Bike Way, require sustainable and creative urban design, and support economic development. Ms. Raitt said the department is also developing design guidelines for single and two-family housing in the lower density zones of town and updating the Housing Production Plan.

Ms. Raitt said the focus this year has been on the pandemic and the Arlington Economic Development Recovery Task Force was created to utilize Community Development Block Grant funds. These funds have been used to assist local business and help local residents with rental assistance. Ms. Raitt said that Application Modernization is also being looked at to expedite the internal and external review processes for permits. Additional assistance for recovery and supporting the business community through the winter as well as looking at the arts and cultural activities. Housing Production Plan is set to expire in October of 2021 looking to update the plan, develop new strategies and include the Metro Mayors housing goals. The

Select Board Chair asked if Board Members had questions or comments. Mr. Diggins asked about engaging MAPC to work on the Housing Production Plan. Ms. Raitt said that MAPC is working on updating community housing targets.

Mrs. Mahon asked for feedback and comments from the 10/5 ARB meeting, asked if outdoor dining through the cold weather is being addressed Ms. Raitt said that any current business that has a temporary outdoor license would need a review from the Fire Department to review and approve the installation of heaters. Mrs. Mahon asked if there are Redevelopment Board articles that the Select Board should also review for Town Meeting. Mrs. Mahon asked for Gold's Gym industrial study updates when available. Mrs. Mahon also asked about plans for Community Preservation Act and Open Spaces projects using a 3D imaging tool. Mr. Lau said he agreed that the using 3D imaging would help to address zoning issues. Mr. Chapdelaine said that the Town is currently pricing this type of 3D imaging work for along Mass Ave and to see how much it would increase the price to include open spaces. Ms. Raitt said that SketchUp will be used in the meantime.

Mr. Curro asked if when preparing the updated housing production plan the team would also be taking a look at what was previously approved and analyzing the Town's achievements towards that benchmark. Mr. Curro asked about residents looking for rental assistance and support. Mr. DeCoursey asked about support for businesses during the winter. Ms. Raitt said that the department is working to build in support for businesses during the winter.

Mr. DeCoursey asked about inconsistencies between the housing production plan and the economic analysis and if the studies being conducted in town be incorporated with the updated Housing Production Plan. Ms. Raitt said that the department is trying to address those issues while keeping building options open. Mr. Watson said that the pandemic may have increased the urgency of housing development in Arlington. Ms. Raitt said that the discussion is to either keep the Question Campaign as a separate campaign or to include those efforts with the Housing Production Plan development.

Mr. Lau asked the Select Board for feedback regarding the Redevelopment Board's performance over the past year. The Select Board Chair said that the Redevelopment Board thoroughly analyzes each project put before them. Mr. Diggins said that he would like to be more involved with housing with Housing Implementation Plan Committee and will have feedback for the Redevelopment Board at the next joint meeting. Mrs. Mahon said that she would like to have additional joint meetings with the Redevelopment Board to put forth the positive agenda for Arlington. Mr. Curro said that it may not be appropriate for the Select Board to weigh in on the Redevelopment Board's performance as a regulatory board but it would be advantageous for the Redevelopment Board and Select Board to meet to align on policy proposals. Mr. DeCoursey said he agrees with Mr. Curro and that he appreciates the service the Redevelopment Board provides.

Ms. Zsemberly said that she noticed that there seems to be more engagement since the Redevelopment Board started conducting virtual meetings and would like to continue the virtual meeting option when meeting in person is an option. Mr. Diggins said that the Select Board also sees an increase in participation with virtual meetings.

Mr. Hurd introduced the next agenda item and opened the floor for Open Forum.

Patricia Worden 27 Jason St. said as a member of the Housing Policy Implementation Committee they are moving towards the Town Meeting Articles for an affordable housing trust fund and transfer fee but is disappointed that there is no progress towards purchasing existing buildings and renting them to needy people. Arlington is losing a lot of businesses because of violations of the zoning board bylaws. Ms. Worden also said that the Town's open spaces are endangered by the actions of the Redevelopment Board.

Donna Kelly-Williams 110 Mary St. said she is concerned about the number of Mary Street residents that have requested

the plans for Mary Street, Ms. Kelly-Williams said that a majority of the Mary Street residents were opposed to the Shared Streets plan as proposed. Ms. Kelly-Williams said that the residents of Mary Street would like to reach out to Health and Human Services regarding the increased rodent activity in Town and would like a response from the Town.

Mark Kaepplein 11 Palmer Street said that he is offended that the Town Manager made false claims against residents supporting police on the eve of the 9/11 anniversary. Mr. Kaepplein would like the Town to remove banners and adhere to the Town's sign bylaw.

Carl Wagner 30 Edgehill Road said he would like to thank both Boards for the job that they have been doing with everything that the Corona Virus has brought. The Select Board has to notify the Redevelopment Board that the Redevelopment Board must follow the Town bylaws. Mr. Wagner said if small parcels are lost Town density will increase and new apartments will be much more expensive. Mr. Wagner said that the Redevelopment Board, Town Manager, and Planning Department should make the first and most important stakeholders are the Residents. Mr. Wagner said that the Town Manager's statement that Arlington's housing zoning is racist is wrong; Mr. Wagner does not support what was said, and is offended.

Anna Hinken 11 Marion Road said that she does not support the removal of the Black Lives Matter banner from Town Hall. Ms. Hinken said that she feels unsafe in an Arlington that is represented by the comments made in the Sept. 14th meeting. Ms. Hinken said that the Town must reject discrimination and hate.

Rebecca Grouber 215 Pleasant St. said thinks the Town's motivation for the removal of the Black Lives Matter banner was to in some way diminish the tensions in Town regarding the Police and the Lt. Pedrini incident. Ms. Grouber asked the Select Board to reconsider their decision and keep the Black Lives Matter banner hanging.

Don Seltzer Irving Street reviewed his slides regarding the Town's commercial tax base. If Arlington's walkability is lost the whole Town's character is lost. The mixed-use bylaw is not being used properly and small businesses are being closed in favor of apartment buildings.

Michaiah Healy Howard Street said the decision to have the Black Lives Matter banner displayed on Town Hall. Ms. Healy said that as a person of color and a leader in the Town, symbolically the banner on a Town Building signals that her life matters. Ms. Healy said Town Administrative Staff and many in the community are working on our implicit bias and Ms. Healy implores the Board to do the work. Ms. Healy asked why there was a rush in taking the banner down. Consider own reputation as a reason to keep up the sign like Cambridge and Somerville. Ms. Healy said that Arlington does have a problem, a Suffolk University study found that housing discrimination in Arlington is among the highest. Ms. Healy asked the Board to continue to support the Administrative Staff and please use the potential and power that the Select Board has.

Daniel Bromberg 52 Montague St. Mr. Bromberg is new to Arlington and the political process; he is engaging to make Arlington a better place. Black Lives Matter signs challenge people think the level of violence they are impugning on the Black Lives Matter demonstrations to attend a community demonstration. Mr. Bromberg said it is important to keep the banner up at Town Hall and the proposed placard can explain the sign.

Mrs. Mahon asked that Open Forum comments pertain to the current meeting's topics. Ms. Mahon asked that comments regarding other topics be brought to the next Select Board meeting, but of course anyone who would like to comment tonight may.

Nick Stein 28 Clark Street Black Lives Matter is a demand to eliminate white supremacy. Mr. Stein said that racism is alive in Arlington as we have seen with Lt. Pedrini. Mr. Stein said that he implores the Select Board to reconsider taking down the

Black Lives Matter banner.

Jennifer Susse said she, like many residents, is anxious about Arlington's future. Housing that is affordable today will not remain so. Ms. Susse said that Arlington can create affordability by having more units and smaller units; every community has to step up to do our part as we are in a crisis. Ms. Susse said that Arlington is losing age and economic diversity, that the community is becoming wealthier and wealthier. Ms. Susse said to counteract that we should have diversity in housing choices and that the Select Board could be a leader in advocating for more housing.

Laura Kiesel 260 Mass Ave disappointed that Select Board voted to remove the Black Lives Matter banner. The Back the Blue rally is not from Arlington, they organize rallies from town to town. Ms. Kiesel said she does not feel safe in a Town that will not firmly assert that Black Lives Matter. Ms. Kiesel said she speaks to people who do not feel safe to move here, Arlington needs to make housing more equitable.

Mr. Hurd reminded those attending the meeting that this meeting is a joint meeting with the Redevelopment Board to discuss zoning issues. There have been several comments discussing the same subject already this evening and that the Select Board will have another meeting in a few weeks. Mr. Hurd said that there is no limit to what can be said in open forum.

Judith Garber 130 Mass Ave said putting up the Black Lives Matter banner in June was supposed to be the beginning of a long process to tackle structural racism in Arlington. The decision to place a plaque is not the same thing as developing a strategy to for acknowledging the values statement of Black Lives Matter. Ms. Garber said that we have real issues of police accountability and asked the Town to do the right thing even if it is not the easy thing to do.

Mrs. Mahon again reminded meeting participants that this meeting is a joint meeting of the Redevelopment Board and the Select Board and that participants can comment during the next Select Board meeting.

Aisha Cruz 144 Lake Street asked why the Select Board voted to take down the Black Lives Matter banner so soon after the Back the Blue rally. Cannot support the police and support Black Lives Matter because the police do not support Black Lives. Ms. Cruz said that if the representatives of the Town do not want to be viewed as racists they can return Black Lives Matter banner in perpetuity, fire Lt. Pedrini, and defund the Arlington Police Dept.

Erin Ferra Quincy Heights said that taking down the Black Lives Matter banner right after the Back the Blue rally and the defacing of Black Lives Matter signs in our town shows that Arlington is not a supportive of all residents and not welcoming to black and brown citizens. Ms. Ferra implored the Select Board to rethink taking down the Black Lives Matter banner as the banner is a symbolic gesture to rethink how we deal with systemic racism in this town and beyond.

Tom Davison Said as a commissioner of the ACAC supports the work of the Select Board, Redevelopment Board, and the Planning and Community Development Department to develop strategies for affordable housing and commercial business districts. Arlington lost studio space with the ACA move and with the redevelopment of 1165 Mass Ave. Mr. Davison said as we continue to cultivate affordable housing and commercial business opportunities Mr. Davison asked to integrate the principals of creative place-making as part of community development with the goals of supporting artist and attracting and anchoring a diverse culturally rich communities to town. Mr. Davison would like considerations in development of opportunities for live work spaces that attract cultural equity and diversity.

Johnathan Washer 7 Thomas Street voice support of the Black Lives movement and removing the Black Lives Matter banner shortly after the Back the Blue rally and support for Lt. Pedrini. Mr. Washer said that removing the banner is shameful and it

sending the message that Arlington's efforts to support a diverse community is performative at best. The Black Lives Matter banner is a small and harmless message of support for the rest of the town.

John not a member of AFR but support their efforts. Said that Lt. Pedrini's case and the sympathy for him has become a lightning rod for racists in our community, a lot of people have these sentiments. The town wants everyone to get along without showing its commitment to social justice. Does not understand that after the rally for this civil rights movement can take this vote without community input and clearly as response to the Back the Blue rally. It is incredible that after years the Arlington police department has not published a statement denouncing Lt. Pedrini's writings for their racism and advocacy of violence. Agrees with others on the call that the Black Lives Matter banner should be restored.

Mrs. Mahon reminded those attending the virtual meeting that they can reach out to her directly or comment at the next Select Board meeting instead of this joint meeting with the Redevelopment Board.

Colin Pearson 7 Harlow Street addressed Mrs. Mahon and said she was rolling her eyes during statements. Mr. Pearson said that the Redevelopment Board makes the same mistake of not realizing what is in front of you and what is important. Mr. Pearson said that he thinks the Select Board would have voted differently if members of the Select Board attended the peaceful counter protest. Mr. Pearson that the Select Board should have thought about the optics when removing the Black Lives Matter banner.

Steve Revilak 111 Sunnyside Ave. community conversations regarding race and housing and would like to show appreciation for those who put the conversations together. Mr. Revilak said that housing in the 20th century boils down to exclusion. Two large farms in Arlington were subdivided into residential neighborhoods and those neighborhoods were originally deeded with racial covenants for whites only. Arlington's Red Line map had no red on it because in 1940 the black population of Arlington was 35 people and just over 100 people by 1970. Mr. Revilak said that in 1973 the Town Meeting passed a bylaw with a moratorium on building apartments for 2 years followed by downgrading the Town's zoning, and voting to reject the Red Line. Mr. Revilak said that he is hoping the Town can address this look at doing this throughout the town, not just narrow corridors of town.

Mike Jacobi Brown 10 Brattle Terrace, a Town Meeting member, felt sad that the Black Lives Matter banner at Town Hall was voted to be taken down. Mr. Brown said he just learned of it yesterday and it was not even in the paper. Mr. Brown said he hopes that the Select Board can wait until we can listen to the impact on the black residents of the town about taking the banner down.

Brad Adams 27 Moss Street wanted to address the removal of the Black Lives Matter banner. Grass roots social justice movement going on for over 100 days. He does not feel it is time to take the Black Lives Matter banner down because he does not think that we have solved it yet. Rally showed up that has roots to the largest anti-Muslim group in the US. This rally was to support the police and the cost was paid out to the police which is a conflict of interest. Taking down the only banner and statement is not what we should be doing right now.

Robin Harney 57 Lake Street said that the Select Board made all marginalized residents of Arlington less safe, particularly black residents, and for this you are complicit in white supremacy. Police and the Black Lives Matter banner are in conflict because we have a deeply racist police department in Arlington. All residents, especially black residents, deserve better than the disrespect you have shown this week. The Banner should stay up and you should start treating black people like their lives actually matter. That begins with acknowledging the problems in the police department.

Kevin Heaton 252 Mass Ave. wanted to share his disappointment with the removal of the Black Lives Matter banner. The

sign needs to stay up and Lt. Pedrini needs to be released.

Shannon Gimerick 38 Lake Hill Ave feels that Arlington has been welcoming. Shannon attended a Select Board meeting as a new resident and was enthused to see the unanimous signing of the bathroom bill. Felt like it was a good choice to be a part of this community. Disappointed that not as welcoming to other parts of community by removing the Black Lives Matter banner. How we can be a more welcoming community for everyone, make it more affordable to live and more diverse.

Martha Vreland 52 Ridgefield Road said she would like to respectfully speak to the Black Lives Matter banner and the police issue. Ms. Vreland said she urges the Select Board not to compare Black Lives Matter movement with the Arlington Police and not give the police the same support. Ms. Vreland said that the Arlington Police Department deserves our respect when they fulfill their duty to serve all residents of Arlington but hate speech promotes violence. New signage cannot replace the Black Lives Matter banner.

Sharon Shealow 8 Ravine Street Select Board tried to quickly get rid of a problem instead of engaging it, which is not good policy. Better process where would have invited feedback could have had a debate and make a better decision. Can't have a housing discussion and want a more diverse community and do things like this at the same time. This is not divorced from housing, a more equitable and diverse community. If the placard inside Town Hall who feels welcome to come in and read it where if you put it outside the whole town is free to read it.

Ezra Fisher 32 Thorndike St. all in favor of focusing on policy but what has changed since June. Mr. Fisher asked if taking the banner down for policy change then what are the changes. If you take down something symbolic to focus on something "real" then you should be able to explain what the policy changes are.

Ben Ruddick 40 Webcowet Rd. exciting to see the Boards come together and talk about housing, everything about our lives gets touched by this. Mr. Ruddick said that it is exciting to see the Select Board excited about housing and that there is a lot of passion in town for positive change.

Mr. Hurd brought the Open Forum to a close and introduced the next agenda item, future joint meeting dates. Mr. Chapdelaine said that he, Ms. Raitt, and the Chair of each Board to determine the date of the next joint meeting.

Mrs. Mahon moved to adjourn for the Select Board, Mr. Diggins seconded for the Select Board, approved 5-0.

Mr. Lau moved to adjourn for the Redevelopment Board, Mr. Watson seconded for the Redevelopment Board, approved 5-0.

Meeting adjourned.



Town of Arlington, Massachusetts

Final Draft of 2021 Goals

Summary:

8:05 p.m. Board will discuss and vote on the next year's goals

ATTACHMENTS:

Type	File Name	Description
▣ Reference Material	Agenda_Item_3_-_ARB_2021_Draft_Goals.pdf	ARB 2021 Draft Goals



ARLINGTON REDEVELOPMENT BOARD

TOWN HALL, 730 MASSACHUSETTS AVE., ARLINGTON, MASSACHUSETTS 02476

TELEPHONE 781-316-3090

2021 GOALS

I. ZONING BYLAW AMENDMENTS

1) Advance Zoning Bylaw amendments to future Town Meetings, ATM 21, and potentially STM Fall, 21

- i. Action – Encourage development and redevelopment opportunities to generate a full range of housing options for all incomes and housing types and also encourage mixed-use development, and new commercial development
 - a) Update Housing Production Plan, including community dialogue to help understand needs, develop goals, develop strategies, and describe barriers to the creation and preservation of housing, particularly affordable housing, in Arlington. Consider advancing zoning amendments for Fall STM (2021)
- ii. Action – Advance zoning bylaw amendment to allow accessory dwelling units (Spring 2021)
- iii. Action – Advance zoning recommendations from Economic Analysis of Industrial Zoning Districts (Spring 2021)
- iv. Action – Review Net Zero Action Plan zoning recommendations (Spring 2021)
- v. Action – Review Connect Arlington (Long-Range Transportation Plan) zoning recommendations (Spring 2021)
- vi. Action – Review forthcoming stormwater management plan (Spring 2021)
- vii. Action – Review and amend zoning in Arlington Heights business districts to align with recommendations in Arlington Heights Neighborhood Action Plan (Fall 2021)
- viii. Action – Review and amend Environmental Design Review criteria (Fall 2021)

II. LONG-RANGE PLANNING

1) Review progress on implementation of the Master Plan

- i. Action – Adopt formal amendments to Master Plan based upon recent completion of long-range plans, including transportation and energy and provide amended Master Plan to DHCD accordingly.
- ii. Action – Direct Master Plan Implementation Committee to provide ARB with an update on implementation status, status of all Working/ Study Groups, and make recommendations on modifications/ updates that might be needed (Spring 2021)

2) Ensure transparent, welcoming, and efficient permit review and delivery system

- i. Action – In alignment with Town effort to modernize permitting processes, convene representatives from the Select Board, Conservation Commission, Historical Commission, Historic Districts Commission, Zoning Board of Appeals, and Board of Health (Summer/Fall 2021)

3) Ensure that economic development goals are achieved in Arlington's business districts

- i. Action – DPCD Director will provide quarterly updates on progress meeting goals, including planning goals, business retention and attraction goals, and new mixed-used development (Ongoing)

4) Review and discuss Site Plan review process (Fall 2021)

5) Review and consider amendments to Arlington's Design Standards, including Town Meeting appropriation to fully update standards (Spring 2021)

III. ARB PROPERTY ASSET MANAGEMENT AND MAINTENANCE

1) Ensure that ARB properties are fully-tenanted and financially stable and that physical assets are maintained and improved

- i. Action – DPCD Director will provide quarterly property updates on improvements to other properties in portfolio. (Quarterly)

IV. SUPPORT COMMUNITY PLANNING GOALS

1) Participate in range of Town committees and initiatives that advance community planning goals

- i. Action - Appoint/ re-appoint committee members serving on ARB committees and ARB designees to committees. (Fall 2021)
- ii. Action - Collaborate with committee implementing Arlington Heights Action Plan (Ongoing)
- iii. *Action – Receive updates from ARB designees to Envision Arlington Standing Committee, Open Space Committee, Housing Plan Implementation Committee, Community Preservation Committee, and others on an ongoing basis. (Ongoing)*



Town of Arlington, Massachusetts

Final Draft ARB Rules and Regulations Amendment

Summary:

8:15 p.m. Board will review and discuss final draft to post for public comment and for hearing at future ARB meeting

ATTACHMENTS:

Type	File Name	Description
▣ Reference Material	Agenda_Item_4_-_ARB_Draft_Rules_and_Regs_070219_amendment_12-16-20.pdf	ARB Draft Rules and Regs 070219 amendment 12-16-20

Arlington Redevelopment Board Rules and Regulations



Town of Arlington Redevelopment Board Rules & Regulations

On August 6, 2018, pursuant to M.G.L. Chapter 40A § 9, the Arlington Redevelopment Board held a Public Hearing to solicit comments on proposed Rules and Regulations and voted 5-0 to adopt Rules and Regulations as the official Arlington Redevelopment Board Rules and Regulations.

For questions regarding these rules and regulations, please contact the Department of Planning and Community Development at 781-316-3090 or go to www.arlingtonma.gov/arb.

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RULE 1 : AMENDMENT AND REVISION

These Rules may be replaced, revised or amended at any time by a majority vote of the Redevelopment Board, where permissible under Federal, State, and local law.

RULE 2 : BOARD OFFICERS

The first Redevelopment Board meeting in January shall begin as an organizational meeting. At that time, the Board shall elect a Chairperson and a Vice Chairperson. If a vacancy occurs in the office of Chairperson, the board shall elect a new Chairperson from among its members before two (2) regular meetings have passed. If a vacancy occurs in the office of Vice Chairperson, the board shall elect a new Vice Chairperson from among its members before two (2) regular meetings have passed.

RULE 3 : ROLE OF THE CHAIRPERSON

The Chairperson shall coordinate with the Secretary Ex-Officio to schedule meetings and submit agendas to the Town Clerk in accordance with M.G.L. c. 30A, §§ 18-25 (“Massachusetts Open Meeting Law”). The Chairperson shall serve as ex-officio member of all Redevelopment Board committees, and as such shall have full power and authority to attend all meetings of such committees and subcommittees, including any portions of such meetings held in closed or executive sessions but shall have the right to vote only in the case of a tie.

RULE 4 : PRESIDING OFFICER

The Chairperson of the Redevelopment Board shall preside at the meetings of the Redevelopment Board. In the absence of the Chairperson, the Vice Chairperson shall preside. In the absence of both, the members present will elect a board member to preside over the meeting. In the event that the Chairperson can no longer serve, the Vice Chairperson shall assume the powers and duties of the Chairperson.

RULE 5 : MEETINGS

The Redevelopment Board will meet on the 1st and 3rd Mondays of each month, at 7:30 p.m., except not on federal and state holidays, in the Town Hall Annex, Second Floor Conference Room, unless otherwise posted with proper notice in accordance with the Massachusetts Open Meeting Law. The frequency, time, and place may be changed by a majority vote of the Board. Executive sessions shall be authorized and governed by M.G.L. c. 30A, § 21. Any three members of the Redevelopment Board may schedule a meeting of the Redevelopment Board and must submit the agenda to the Town Clerk in accordance with the Massachusetts Open Meeting Law.

RULE 6 : MEETING FORMAT

During meetings or Public Hearings at which the Redevelopment Board is considering applications for approvals or special permits, the applicant shall be recognized for presentation, followed by staff comments, questions and comments by Board Members, questions and comments by abutters and other members of the public as addressed to the Chair, and additional questions and comments by Board Members and comments by staff. In presentations by abutters and the public, the Board may grant wide latitude in allowing people to speak, while reserving the right to limit presentations which are not relevant to the matters being discussed or are repetitive. Presentations by abutters and the public are always directed to the Board; it is not intended to allow discussion between those in attendance and the applicant. Time limits may be set by the Redevelopment Board prior to the beginning of a meeting or whenever necessary to facilitate discussion and deliberation in an orderly manner.

No person shall address a meeting of the Redevelopment Board without the permission of the presiding officer, and all persons shall, at the request of the presiding officer, be silent. No person shall disrupt the proceedings of the Redevelopment Board. If, after clear warning from the presiding officer, a person continues to disrupt the proceedings, the presiding officer may order the person to withdraw from the meeting and if the person does not withdraw, the presiding officer may authorize a constable or other officer to remove the person from the meeting per M.G.L. c. 40A.

RULE 7 : PARLIAMENTARY GUIDELINES

In all matters of parliamentary procedure not provided for in the constitution and laws of the Commonwealth and the Town Manager Act or explicitly elsewhere in these rules, the presiding officer and the members shall be guided by the principles of fairness, clarity, and efficiency, in that order. In determining any parliamentary questions, due regard shall be given to the entire scholarship of parliamentary procedure, with particular emphasis on Robert's Rules of Order, but guidance may also be provided by other authorities and examples of parliamentary procedure, including reference to rules and rulings of state and local legislative bodies.

RULE 8 : QUORUM

Four members of the Redevelopment Board shall constitute a quorum for M.G.L. c. 40A § 9 to grant a special permit.

RULE 9 : RECORD KEEPING

Unless otherwise provided for by the Redevelopment Board, the Secretary Ex-Officio shall keep a record of the proceedings and perform such duties as may be assigned by other Redevelopment Board vote. The Secretary Ex-Officio shall transmit copies of the previous meeting’s minutes to all Board members prior to the next scheduled meeting. After the minutes have been approved by the Redevelopment Board, a copy shall be forwarded to the Town Clerk. Copies of the minutes of each meeting of the Redevelopment Board shall be posted online and may be requested through the Town Clerk who will provide copies of the requested minutes. Audio and visual recordings of meetings may be made and kept at the discretion of the Secretary Ex-Officio. If audio or visual recordings of meetings are made, the Chair shall notify the Board, participants, and the public at the start of the meeting.

RULE 10 : FILING DEADLINES AND SUBMITTALS FOR REGULAR MEETINGS

The submission of materials, incorporating materials into the agenda, the delivery of materials to the Board, and the posting of materials to the Town Clerk and on the website are all time sensitive and dependent on one another. The following chart outlines the responsible party and timeframe that each action shall occur:

ARLINGTON REDEVELOPMENT BOARD SUBMITTALS SCHEDULE			
	<u>Action</u>	<u>Responsible Parties</u>	<u>Deadline</u>
1	<i>Agenda material submission</i>	Department of Planning and Community Development (DPCD) Director, staff, ARB members, general public	Any time prior to submission deadline
2	<i>Agenda material</i>	DPCD Director, staff, ARB	At least one week prior to

	<i>submission ends</i>	members, general public	p.m. Friday of the week prior to the week before the <u>published</u> meeting date
3	<i>Agenda finalized</i>	DPCD staff, ARB chair	4 p.m. Monday of the <u>day-</u> week prior to <u>posting the</u> meeting <u>agenda</u> ; if holiday, then Tuesday of the week prior to meeting date
4	<i>Meeting packet finalized</i>	DPCD staff	4 p.m. Tuesday of the <u>week-day</u> prior to <u>posting the</u> meeting <u>agenda</u> <u>date</u>
5	<i>Agenda posted to Clerk and website</i>	DPCD administrative assistant	<u>At least 48 hours prior to such meeting, excluding Saturdays, Sundays and legal holidays, in accordance with Open Meeting Law, G.L. c. 30A, § 20</u> 12 p.m. Wednesday of the week prior to meeting date
6	<i>Meeting packet made available to ARB members and members of the public</i>	DPCD administrative assistant	12 p.m. Wednesday of the week <u>At least 48 hours prior to such meeting, excluding Saturdays, Sundays and legal holidays, in accordance with Open Meeting Law, G.L. c. 30A, § 20</u> prior to meeting date

Any member of the public may email or provide any written comments to the Director by 12:00 p.m. of the day of the meeting. If visual information is provided as part of this correspondence, material must be received by 12:00 p.m. at least 48 hours prior to such meeting, excluding Saturdays, Sundays and legal holidays, in accordance with Open Meeting Law, G.L. c. 30A, § 20.

This workflow ensures effective and efficient business practices, accountability, and consistency in the ARB meeting process. “Material Submitters” are considered anyone who submits an agenda item or agenda item reference materials, including ARB members, DPCD staff, and the general public. All material submitters shall: submit reference materials for inclusion in the agenda packet as early in the process as possible; notify DPCD Administrative staff if reference materials will not meet that deadline; and submit reference and all supporting materials digitally as a Microsoft Office compatible file, a PDF, a common image format, or as an email. If any deadline cannot be met, the DPCD staff has the right to enforce the workflow policy; agenda items and reference materials that do not meet the deadline will not be included and will be moved to the following meeting. Further, the Board will not accept new supplemental application materials anytime between the posting of a meeting notice and the night of the meeting.

The DPCD Director and staff shall review and develop agenda items and reference materials at any time prior to the deadline for any ARB meeting; request a Material Submitter to submit reference materials in digital format as described above; post the agenda prior to the meeting in accordance with the schedule; distribute or notify the appropriate parties when the agenda packet is finalized and available; and print agendas, certain reference materials, or entire agenda packets as needed

for meetings. Printed agendas, certain reference materials, or entire agenda packets may be requested from the DPCD Administrative Staff by 10 a.m. on Friday prior to the meeting date.

RULE 11 : LEGAL NOTIFICATION

Before granting a special permit, the ARB shall hold a public hearing, notice of which shall be given by the Department of Planning and Community Development in a local newspaper once in each of two successive weeks with the first publication to be not less than fourteen (14) days before the date of hearing, and to owners of all property abutting the proposed development or land in the same ownership or contiguous ownership, and to all property owners deemed by the ARB to be affected specifically thereby. The ARB shall upload all application materials through NovusAgenda and make one copy available at the Department of Planning and Community Development.

RULE 12 : FEES FOR APPEARING BEFORE THE REDEVELOPMENT BOARD

The Redevelopment Board has the authority to set and adjust the fees periodically for appearing before the Redevelopment Board. The current fee schedule as of August 2018 is:

Minimum Fee for any application	\$500.00
New Construction fee	\$0.20/square ft. of new construction

RULE 13 : APPLICATION TIMETABLES AND EXPIRATION

All Special Permits before the Redevelopment Board are subject to the following timelines. Within 10 days of receipt of application, copies of the application must be transmitted by the Department of Planning and Community Development to Inspectional Services. Following staff evaluation of the proposal, the DPCD may determine that any of the following Boards, Departments, or Commissions need to be notified as part of project review: Board of Health; Conservation Commission; Public Works; Engineering; Historical Commission; Historic Districts Commission; Fire Department; Police Department; and Zoning Board of Appeals. All other boards, commissions, or departments will be given 35 days to respond. Failure to respond will be deemed to be lack of opposition. Additionally:

1. Hearings must start within 65 days of application submission.
2. Once the hearing has commenced, it may be continued. If continued beyond 90 days, the petitioner must receive a written agreement from the ARB in order to continue the hearing.
3. Final action must be taken by the Redevelopment Board within 90 days of the hearing's closure. If decision is not reached within 90 days after closure of the hearing, petitioner may notify the Town Clerk and abutters within 14 days after the 90th day that they are seeking approval of its application for failure of the Redevelopment Board to act on its application within 90 days, or any extended time period beyond the 90 days, pursuant to M.G.L. c.40A, § 9, and comply with the requirements set forth therein.
4. Within 14 days of the Board's final action, the Board must file a record of its Decision in the Town Clerk's Office pursuant to M.G.L. c. 40A, § 9.

RULE 14 : ENVIRONMENTAL DESIGN REVIEW SUBMITTAL REQUIREMENTS

For any project subject to an Environmental Design Review Special Permit, applicants and the Board shall reference and apply the Town of Arlington's Design Standards. These were developed to provide direction for the design of new development and redevelopment primarily in commercial and industrial areas (Business Districts, Industrial Districts, Multi-Use Districts, and for Mixed-Use Development). The Standards focus on development along Massachusetts Avenue, Broadway, the Minuteman Bikeway, and the Mill Brook areas.

All applications shall include plans certified by the land surveyor conducting the boundary survey and professional engineer or architect on the location of the building(s), setbacks, and all other required dimensions, elevations, and measurements. Plans shall be signed under the penalties of perjury. Corner points of a lot (or lots under common ownership) and the change of direction of lines to be marked by stone monuments, cut in stone, stake and nail, iron pin, or other marker shall be marked on plans. The site plan shall be subject to the standards of the Arlington Zoning Bylaw Section 3.4 and the ARB shall make a determination that the project meets these standards.

Submittals include but are not limited to the following:

1. **3-D Rendering.** 3-D renderings are required showing the parcel, abutting streets, proposed contours, proposed buildings, and the massing of abutting buildings. This requirement may be waived by DPCD staff for small projects. Proposals may also be required to provide computer-generated overlays on existing photographs.
2. **Physical Model.** The Board may request a physical model.
3. **Drawing of Existing Conditions.** A drawing (at a minimum of 1" = 20' unless another scale is found suitable by DPCD) showing the location, type, size, or dimension of existing trees, rock masses, existing topography at 2' contours, and other natural features with designations as to which features will be retained. In order to meet the conditions for approval of a Special Permit, all existing trees, rock masses, and other natural features shall be retained until a special permit is approved.
4. **Drawings of Proposal.**
 - i. **Building/ Structure:** Drawings illustrating the color and type of exterior materials including front, rear, and side elevations where there are no adjoining buildings. Floor plans are required for all floor levels.
 - ii. **Landscape:** Drawings showing the location, dimensions, and arrangements of all open spaces and yards, including type and size of planting materials, the color and type of surface materials, methods to be employed for screening, and proposed topography at 2' contours.
 - iii. **Site Plan:** A site plan is required including drainage, utilities, location of parking, and other site features.
5. **Photographs.** Photographs showing the proposed building site and surrounding properties. Applications for alterations and additions shall include photographs showing existing structure or sign to be altered and its relationship to adjacent properties.
6. **Samples.** The Board may request that the applicant provide physical samples of building materials.
7. **Impact Statement.** Applicant shall explain how each of the environmental design review standards is incorporated into the design of the proposed development. Where a particular standard is not applicable, a statement to that effect will suffice. An environmental impact report or statement prepared in accordance with state or Federal regulations may be accepted as a substitute in lieu of this statement, provided it explains how each of the environmental

design review elements is incorporated into the design

8. **Signs.** Application for permit and accompanying plans as specified in Rule 14 for each sign that is to be erected on the proposed structure(s). In lieu of the required submittals listed above, an application for a special permit for a temporary sign per the Arlington Zoning Bylaw 6.2.4(M) shall include an overall signage plan comprised of the information required under the Arlington Zoning Bylaw Section 6.2.10 as well as perspectives, renderings, photographs, models, or other representation sufficient to show the nature of the proposed overall signage plan and its effect on the immediate surroundings.

All materials must be submitted in an electronic format. Additionally, two full sets of plans, submittal documents, and any supplemental documents are required for submission. The Board may request additional documents during the review and approval process, as well as following special permit approval.

RULE 15 : BOARD DECISIONS

The ARB shall review the plans and may grant a special permit subject to the conditions and safeguards listed in the Arlington Zoning Bylaw Section 3.3 and 3.3.4. For stated reasons the ARB may deny approval of a special permit or may approve a special permit without a finding of hardship. As required by M.G.L. c. 40A, §9, a positive vote of at least four members of the Redevelopment Board is needed to issue a special permit. Upon the Board's approval, the Secretary Ex-Officio may sign decisions following a vote of the Board and file decisions per requirements of M.G.L. c. 40A. The final decision shall be emailed and may receive administrative corrections following the Board's votes.

RULE 16 : CODE OF ETHICS CONDUCT

A. Generally

In supplement to and above State and Town ethics, public records, open meeting and non-discrimination laws, the Redevelopment Board requires an atmosphere of professional conduct and civility among its members, and shall not tolerate harassment, discrimination, or offensive behavior based on race, color, religion, national origin, gender, gender identify, age, disability, or sexual orientation, nor shall any member of the Redevelopment Board use profanity, insulting, threatening, or abusive language in the course of public debate or in testimony before any Town Department, Board or Commission. Furthermore, this code of ethics conduct shall apply whenever a Redevelopment Board Member is in any public setting representing said Board.

B. Internal Board Relations

A Redevelopment Board member, in their relations with fellow Board members, should:

1. Recognize that action at official legal meetings is binding and that they alone cannot bind the Board outside of such meetings;
2. Refrain from public statements or promises of how they will vote on matters that will come before the Board until he or she has had an opportunity to fully vet the issue during a Board meeting;

3. Make decisions only after all facts on a question have been presented and discussed;
4. Uphold the intent of executive session and respect the privileged communication that exists in executive session;
5. Refrain from communicating the position of the Redevelopment Board to anyone unless the full Board has previously agreed on both the position and the language of the statement conveying the position;
6. Treat with respect the rights of all members of the Board despite differences of opinion;
7. Afford members of the Board the opportunity to speak on matters in Board meetings and hearings without interruption.

C. Board-Town Staff Relations

A member of the Redevelopment Board, in their relations with Town staff, should:

1. Treat all staff as professionals that respects the abilities, experience, and dignity of each individual;
2. Exercise caution and discretion in public criticism of any individual Town employee. Member concerns about performance of staff reporting to the Town Manager should, under ordinary circumstances only be articulated to the Town Manager, or, in limited circumstances, other appropriate Town personnel, such as the Director of Planning and Community Development, Town Counsel or other Department heads.
3. Keep requests for staff support to a minimum wherever possible, and ensure that all requests go through the Director of Planning and Community Development's Office.
4. To the extent practicable, insure that any materials or information provided to an individual member from a staff member be made available to all members of the Redevelopment Board.

These principles shall be enforced by public admonition through resolution, censure, and other action deemed appropriate by the Board or its appointing authorities. Jurisdiction rests with the Redevelopment Board as a whole, and therefore any member may motion for a finding of a violation of this Rule.

RULE 17 : RULES FOR HIRING OUTSIDE CONSULTANTS UNDER M.G.L. c. 44 §53G

A. Purpose

As provided by M.G.L. c. 44 §53G, the Redevelopment Board may impose reasonable fees for the employment of outside consultants, engaged by the Redevelopment Board for specific expert services. Such services shall be deemed necessary by the Board to come to a final decision on an application submitted to the Redevelopment Board pursuant to the regulations and requirements of the Arlington Zoning Bylaw or any other Town bylaw, regulation, or rule as they may be amended or enacted from time to time.

B. Special Account

Funds received pursuant to these rules shall be deposited with the Treasurer who shall establish a special account for this purpose. Expenditures from this special account may be made at the direction of the Redevelopment Board without further appropriation as provided in M.G.L. c. 44 §53G. Expenditures from this account shall be made only in connection with a specific project or projects for which a consultant fee has been collected from the applicant. Expenditures of accrued interest may also be made for these purposes. At the completion of the Board’s review of a project, any excess amount in the account, including interest, attributable to a specific project shall be repaid to the applicant or the applicant’s successor in interest. For the purposes of this rule, any person or entity claiming to be an applicant’s successor in interest shall provide the Board with documentation acceptable to the Board establishing such succession in interest.

C. Consultant Services

In hiring outside consultant(s), the Redevelopment Board may engage engineers, planners, lawyers, urban designers, or any other appropriate professional who can assist the Redevelopment Board in analyzing the project and to ensure compliance with all relevant federal, state, and local laws, statutes, ordinances, and regulations. Specific consultant services may include, but are not limited to, site plan review, stormwater review, traffic analysis, or land use law. Services may also include on-site monitoring during construction, or other services related to the project deemed necessary by the Redevelopment Board. The minimum qualifications shall consist either of an educational degree in, or related to, the field at issue or three (3) or more years of practice in the field at issue, or a related field. The consultant shall be chosen by, and report only to, the Redevelopment Board and/or its administrator. Hiring outside consultants shall comply with the Uniform Procurement Act, M.G.L. c. 30B §§ 1-19.

D. Notice

The Redevelopment Board shall give written notice to the applicant of the selection of an outside consultant, which notice shall state the identity of the consultant, the amount of the fee to be charged to the applicant, and a request for payment of said fee in its entirety. Such notice shall be deemed to have been given on the date it is mailed by first class United States Postal Service or delivered by e-mail. No such costs or expenses shall be incurred by the applicant if the application or request is withdrawn within five (5) business days of the date notice is given.

E. Payment of Fee

The fee must be received prior to the initiation of consulting services. The Board may request additional consultant fees if necessary review requires a larger expenditure than originally anticipated or new information requires additional consultant services. Failure by the applicant to pay the consultant fee specified by the Redevelopment Board within ten (10) business days of the request for payment, or refusal of payment, shall be cause for the Redevelopment Board to deny the application based on lack of sufficient information to evaluate whether the project meets applicable performance standards in the Arlington Zoning Bylaw. The Redevelopment Board will state as such in a letter to the applicant. No additional review or action shall be taken on the permit request until the applicant has paid the requested fee, other than a denial based on insufficient evidence. When the Redevelopment Board’s review of a project is completed and a permit issued, any balance in the special account attributable to that project shall

returned within 30 days. The excess amount, including interest, shall be repaid to the applicant or their successor.

F. Appeals

The applicant may appeal the selection of the outside consultant to the Town Manager, who may disqualify the outside consultant selected only on the grounds that the consultant has a conflict of interest or does not possess the minimum required qualifications. Such an appeal must be in writing and received by the Town Manager within ten (10) days of the date consultant fees were requested by the Redevelopment Board with a copy received by the Redevelopment Board on the same date as received by the Town Manager. The required time limits for action upon the application shall be extended by the duration of the administrative appeal. In the event that no decision is made by the Town Manager within one month following the filing on an appeal, the selection made by the Redevelopment Board shall stand.

RULE 18 : SIGN APPLICATIONS AND REVIEW PROCEDURES FOR ADMINISTRATIVE APPROVAL

Sign modifications on properties subject to Environmental Design Review (EDR) may be considered for administrative approval by the Director of Planning and Community Development provided the applicant demonstrates that the following criteria are met:

1. The ARB previously approved a sign through the Environmental Design Review Special Permit process or a prior sign permit was approved by Inspectional Services;
2. The sign(s) meet zoning requirements;
3. There are no known zoning or general bylaw violations outstanding on the property;
4. All of the following conditions are met:
 - a. The same number or fewer signs are proposed;
 - b. The same size or smaller sign(s) or sign area is proposed; and
 - c. The sign(s) proposed is in the same locations as the existing sign(s).
5. The sign(s) illumination is the same illumination as for existing sign(s);
6. The new sign(s) are not internally illuminated;
7. The sign(s) are legible from the public way in the Director or their designees' opinion; and
8. There are not any sign(s) proposed for storefront windows.

If sign proposals do not meet all of the criteria above, then the applicant must submit a full Environmental Design Review application for the Redevelopment Board's review and approval. The Department of Planning and Community Development is not required to provide administrative approval and may at any time refer the application to the Board.

Procedure: Submit a \$500 fee payable to the Town of Arlington and one copy of the following documents to the Department of Planning and Community Development

1. Photos of existing signs maintained on the premises;
2. Drawing of building facade indicating location of the proposed sign(s).
3. Drawing to scale of proposed sign(s) with dimensions and construction specifications, materials, mounting method, lighting, and wiring;
4. Cut sheet for any lighting; and
5. Photo simulation, perspectives, renderings, or other representations sufficient to show the nature of the proposed sign(s) and its effect on the immediate surroundings.

RULE 19 : Review of Religious and Educational Uses

A. Purpose

The purpose of Rule 19 is to provide for reasonable regulation of religious, non-profit educational, and child care facilities used primarily for such purposes consistent with G.L. c. 40A, §3. Specifically, “reasonable regulation” refers to the bulk and height of structures and in determining yard sizes, lot area, setbacks, open space, parking, and building coverage requirements. When applying reasonable regulation, the Town shall not unreasonably impede the protected use without appreciably advancing the purposes of the Zoning Bylaw, goals of the Arlington Master Plan, or other development plans and policies of the Town.

B. Procedures

1. **Building Inspector Review:** To determine whether a religious, non-profit educational, or child care facility use is protected under G.L. c. 40A, §3, the property owner or agent of an owner shall submit to the Building Inspector such information necessary to make the following findings:

- That the applicant has sufficiently demonstrated that the proposed use of the property or structures is for a religious, non-profit educational, or child care purpose, or appropriate combination thereof; and
- That the applicant has sufficiently demonstrated that the proposed use of the property or structure for these purposes is the principal use.

If the applicant has satisfied the Building Inspector as outlined above, the Building Inspector shall so inform the applicant and the Department of Planning and Community Development (“Department”) in writing, within 30 days of having received the information provided by the applicant, that the application is appropriate for administrative review for the purposes set forth by Rule 19. If the applicant has not satisfied the Building Inspector as outlined above, the Building Inspector shall so inform the applicant in writing within 30 days of having received the information provided by the applicant.

2. **Department of Planning and Community Development Review:** The Department shall apply those requirements allowed by G.L. c. 40A, §3, in a reasonable fashion within the specific context of the proposed project as an administrative approval process.

- The applicant bears the burden of establishing that the application of a given regulation should be waived, reduced, or altered as unreasonable within the specific facts of both the site and the proposed use.
- The Department shall apply the reasonable regulations in accordance with the purposes of the Zoning Bylaw, the goals of the Arlington Master Plan, or other development plans and policies of the Town, and G.L. c. 40A, §3

The Department shall prepare an administrative decision outlining any conditions within 30 days, and provide copies to the applicant and the Building Inspector. The applicant may then pursue a permit from the Department of Inspectional Services which shall be issued by the Building Inspector.

C. Appeals/ Grievances

An appeal to the Board of Appeals may be taken by any person aggrieved by the determination of the Building Inspector, as provided in G.L. c. 40A, § 8 and § 15. A grievance to the Town Manager may be taken by any person aggrieved by the determination of the Department of Planning and Community Development.



Town of Arlington, Massachusetts

Public Forum: Economic Analysis of Industrial Zoning Districts

Summary:

8:30 p.m.

The Economic Analysis of Industrial Zoning Districts looks to create opportunities for the Town to realize greater revenue in the industrially-zoned areas of Arlington by making strategic zoning amendments to incentivize new growth. The Zoning Bylaw Working Group, DPCD, and consultants RKG Associates and Harriman considered community goals and various development scenarios in order to inform zoning recommendations and possible amendments to well-position Arlington in the regional industrial and commercial marketplace. This presentation will be made during the [Arlington Redevelopment Board's December 21st meeting](#) with time for public comment, input, and dialogue following the presentation. Project information, including draft zoning, may be found on the ZBWG's website: <https://www.arlingtonma.gov/town-governance/boards-and-committees/master-plan-implementation-committee/zoning-bylaw-working-group>.

Representatives from RKG Associates and Harriman and the Department of Planning and Community Development will make a presentation and facilitate a discussion with the Board and participants about the final report and recommendations.

ATTACHMENTS:

Type	File Name	Description
▢ Reference Material	20201221_ARB_Presentation_compressed.pdf	Presentation - Economic Analysis of Industrial Zoning Districts

Arlington, MA

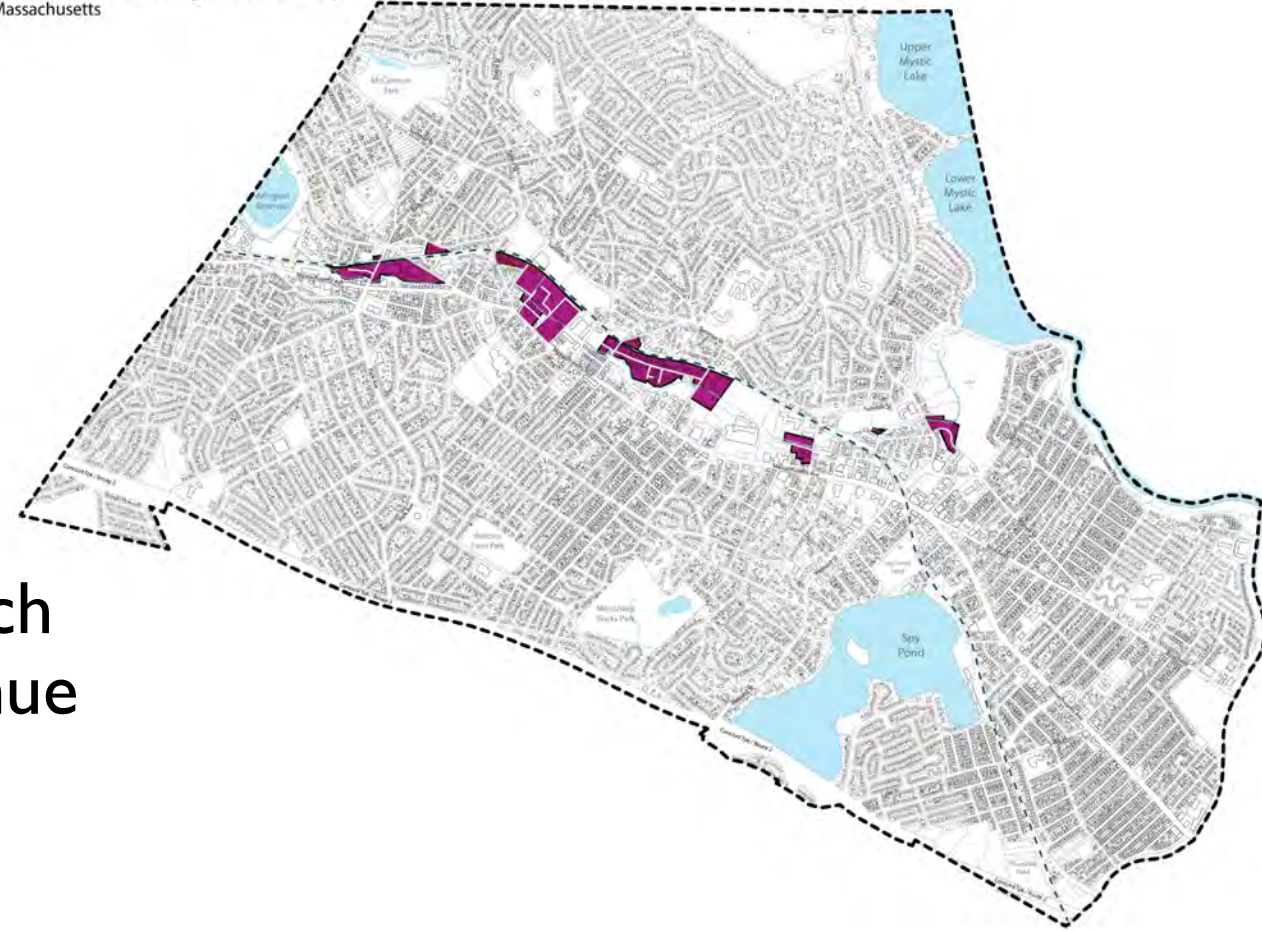
Economic Analysis Of Industrial Zoning Districts

Presentation to the Arlington Redevelopment Board
December 21, 2020

Project Goals

- Position Arlington to attract new businesses and jobs in emerging growth industries to the Industrial District; and
- Create opportunities through which Arlington can realize greater revenue with strategic amendments to the Zoning Bylaw and Zoning Map.

Industrial District Study - Base Map
Arlington, Massachusetts



Project Background

September 2019:

RFP for an Economic Analysis of Industrial Zoning Districts released.

RKG Associates and Harriman selected as contractor.

December 2019:

Project Kickoff.

2020:

Completion of an economic analysis.

Preparation of zoning recommendations.

Public Engagement – Video Presentation and Survey.

Preparation of draft zoning amendments.

Zoning Bylaw Working Group

Mike Byrne

Adam Chapdelaine

Pamela Heidell

Charles Kalaskas

Christian Klein

Steven Revilak

David Watson

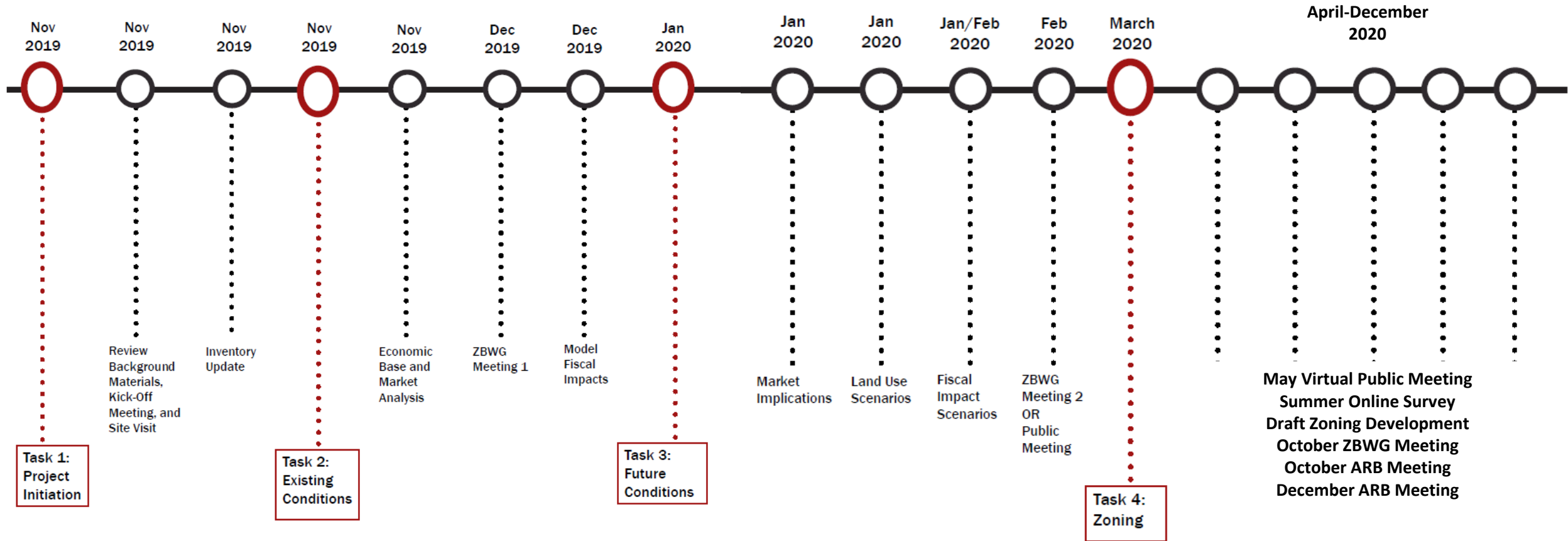
Ralph Willmer

John Worden

Jenny Raitt

Erin Zwirko

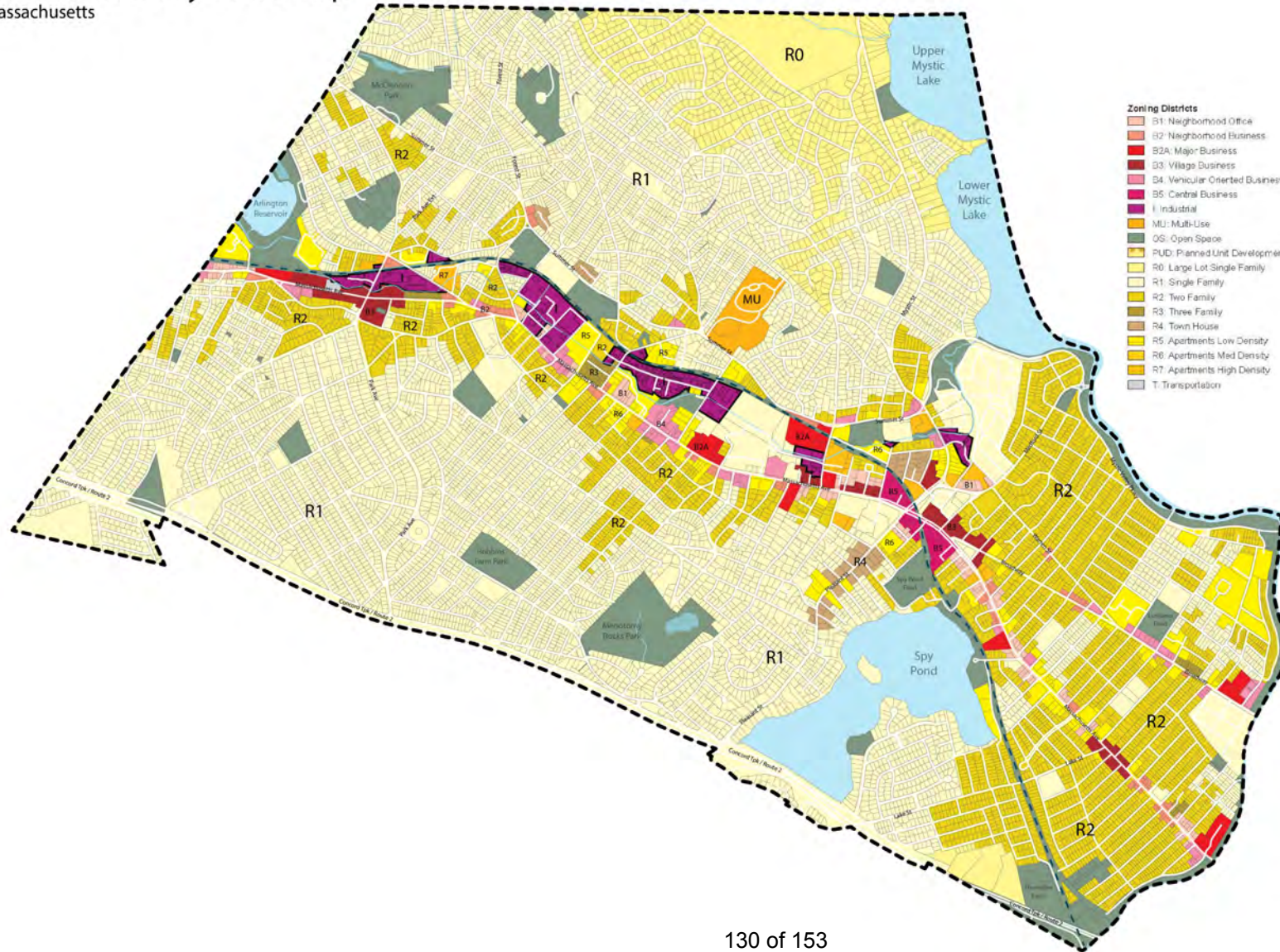
Timeline





Arlington's Industrial Zones – Market Findings

Industrial District Study - Base Map Arlington, Massachusetts



What kind of demand for commercial space could emerge in Arlington?

Middlesex County Projected New Jobs, Present to 2029

Selected job growth categories, 4-Digit NAICS

	Jobs 2018	Net New Jobs by 2029	Space Required
Middlesex County Total	1,035,000	85,000	21,250,000 sf
Scientific Research & Development Serv.	49,800	19,000	4,750,000 sf
Management of Companies	33,000	10,000	2,000,000 sf
Colleges, Universities & Prof. Schools	66,700	8,900	1,790,000 sf
Management & Scientific Consulting Serv.	22,600	6,300	1,270,000 sf
Restaurants	53,300	5,400	940,000 sf
Computer Systems Design	44,200	3,700	735,000 sf

Sources: EMSI Industry Table Projections; US Bureau of Labor Statistics; RKG Associates.

Arlington today comprises

1%

of Middlesex County jobs



“Fair Share”

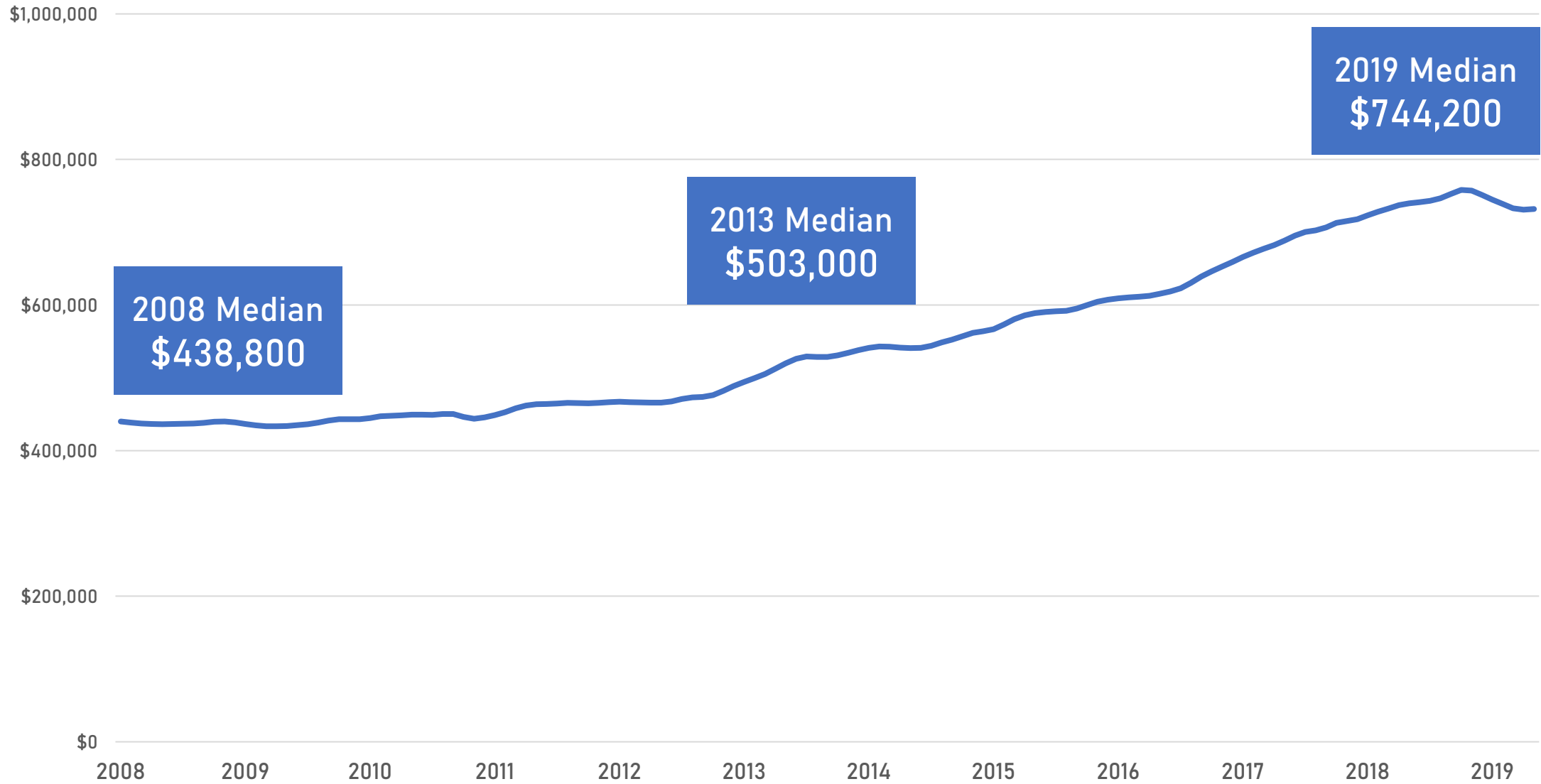


Potential demand for

+/- 200,000 sf

of commercial space
over 10 years

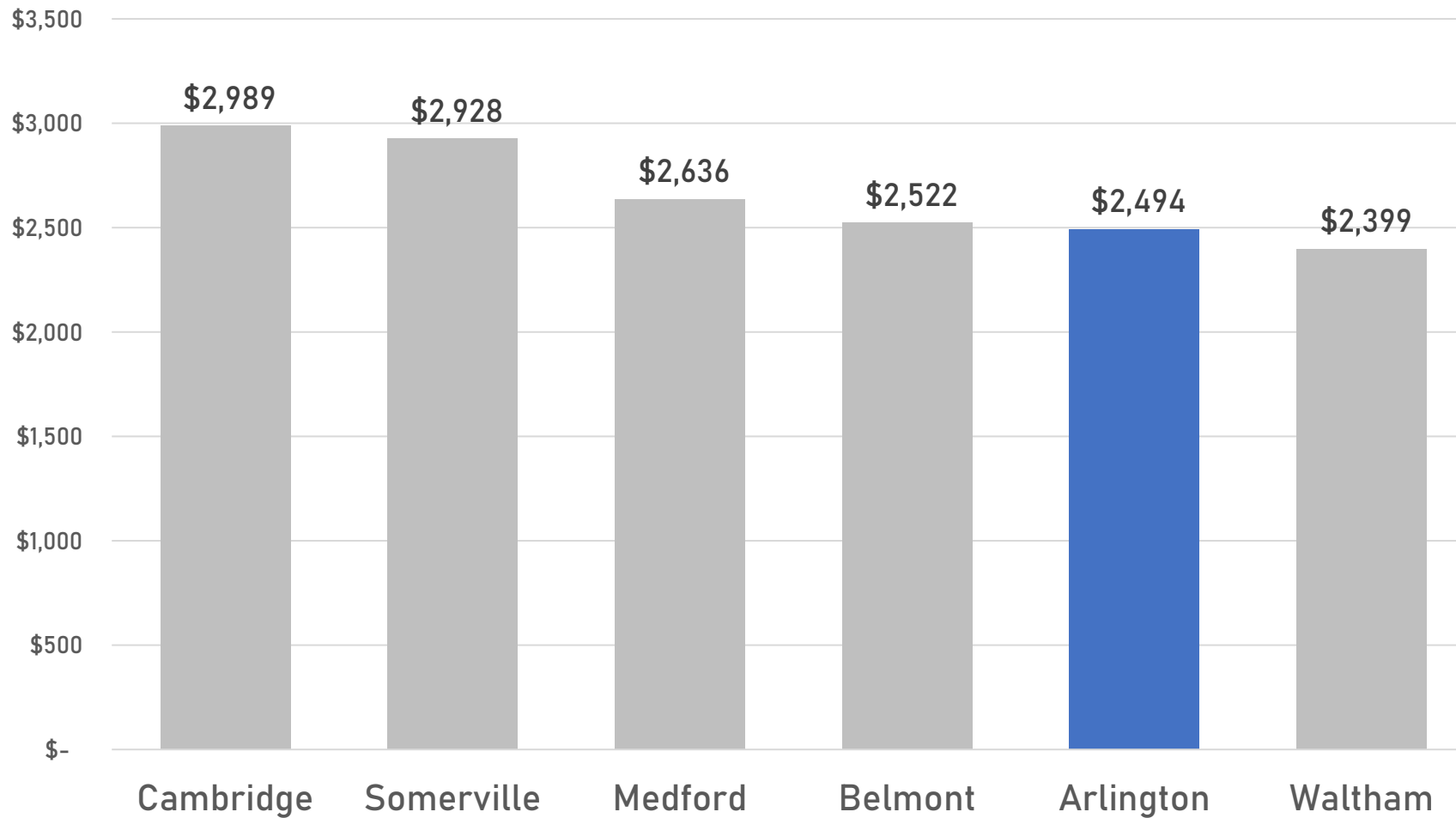
Median Home Value Trend



— Arlington 132 of 153

Sources: Zillow Research Housing Value Index Time Series; RKG Associates.
December 21, 2020

Median Monthly Rent, 2019



Key Takeaways

Arlington's relatively small job base mostly consists of lower-paying jobs held by residents of other communities.

Existing jobs in industrial zones are highly diverse, with most in sectors that pay above the town average salary.

Middlesex County's hot housing market is exerting pressure on industrial zones – especially those with aged structures.

Firms in legacy industrial sectors are struggling to financially justify Arlington rents.

Higher-tech industrial firms may see Arlington as a desirable, less-expensive option, although recruitment may be a challenge.



An aerial photograph of Arlington, Virginia, showing a mix of industrial and residential areas. In the foreground, there are several large industrial buildings, including a prominent white building with a grid-like roof structure, and a large parking lot filled with cars. The background shows a dense residential area with many houses and trees. The city skyline is visible in the far distance under a clear blue sky.

Arlington's Industrial Zones – Proposed Zoning

Considerations for Development Standards

- Responsibility: Developer vs. tenant
- Enforceability of standard at implementation and over time
- Temporary vs. permanent impact
- Relationship of cost to benefit
- Relationship of private benefit to public impact

Considerations for Height Bonus

- Link to community values around sustainability and goals for NetZero energy usage

Considerations for Parking Standards

- Encouragement of public transit or non-vehicular methods of transportation
- Reduction of the impact of heat island effect
- Reduction or elimination of stormwater runoff to protect brooks

Proposed Development Standards

- Buildings must be solar-ready
 - ARB can adjust height and setbacks to allow the installation of equipment for renewable energy
- Yards
 - Buildings no more than 10 feet from the front lot line
 - Low-impact stormwater management
- Transparency and Access
 - Ground floor windows
 - Equal treatment of all façades
 - Connections from public sidewalk to front entry;
- Lighting
 - Dark-Sky friendly

Solar-ready building design, as the name suggests, refers to designing and constructing a building in a way that facilitates and optimizes the installation of a rooftop **solar** photovoltaic (PV) system at some point after the building has been constructed. www.nrel.gov

Proposed Development Standards

Pedestrian Amenities (Choices)

Choose 1



<https://www.showcase.com/4957-allison-pky-vacaville-ca-95688/18095269/>

OR



<http://www.landscapearchitecture.com/datsheet/tournesolsiteworks/tournesolsiteworks.html>

+

Choose 1



<https://www.pinterest.ch/pin/140807925826545553/>

OR



<http://cbbel.com/madison-street-streetscape/>

OR



<https://artfulrainwaterdesign.psu.edu/project/southwest->

Proposed Height Bonus

Choose 1

Vegetated Landscape



<https://www.youtube.com/watch?v=6XApzoTZS6k>

Highly Reflective



<https://www.networx.com/article/reflective-roof-coatings-for-asphalt-roof>

Solar power



<https://www.everguardsolar.com/uncategorized/is-ballast-mounted-solar-right-for-your-flat-roof/>

High Albedo Concrete



<https://www.buildings.com/article-details/articleid/21182/> title=are-cool-pavements-all-they-re-cracked-up-to-be-

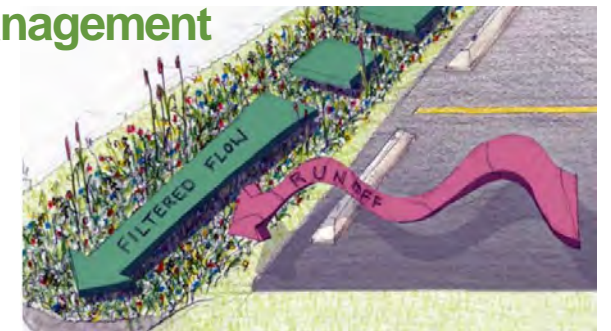
Blue roof



Unknown



100% On-site Stormwater Management



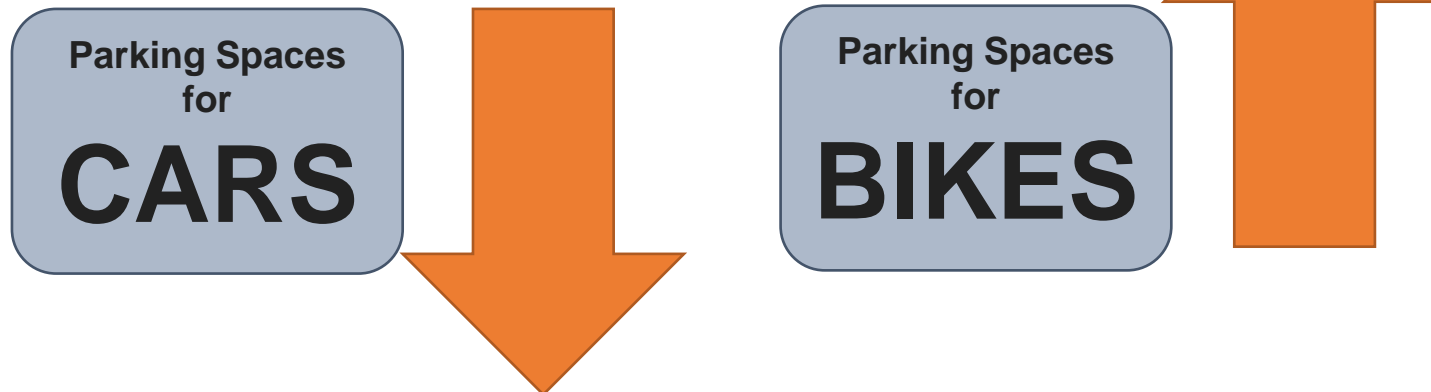
Parking Lot Landscaping Ordinance-Village of Glenview

Parking Standards

- Pervious surfaces for excess parking
- Required for impervious surfaces
 - Highly reflective surface
 - Shade (trees or solar panels)
- Encouraged
 - Rain gardens, bioswales, etc.
 - Electric vehicle charging stations




<https://waylandstudentpress.com/51402/articles/solar-panels-installed-in-whs-parking-lots/>



Changes to Recommended Modifications

- Section 2. Definitions
 - Add Self-service storage facility
 - Moved standards by use to Section 5.9
- 5.3.7 Dimensional Regulations
 - Clarified screening along Minuteman Bikeway
- 5.6.2 Dimensional and Density Regulations
 - Clarified screening along Minuteman Bikeway
 - Clarified standards for solar readiness, accessibility, lighting, and pedestrian amenities
- 5.6.3 Use Regulations (Table of Uses)
 - Added self-service storage facility and requires a special permit
 - Note that mixed-use can include residential, subject to 5.9.10
- 5.9 Supplemental Regulations for Permitted Uses
 - Moved standards by use from Section 2
 - Limits residential uses to a component of a mixed-use development.
 - Can be either vertical or horizontal
 - Ground floor of principal building must be industrial or commercial
 - Residential use is limited with respect to the ground floor area of the principal industrial use.



Arlington's Industrial Zones – Proforma Analysis

Proforma Analysis

Site 1: Mystic St.



Proforma Analysis

Scenario One: Industrial Retrofit

Development scenario adds two additional stories of office space and includes 65 surface parking spaces.

Total development cost is nearly \$6.6M.

The financial return under this scenario is positive as potential revenues gained from undertaking the project outstrip initial development and operational costs.

Net present value under this scenario is \$200,755 indicating an existing owner may be willing to undertake this project.

This project could potentially carry additional mitigation costs.

Scenario Development Program Source: RKG Associates, Inc.

Land Use	Development Square Feet	Parking Spaces
Residential	N/A	N/A
Office	26,000	52
Flex/ Industrial	13,000	13
Total	39,000	65

Scenario Financial Return Source: RKG Associates, Inc.

Key Financial Metrics	
Equity	\$1,638,105
Debt	\$4,914,314
Total Development Cost	\$6,552,419
Desired IRR	10%
Actual IRR	11.5%
Cash on Cash Return	7%
Net Present Value	\$200,755
Net Fiscal Impact of New Dev't	\$74,971

Proforma Analysis

Site 2: Ryder St.



Proforma Analysis

Scenario Two: New Industrial Development

Development scenario is entirely Flex/ Industrial and includes 26 surface parking spaces.

Total development cost is nearly \$7M.

The financial return under this scenario is negative as costs significantly outstrip potential revenues gained from undertaking the project.

Net present value under this scenario is negative \$2.5M indicating developers would be better off allocating their resources elsewhere as significant subsidy would be required to make the project feasible.

This project could not carry additional mitigation costs.

Scenario Development Program
Source: RKG Associates, Inc.

Land Use	Development Square Feet	Parking Spaces
Residential	N/A	N/A
Office	N/A	N/A
Flex/ Industrial	26,000	26
Total	26,000	26

Scenario Financial Return
Source: RKG Associates, Inc.

Key Financial Metrics	
Equity	\$1,722,523
Debt	\$5,167,572
Total Development Cost	\$6,980,095
Desired IRR	10%
Actual IRR	N/A
Cash on Cash Return	-7%
Net Present Value	-\$2,483,488
Net Fiscal Impact of New Dev't	\$65,386

Proforma Analysis

Site 3: Dudley St.



Proforma Analysis

Scenario Three: Mixed-Use Development (Flex/Industrial and Office)

Development scenario is a mix of Flex/ Industrial and Office and includes 88 surface parking spaces.

Total development cost is nearly \$16.7M.

The financial return under this scenario is negative as costs outstrip potential revenues gained from undertaking the project.

Net present value under this scenario is negative \$1.86M indicating developers would be better off allocating their resources elsewhere as significant subsidy would be required to make the project feasible.

This project could not carry additional mitigation costs.

Scenario Development Program
Source: RKG Associates, Inc.

Land Use	Development Square Feet	Parking Spaces
Residential	N/A	N/A
Office	34,000	68
Flex/ Industrial	19,500	20
Total	53,500	88

Scenario Financial Return
Source: RKG Associates, Inc.

Key Financial Metrics	
Equity	\$4,171,607
Debt	\$12,514,820
Total Development Cost	\$16,686,427
Desired IRR	10%
Actual IRR	4.5%
Cash on Cash Return	1%
Net Present Value	-\$1,715,442
Net Fiscal Impact of New Dev't	\$210,389

Proforma Analysis

Site 4: Park Ave.



Proforma Analysis

Scenario Four: Mixed-Use Development (Flex/Industrial & Residential)

Development scenario is a mix of Flex/ Industrial and Residential and includes 141 surface parking spaces.

Total development cost is around \$17M.

The financial return under this scenario is positive as potential revenues gained from undertaking the project outstrip initial development and operational costs.

Net present value under this scenario is \$6.7M indicating developers would be willing to undertake this project.

This project could carry additional mitigation costs.

Scenario Development Program Source: RKG Associates, Inc.

Land Use	Development Square Feet	Parking Spaces
Residential	52,000 (68 units)	89
Office	N/A	N/A
Flex/ Industrial	52,000	52
Total	104,000	141

Scenario Financial Return Source: RKG Associates, Inc.

Key Financial Metrics	
Equity	\$4,258,271
Debt	\$12,774,813
Total Development Cost	\$17,033,085
Desired IRR	12%
Actual IRR	23.4%
Cash on Cash Return	15%
Net Present Value	\$6,727,824
Net Fiscal Impact from New Dev't	\$87,710



Arlington's Industrial Zones – Next Steps

Next steps

- Final meeting of the Zoning Bylaw Working Group on January 6
- Present zoning to Town Meeting for approval at 2021 ATM

Arlington, MA

Economic Analysis Of Industrial Zoning Districts

Presentation to the Arlington Redevelopment Board
December 21, 2020