



## Arlington Zoning Board of Appeals

**Date:** Tuesday, May 11, 2021  
**Time:** 7:30 PM  
**Location:** Conducted by remote participation  
**Additional Details:**

### **Agenda Items**

#### **Administrative Items**

1. **Remote Participation Details**

In accordance with the Governor's Order Suspending Certain Provisions of the Open Meeting Law, G. L. c. 30A, § 20 relating to the COVID-19 emergency, the Arlington Zoning Board of Appeals meetings shall be physically closed to the public to avoid group congregation until further notice. The meeting shall instead be held virtually using Zoom.

Please read Governor Baker's Executive Order Suspending Certain Provision of Open Meeting Law for more information regarding virtual public hearings and meetings: <https://www.mass.gov/doc/open-meeting-law-order-march-12-2020/download>

You are invited to a Zoom meeting.

When: May 11, 2021 07:30 PM Eastern Time (US and Canada)

Register in advance for this meeting:

[https://town-arlington-ma-us.zoom.us/meeting/register/tJloc-upqDIrH9BzpU\\_mQMF2y5Ys20gtIBP9](https://town-arlington-ma-us.zoom.us/meeting/register/tJloc-upqDIrH9BzpU_mQMF2y5Ys20gtIBP9)

After registering, you will receive a confirmation email containing information about joining the meeting.

Meeting ID: 965 4216 9154

Find your local number: <https://town-arlington-ma-us.zoom.us/j/adNWeNXzLr>

Dial by Location: 1-646-876-9923 US (New York)

2. **Members Vote: Approval of Meeting Minutes**

March 11, 2021

April 8, 2021

April 13, 2021

April 20, 2021

3. **Members Vote: Approval of Decision for 59 Mount Vernon Street**

#### 4. **Discussion of Proposed Revisions to Rules and Regulations**

##### **Hearings**

##### 5. **Docket # 3657: 12 Christine Road**

In accordance with the provisions of Section 3.2.3A of the Zoning Bylaws that there has been filed by Villandry Construction Company of Arlington, Massachusetts on March 23, 2021, a petition seeking permission to alter their property located at 12 Christine Road – Block Plan 120.0-0013-0007.0 Said petition would require a Special Permit under Section 5.3.9 (A) (Projections into Minimum Yards) of the Zoning Bylaw for the Town of Arlington.

##### 6. **Docket # 3655: 34 Marathon Sreet**

In accordance with the provisions of Section 3.2.3A of the Zoning Bylaws that there has been filed by Francis and Rita McGovern of Arlington, Massachusetts on March, 23, 2021, a petition seeking permission to alter their property located at 34 Marathon Street – Block Plan 025.0-0002-0004.0 Said petition would require a Special Permit under Section 8.1.3 (B) (Nonconforming Single-Family or Two-Family Dwellings) of the Zoning Bylaw for the Town of Arlington.

##### 7. **Docket # 3656: 53 Pine Ridge Road**

In accordance with the provisions of Section 3.2.3A of the Zoning Bylaws that there has been filed by David Potere of Arlington, Massachusetts on March 23, 2021, a petition seeking permission to alter his property located at 53 Pine Ridge Road – Block Plan 147.0-0001-0001.0 Said petition would require a Special Permit under Section 5-18 / (5.4.2B.6) Districts and Uses of the Zoning Bylaw for the Town of Arlington.

##### **Meeting Adjourn**



## Town of Arlington, Massachusetts

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### Docket # 3657: 12 Christine Road

#### Summary:

In accordance with the provisions of Section 3.2.3A of the Zoning Bylaws that there has been filed by Villandry Construction Company of Arlington, Massachusetts on March 23, 2021, a petition seeking permission to alter their property located at 12 Christine Road – Block Plan 120.0-0013-0007.0 Said petition would require a Special Permit under Section 5.3.9 (A) (Projections into Minimum Yards) of the Zoning Bylaw for the Town of Arlington.

#### ATTACHMENTS:

Type	File Name	Description
▢ Reference Material	ZBA_Package__12_Christine_Road.pdf	ZBA Package, 12 Christine Road
▢ Reference Material	3657_12_Christine_Rd.pdf	DPCD Memo re: 3657 - 12 Christine Rd
▢ Reference Material	12_Christine_Application._last_pages.pdf	12 Christine Application. last pages
▢ Reference Material	12_Christine_Arlington._Front_porch_with_roof.pdf	12 Christine Arlington. Front porch with roof
▢ Reference Material	12_Christine._Plot.Plan._Final.pdf	12 Christine. Plot.Plan. Final
▢ Reference Material	12_Christine._Porch_with_no_roof.pdf	12 Christine. Porch with no roof
▢ Reference Material	12_Christine._Front_porch_size.pdf	12 Christine. Front porch size



Town of Arlington  
Zoning Board of Appeals  
51 Grove Street  
Arlington, Massachusetts 02476  
781-316-3396  
[www.arlingtonma.gov](http://www.arlingtonma.gov)

### LEGAL NOTICE

Notice is herewith given in accordance with the provisions of Section 3.2.3A of the Zoning Bylaws that there has been filed by **Villandry Construction Company** of Arlington, Massachusetts on March 23, 2021, a petition seeking permission to alter their property located at **12 Christine Road - Block Plan 120.0-0013-0007.0** Said petition would require a Special Permit under **Section 5.3.9 (A) (Projections into Minimum Yards)** of the Zoning Bylaw for the Town of Arlington.

A hearing in regards to the petition will be conducted remotely via "Zoom" **Tuesday evening May 11, 2021 at 7:30 P.M or as soon thereafter as the petitioner may be heard. To join the meeting, please register using the following URL:**

[https://town-arlington-ma-us.zoom.us/meeting/register/tJloc-](https://town-arlington-ma-us.zoom.us/meeting/register/tJloc-upqDlrH9BzpU_mQMF2y5Ys20gtlBP9)

[upqDlrH9BzpU\\_mQMF2y5Ys20gtlBP9](https://town-arlington-ma-us.zoom.us/meeting/register/tJloc-upqDlrH9BzpU_mQMF2y5Ys20gtlBP9) **for documentation relating to this petition, visit the ZBA website at [www.arlington.gov/zba](http://www.arlington.gov/zba).**

**DOCKET NO 3657**

Zoning Board of Appeals  
Christian Klein, RA, Chair

Please direct any questions to: **[ZBA@town.arlington.ma.us](mailto:ZBA@town.arlington.ma.us)**



**REQUEST FOR SPECIAL PERMIT**

**TOWN OF ARLINGTON**

In the matter of the Application of 12 Christine Rd Arlington - Roof on front porch  
to the Zoning Board of Appeals for the Town of Arlington:

Application for a Special Permit is herewith made, in accordance with Section 3.3 of the Zoning Bylaw of the Town of Arlington, Massachusetts, seeking relief from the following specific provisions of the Zoning Bylaw, and as described fully in the attached form, *Special Permit Criteria*:

Renovated front porch with roof to project 5'  
from house and 20' wide, not to extend beyond  
the side of the house. Existing porch is small  
and uncovered / No roof

The Applicant states he/she/they is/are the owner/occupant of the land in Arlington located at 12 Christine Rd with respect to such relief is sought; that no unfavorable action has been taken by the Zoning Board of Appeals upon a similar petition regarding this property within the two (2) years next immediately prior to the filing hereof. The applicant expressly agrees to full compliance with any and all conditions and qualifications imposed upon this permission, whether by the Zoning Bylaw or by the Zoning Board of Appeals, should the same be granted. The Applicant represents that the grounds for the relief sought are as follows:

Porch roof will have protection from rain, sleet  
a snow, it will be create more esthetically  
pleasing curb appeal for neighborhood.

E-Mail: fcarreira@villandrycontracting.com Signed: FC Date: 3/11/2021  
Telephone: 781-643-2186 Address: 32 Prentiss Rd Arlington

**Special Permit Criteria:** Per Section 3.3.3 of the Zoning Bylaw, a Special Permit shall only be granted upon the Board's determination that the benefits of the proposed project will outweigh its adverse effects. The responses provided below will inform the Board as to whether the standards for approval have been met.

A). Indicate where the requested use is listed in the Table of Use Regulations as allowed by Special Permit in the district for which the application is made or is so designated elsewhere in the Zoning Bylaw.

Residential Single family detached dwelling  
(Art 81, 87, ATM 4/80 1.01 District R0  
Special Permit Art 86, ATM 3/7/79, Art 6, ATM 4/09 with  
regard to front . . . yards greater than the minimum required. . .

B). Explain why the requested use is essential or desirable to the public convenience or welfare.

Porch with roof as proposed will provide a porch  
protected from snow rain & sleet improving safety  
Design provides more esthetically pleasing curb appeal

C). Explain why the requested use will not create undue traffic congestion, or unduly impair pedestrian safety.

New Porch projects 5' from existing house  
which currently has 25' setback

D). Explain why 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 any other area of the Town will be unduly subjected to hazards affecting health, safety or the general welfare.

New Porch will provide minimal additional water  
Collection. Will provide protection from elements

E). Describe how any special regulations for the use, as may be provided in the Zoning Bylaw, including but not limited to the provisions of Section 8 are fulfilled.

plot plans attached with new setbacks

F). Explain why the requested use will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the health or welfare.

Cause little or no impact on the neighborhood  
other than Improved esthetics and protection  
for porch from elements

G). Explain why 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.

New Covered Porch will not cause an excess of use  
of the front Set back as it only projects out  
Slightly more than existing uncovered porch.

**TOWN OF ARLINGTON**  
Dimensional and Parking Information  
For Applications to the Zoning Board of Appeals

1. Property Location: 12 Christine Rd Zoning District: R1
2. Present Use/Occupancy: Single family No. of dwelling units Single
3. Existing Gross Floor Area (refer to Section 5.3.22 of the Zoning Bylaw and provide supporting documentation [worksheet and drawings] showing dimensions of GFA by floor):  
11 Sq. Ft.
4. Proposed Use/Occupancy: Single family No. of dwelling units Single
5. Proposed Gross Floor Area (refer to Section 5.3.22 of the Zoning Bylaw and provide supporting documentation [worksheet and drawings] showing dimensions of GFA by floor):  
                     Sq. Ft.

	Present Conditions	Proposed Conditions	Min. or max Required by Zoning
6. Lot size (Sq. Ft.)	6,762		min.
7. Frontage (Ft.)			min.
8. Floor area ratio			max.
9. Lot Coverage ( %)	0.00%	0.00%	max 0.00%
10. Lot Area per Dwelling Unit (Sq. Ft.)			min.
11. Front Yard Depth (Ft.)			min.
12. Left Side Yard Depth (Ft.)			min.
13. Right Side Yard Depth (Ft.)			min.
14. Rear Yard Depth (Ft.)			min.
15. Height (Stories)			max.
16. Height (Ft.)			max.
17. Landscaped Open Space (Sq. Ft.) Refer to Section 2 in the Zoning Bylaw.			
17A. Landscaped Open Space (% of GFA)	0.00%	0.00%	min. 0.00%
18. Usable Open Space (Sq. Ft.) Refer to Section 2 in the Zoning Bylaw.			
18A. Usable Open Space (% of GFA)	0.00%	0.00%	min. 0.00%
19. Number of Parking Spaces			min.
20. Parking area setbacks (if applicable)			min.
21. Number of Loading Spaces (if applicable)			min.
22. Type of construction			N/A
23. Slope of proposed roof(s) (in. per ft.)		Wood	min.

**TOWN OF ARLINGTON**  
Open Space / Gross Floor Area Information  
For Applications to the Zoning Board of Appeals

Refer to Section 2: *Definitions*, and Section 5: *District Regulations* in the Zoning Bylaw of the Town of Arlington before completing this form.

Address: 12 Christine Rd      Zoning District: RO/R1

<u>OPEN SPACE*</u>	<u>EXISTING</u>	<u>PROPOSED</u>
Total lot area	<u>No applicable for</u>	<u></u>
Open Space, Usable	<u>open porch with roof</u>	<u></u>
Open Space, Landscaped	<u></u>	<u></u>

\* Refer to the Definitions in Section 2 of the Zoning Bylaw.

**GROSS FLOOR AREA (GFA) †**

Accessory Building	<u></u>	<u></u>
Basement or Cellar (meeting the definition of Story, excluding mechanical use areas)	<u></u>	<u></u>
1 <sup>st</sup> Floor	<u></u>	<u></u>
2 <sup>nd</sup> Floor	<u></u>	<u></u>
3 <sup>rd</sup> Floor	<u></u>	<u></u>
4 <sup>th</sup> Floor	<u></u>	<u></u>
5 <sup>th</sup> Floor	<u></u>	<u></u>
Attic (greater than 7'-0" in height, excluding elevator machinery, or mechanical equipment)	<u></u>	<u></u>
Parking garages (except as used for accessory parking or off-street loading purposes)	<u></u>	<u></u>
All weather habitable porches and balconies	<u></u>	<u></u>
<b>Total Gross Floor Area (GFA)</b>	<u></u>	<u></u>

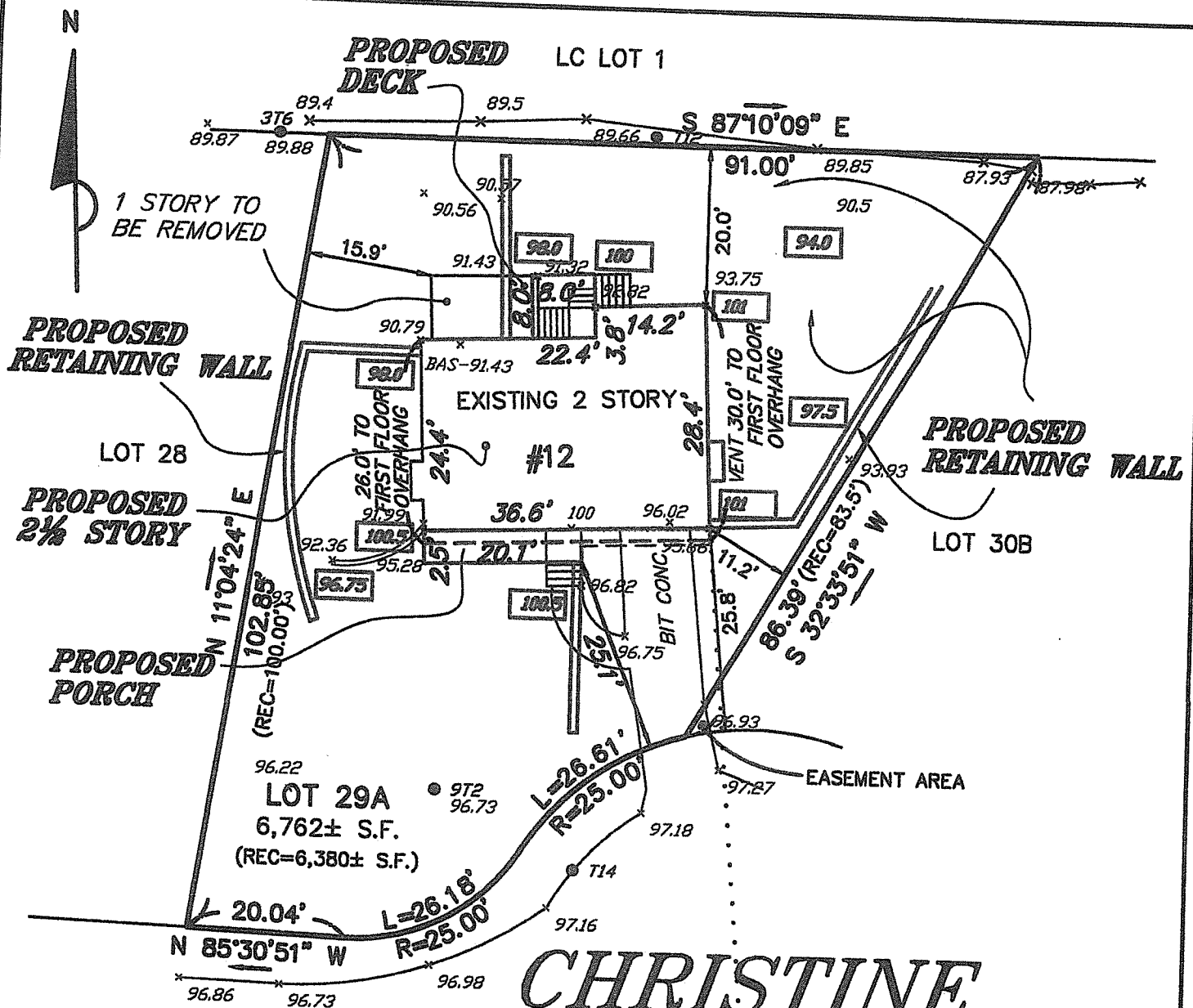
† Refer to Definition of Gross Floor Area in Section 2 and Section 5 of the Zoning Bylaw.

**REQUIRED MINIMUM OPEN SPACE AREA**

Landscaped Open Space (Sq. Ft.)	<u></u>	<u></u>
Landscaped Open Space (% of GFA)	<u>0.00%</u>	<u>0.00%</u>
Usable Open Space (Sq. Ft.)	<u></u>	<u></u>
Usable Open Space (% of GFA)	<u>0.00%</u>	<u>0.00%</u>

This worksheet applies to plans dated 3/11/2021 designed by AFAB Custom Home Designs

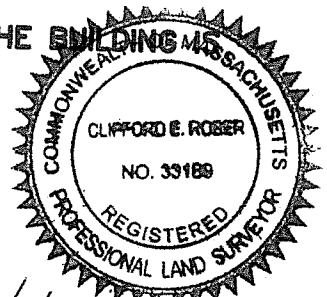
Reviewed with Building Inspector: \_\_\_\_\_ Date: \_\_\_\_\_



PROPOSED BASEMENT CEILING - 103.2  
EXIST. AVE. GRADE - 93.4  
PROPOSED AVE. GRADE - 98.92  
EXISTING HEIGHT - 24.3'  
PROPOSED HEIGHT - 34.4'

OWNER: RITA McMAHON


I HEREBY CERTIFY THAT THE BUILDING IS  
LOCATED AS SHOWN.



*[Signature]* 2/1/21  
CLIFFORD E. ROBER, PLS DATE  
THIS PLAN MAY HAVE BEEN ALTERED IF  
THE SIGNATURE IS NOT SIGNED IN BLUE.

PROPOSED PLOT PLAN  
#12 CHRISTINE ROAD  
IN  
ARLINGTON, MA  
(MIDDLESEX COUNTY)

SCALE: 1" = 20' DATE: 2/1/2021  
  
ROBER SURVEY  
1072A MASSACHUSETTS AVENUE  
ARLINGTON, MA 02476  
(781) 648-5533  
6350PP1.DWG

 <div>The Commonwealth of Massachusetts Board of Building Regulations and Standards Massachusetts State Building Code, 780 CMR, 7<sup>th</sup> edition Building Permit Application To Construct, Repair, Renovate Or Demolish a <i>One- or Two-Family Dwelling</i></div>		FOR MUNICIPALITY USE <i>Revised January 1, 2008</i>	
This Section For Official Use Only			
Building Permit Number: _____		Date Applied: _____	
Signature: _____ Building Commissioner/ Inspector of Buildings                      Date			
SECTION 1: SITE INFORMATION			
1.1 Property Address: <i>12 Christine Rd</i>		1.2 Assessors Map & Parcel Numbers	
1.1a Is this an accepted street? yes <input checked="" type="checkbox"/> no _____		Map Number _____ Parcel Number _____	
1.3 Zoning Information: Zoning District _____ Proposed Use _____		1.4 Property Dimensions: Lot Area (sq ft) _____ Frontage (ft) _____	
1.5 Building Setbacks (ft)			
Front Yard		Side Yards	
Required	Provided	Required	Provided
1.6 Water Supply: (M.G.L c. 40, § 54) Public <input checked="" type="checkbox"/> Private <input type="checkbox"/>		1.7 Flood Zone Information: Zone: _____ Outside Flood Zone? Check if yes <input type="checkbox"/>	
		1.8 Sewage Disposal System: Municipal <input checked="" type="checkbox"/> On site disposal system <input type="checkbox"/>	
SECTION 2: PROPERTY OWNERSHIP <sup>1</sup>			
2.1 Owner <sup>1</sup> of Record: <i>12 Christine Rd LLC</i> Name (Print) _____ <i>FL</i> Signature _____		<i>12 Christine Rd</i> Address for Service: _____ <i>781-583-8292</i> Telephone _____	
SECTION 3: DESCRIPTION OF PROPOSED WORK <sup>2</sup> (check all that apply)			
New Construction <input type="checkbox"/>	Existing Building <input checked="" type="checkbox"/>	Owner-Occupied <input type="checkbox"/>	Repairs(s) <input checked="" type="checkbox"/>
Demolition <input type="checkbox"/>	Accessory Bldg. <input type="checkbox"/>	Number of Units _____	Alteration(s) <input checked="" type="checkbox"/> Addition <input type="checkbox"/>
Other <input type="checkbox"/> Specify: _____			
Brief Description of Proposed Work <sup>2</sup> : <i>Roof on Front Porch</i>			
SECTION 4: ESTIMATED CONSTRUCTION COSTS			
Item	Estimated Costs: (Labor and Materials)	Official Use Only	
1. Building	\$ <i>3,000</i>	1. Building Permit Fee: \$ _____ Indicate how fee is determined:	
2. Electrical	\$ _____	<input type="checkbox"/> Standard City/Town Application Fee	
3. Plumbing	\$ _____	<input type="checkbox"/> Total Project Cost <sup>3</sup> (Item 6) x multiplier _____ x _____	
4. Mechanical (HVAC)	\$ _____	2. Other Fees: \$ _____	
5. Mechanical (Fire Suppression)	\$ _____	List: _____	
6. Total Project Cost:	\$ _____	Total All Fees: \$ _____	
		Check No. _____ Check Amount: _____ Cash Amount: _____	
		<input type="checkbox"/> Paid in Full <input type="checkbox"/> Outstanding Balance Due: _____	

## SECTION 5: CONSTRUCTION SERVICES

### 5.1 Licensed Construction Supervisor (CSL)

Name of CSL Holder Fernando Carreiro

Address 17 Dickson Ave

Signature [Signature]

Telephone 781-583-8292

License Number 069317 Expiration Date 5/9/2021

List CSL Type (see below) \_\_\_\_\_

Type	Description
U	Unrestricted (up to 35,000 Cu. Ft.)
R	Restricted 1&2 Family Dwelling
M	Masonry Only
RC	Residential Roofing Covering
WS	Residential Window and Siding
SF	Residential Solid Fuel Burning Appliance Installation
D	Residential Demolition

### 5.2 Registered Home Improvement Contractor (HIC)

HIC Company Name or HIC Registrant Name Villandry Contracting Inc

Address 32 Prentiss Rd

Signature \_\_\_\_\_ Telephone \_\_\_\_\_

Registration Number 101269

Expiration Date 6/24/2022

## SECTION 6: WORKERS' COMPENSATION INSURANCE AFFIDAVIT (M.G.L. c. 152, § 25C(6))

Workers Compensation Insurance affidavit must be completed and submitted with this application. Failure to provide this affidavit will result in the denial of the Issuance of the building permit.

Signed Affidavit Attached? Yes ☒ No ☐

### SECTION 7a: OWNER AUTHORIZATION TO BE COMPLETED WHEN OWNER'S AGENT OR CONTRACTOR APPLIES FOR BUILDING PERMIT

I, Fernando Carreiro, as Owner of the subject property hereby authorize 12 Christine LLC to act on my behalf, in all matters relative to work authorized by this building permit application.

Signature of Owner [Signature] Date 3/12/2021

### SECTION 7b: OWNER<sup>1</sup> OR AUTHORIZED AGENT DECLARATION

I, Fernando Carreiro, as Owner or Authorized Agent hereby declare that the statements and information on the foregoing application are true and accurate, to the best of my knowledge and behalf.

Print Name Fernando Carreiro / 12 Christine LLC

Signature of Owner or Authorized Agent [Signature] Date 3/12/2021

(Signed under the pains and penalties of perjury)

#### NOTES:

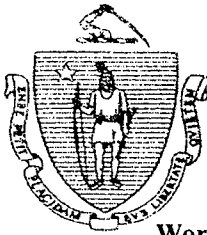
1. An Owner who obtains a building permit to do his/her own work, or an owner who hires an unregistered contractor (not registered in the Home Improvement Contractor (HIC) Program), will not have access to the arbitration program or guaranty fund under M.G.L. c. 142A. Other important information on the HIC Program and Construction Supervisor Licensing (CSL) can be found in 780 CMR Regulations 110.R6 and 110.R5, respectively.

2. When substantial work is planned, provide the information below:

Total floors area (Sq. Ft.) _____	(including garage, finished basement/attics, decks or porch)
Gross living area (Sq. Ft.) _____	Habitable room count _____
Number of fireplaces _____	Number of bedrooms _____
Number of bathrooms _____	Number of half/baths _____
Type of heating system _____	Number of decks/ porches _____
Type of cooling system _____	Enclosed _____ Open _____

3. "Total Project Square Footage" may be substituted for "Total Project Cost"





The Commonwealth of Massachusetts  
Department of Industrial Accidents  
Office of Investigations  
600 Washington Street, 7<sup>th</sup> Floor  
Boston, Mass. 02111

Workers' Compensation Insurance Affidavit: Building/Plumbing/Electrical Contractors

Applicant information:

Please PRINT legibly

name: Villandry Contracting Inc  
address: 32 Prentiss Rd  
city: Arlington state: Ma zip: 02476 phone #: 781-583-8292

work site location (full address): 12 Christine Rd Arlington, Ma 02474  
☐ I am a homeowner performing all work myself. Project Type: ☐ New Construction ☐ Remodel  
☐ I am a sole proprietor and have no one working in any capacity. ☐ Building Addition  
☒ I am an employer providing workers' compensation for my employees working on this job.

company name: Villandry Contracting  
address: 32 Prentiss Rd  
city: Arlington, Ma phone #: 781-583-8292  
insurance co. Selective Ins policy #: WC 9059851

☐ I am a sole proprietor, general contractor, or homeowner (circle one) and have hired the contractors listed below who have the following workers' compensation policies:

company name:  
address:  
city: phone #:  
insurance co. policy #

company name:  
address:  
city: phone #:  
insurance co. policy #

Attach additional sheet if necessary

Failure to secure coverage as required under Section 25A of MGL 152 can lead to the imposition of criminal penalties of a fine up to \$1,500.00 and/or one years' imprisonment as well as civil penalties in the form of a STOP WORK ORDER and a fine of \$100.00 a day against me. I understand that a copy of this statement may be forwarded to the Office of Investigations of the DIA for coverage verification.

I do hereby certify under the pains and penalties of perjury that the information provided above is true and correct.

Signature: [Signature] Date: 3/12/2021  
Print name: Fernando Carreiro Phone #: 781-583-8292

official use only do not write in this area to be completed by city or town official

city or town: permit/license # ☐ Building Department  
☐ Licensing Board  
☐ Selectmen's Office  
☐ Health Department  
☐ Other  
contact person: phone #: (revised Sept. 2003)



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
11/10/2020

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER		CONTACT NAME:	
SALEM FIVE INSURANCE SERVICES LLC		PHONE (A/C, No, Ext): 781-933-3100	
445 MAIN ST		FAX (A/C, No):	
WOBURN MA 01801-4298		E-MAIL ADDRESS:	
		INSURER(S) AFFORDING COVERAGE	
		INSURER A: SELECTIVE INS CO OF THE SOUTHEAST	
		INSURER B: SELECTIVE INS CO OF SOUTH CAROLINA	
		INSURER C:	
		INSURER D:	
		INSURER E:	
		INSURER F:	

COVERAGES	CERTIFICATE NUMBER:	REVISION NUMBER:
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THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.


INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
B	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY	<input checked="" type="checkbox"/>	S 2377560	11/1/2020	11/1/2021	EACH OCCURRENCE \$ 1,000,000	
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR					DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000	
						MED EXP (Any one person) \$ 15,000	
						PERSONAL & ADV INJURY \$ 1,000,000	
						GENERAL AGGREGATE \$ 3,000,000	
	GEN'L AGGREGATE LIMIT APPLIES PER:					PRODUCTS - COMP/OP AGG \$ 3,000,000	
	<input checked="" type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC					\$	
	OTHER:						
	AUTOMOBILE LIABILITY					COMBINED SINGLE LIMIT (Ea accident) \$	
	<input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY					<input type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS ONLY	BODILY INJURY (Per person) \$
	<input type="checkbox"/> HIRED AUTOS ONLY						BODILY INJURY (Per accident) \$
							PROPERTY DAMAGE (Per accident) \$
							\$
B	<input checked="" type="checkbox"/> UMBRELLA LIAB	<input checked="" type="checkbox"/>	S 2377560	11/1/2020	11/1/2021	EACH OCCURRENCE \$ 2,000,000	
	<input type="checkbox"/> EXCESS LIAB					AGGREGATE \$ 2,000,000	
	<input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$ 10,000					\$	
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY	Y/N	WC 9059851	11/1/2020	11/1/2021	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)					E.L. EACH ACCIDENT \$ 500,000	
	If yes, describe under DESCRIPTION OF OPERATIONS below					E.L. DISEASE - EA EMPLOYEE \$ 500,000	
						E.L. DISEASE - POLICY LIMIT \$ 500,000	

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

This Certificate of Liability Insurance was created by Selective on behalf of the agent.

Town of Arlington is included as additional insured with respect to General Liability as required by written contract or agreement.

CERTIFICATE HOLDER	CANCELLATION
Town of Arlington 51 Grove Street  Arlington MA 02476	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE 



Commonwealth of Massachusetts

Division of Professional Licensure

Board of Building Regulations and Standards

Construction Supervisor


CS-069317

FERNANDO M CARREIRO

17 DICKSON AVE

ARLINGTON MA 02474

Expires: 05/09/2021



Commissioner *Fernando M. Carreiro*

*The Commonwealth of Massachusetts*  
Office of Consumer Affairs & Business Regulation  
**HOME IMPROVEMENT CONTRACTOR**

TYPE: Corporation  
**Registration** 101269  
**Expiration** 06/24/2022

VILLANDRY CONTRACTING INC.

FERNANDO F. CARREIRO  
32 PRENTISS RD  
ARLINGTON, MA 02476

*Edward A. Palermo*  
Undersecretary

Registration valid for individual use only  
before the expiration date. If found return to:  
Office of Consumer Affairs and Business Regulation  
1000 Washington Street - Suite 710  
Boston, MA 02118



Not valid without signature

12 CHRISTINE RD



12 CHRISTINE RD

12  
9

VINYL SIDING OVER  
TYVEK OR EQ. HOUSEWRAP  
(TYP.)

GH RAILING  
BALUSTERS  
O.C. (TYP.)

ATTICE PANEL  
D SURROUND  
AL)

ETAINING WALL-  
CT SIZE, LOCATION  
AND MATERIAL  
O BE VERIFIED.  
SIGN BY OTHERS)

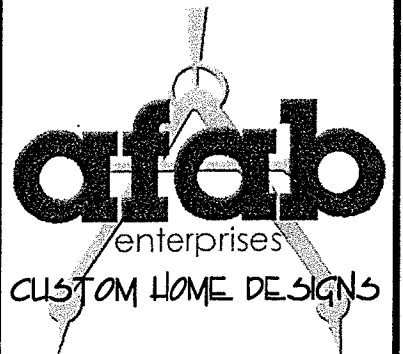
6X6 .40 P.T. POSTS  
ON SIMPSON ABU66 BASES ON  
1'-0" DIAM. CONC. PIERS ON  
3'-0" DIAM. CONC. FILLED  
BIGFOOT BELL FOOTINGS.  
BOTTOM OF FOOTING  
4'-0" BELOW GRADE (MIN)

APPROX. GRADE

18 of 77

LEFT ELEVATION

VILLANDRY  
PROPOSED AD  
12 C  
ARI



AFAB ENTERPRISES  
PO BOX 916  
BURLINGTON, MA  
01803

OFFICE (781)272-2156

FAX (781)229-6394

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PAGE

1



**TOWN OF ARLINGTON**  
DEPARTMENT OF PLANNING and  
COMMUNITY DEVELOPMENT

TOWN HALL, 730 MASSACHUSETTS AVENUE  
ARLINGTON, MASSACHUSETTS 02476  
TELEPHONE 781-316-3090

**MEMORANDUM**

To: Zoning Board of Appeals  
From: Jennifer Raitt, Director, Dept. of Planning and Community Development/kl  
Date: 5/7/2021  
RE: Docket 3657 – 12 Christine Road; Special Permit under Zoning Bylaw Section 5.3.9  
Projections into Minimum Yards (A)

---

The applicant, Villandry Construction Company, seeks a Special Permit in accordance with Section 5.3.9 (Projections into Minimum Yards (A)). The applicant is seeking to construct an addition of a front porch with roof within the front yard setback of a newly constructed house, which is in R1 Zoning District. The applicant has not provided adequate dimensional information with their application to review this petition.

Note: In the application, the applicant refers to an existing porch. Upon a visit to the property and as shown in the photograph below there does not appear to be an existing porch.



**Recommendation:**

The Department of Planning and Community Development recommends that the Zoning Board of Appeals requests the following materials from the applicant:

- Completed dimensional and parking information worksheet.
- Open Space / Gross Floor Area Information worksheet.
- Plans identifying dimensional details for the proposed porch.



**TOWN OF ARLINGTON**  
**Dimensional and Parking Information**  
**For Applications to the Zoning Board of Appeals**

1. Property Location: 12 Christine Rd Zoning District: R1

2. Present Use/Occupancy: Residential Home No. of dwelling units 1

3. Existing Gross Floor Area (refer to Section 5.3.22 of the Zoning Bylaw and provide supporting documentation [worksheet and drawings] showing dimensions of GFA by floor):  
1,596 Sq. Ft.

4. Proposed Use/Occupancy: Residential Home No. of dwelling units 1

5. Proposed Gross Floor Area (refer to Section 5.3.22 of the Zoning Bylaw and provide supporting documentation [worksheet and drawings] showing dimensions of GFA by floor):  
N/A for covered porch Sq. Ft.

6. Lot size (Sq. Ft.)
7. Frontage (Ft.)
8. Floor area ratio
9. Lot Coverage ( %)
10. Lot Area per Dwelling Unit (Sq. Ft.)
11. Front Yard Depth (Ft.)
12. Left Side Yard Depth (Ft.)
13. Right Side Yard Depth (Ft.)
14. Rear Yard Depth (Ft.)
15. Height (Stories)
16. Height (Ft.)
17. Landscaped Open Space (Sq. Ft.)  
Refer to Section 2 in the Zoning Bylaw.
- 17A. Landscaped Open Space (% of GFA)
18. Usable Open Space (Sq. Ft.)  
Refer to Section 2 in the Zoning Bylaw.
- 18A. Usable Open Space (% of GFA)
19. Number of Parking Spaces
20. Parking area setbacks (if applicable)
21. Number of Loading Spaces (if applicable)
22. Type of construction
23. Slope of proposed roof(s) (in. per ft.)

Present Conditions	Proposed Conditions	Min. or max Required by Zoning
6,382	No change	min.
26.0	25.1	min.
		max.
0.00%	0.00%	max 0.00%
		min.
26.0	25.1	min. 25'
15.9	N/A	min.
11.2	N/A	min.
N/A	N/A	min.
N/A		max.
N/A		max.
0.00%	0.00%	min. 0.00%
0.00%	0.00%	min. 0.00%
		min.
		min.
		min.
	Wood	N/A
		min.



**TOWN OF ARLINGTON**  
Open Space / Gross Floor Area Information  
For Applications to the Zoning Board of Appeals

Refer to Section 2: *Definitions*, and Section 5: *District Regulations* in the Zoning Bylaw of the Town of Arlington before completing this form.

Address: 12 Christine Rd Zoning District: R1

<b><u>OPEN SPACE*</u></b>	<b>EXISTING</b>	<b>PROPOSED</b>
Total lot area	<u>6,382</u>	<u>                    </u>
Open Space, Usable	<u>                    </u>	<u>                    </u>
Open Space, Landscaped	<u>                    </u>	<u>                    </u>

\* Refer to the Definitions in Section 2 of the Zoning Bylaw.

<b><u>GROSS FLOOR AREA (GFA)†</u></b>		
Accessory Building	<u>                    </u>	<u>                    </u>
Basement or Cellar (meeting the definition of Story, excluding mechanical use areas)	<u>                    </u>	<u>                    </u>
1 <sup>st</sup> Floor	<u>                    </u>	<u>                    </u>
2 <sup>nd</sup> Floor	<u>                    </u>	<u>                    </u>
3 <sup>rd</sup> Floor	<u>                    </u>	<u>                    </u>
4 <sup>th</sup> Floor	<u>                    </u>	<u>                    </u>
5 <sup>th</sup> Floor	<u>                    </u>	<u>                    </u>
Attic (greater than 7'-0" in height, excluding elevator machinery, or mechanical equipment)	<u>                    </u>	<u>                    </u>
Parking garages (except as used for accessory parking or off-street loading purposes)	<u>                    </u>	<u>                    </u>
All weather habitable porches and balconies	<u>                    </u>	<u>                    </u>
<b>Total Gross Floor Area (GFA)</b>	<u>                    </u>	<u>                    </u>

† Refer to Definition of Gross Floor Area in Section 2 and Section 5 of the Zoning Bylaw.

<b><u>REQUIRED MINIMUM OPEN SPACE AREA</u></b>		
Landscaped Open Space (Sq. Ft.)	<u>                    </u>	<u>                    </u>
Landscaped Open Space (% of GFA)	<u>0.00%</u>	<u>0.00%</u>
Usable Open Space (Sq. Ft.)	<u>                    </u>	<u>                    </u>
Usable Open Space (% of GFA)	<u>0.00%</u>	<u>0.00%</u>

This worksheet applies to plans dated 3/15/2021 designed by TC

Reviewed with Building Inspector:                                      Date:



FRONT ELEVATION



LEFT ELEVATION

DATE 3/7/2021  
DRAWING NO. VILLAND-CHRISTIN  
SCALE 1/4" = 1'-0"

VILLANDRY CONTRACTING INC.  
PROPOSED ADDITION AND RENOVATION TO  
12 CHRISTINE RD.  
ARLINGTON MA.



AFAB ENTERPRISES  
PO BOX 916  
BURLINGTON, MA  
01803

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FAX (781)229-6394  
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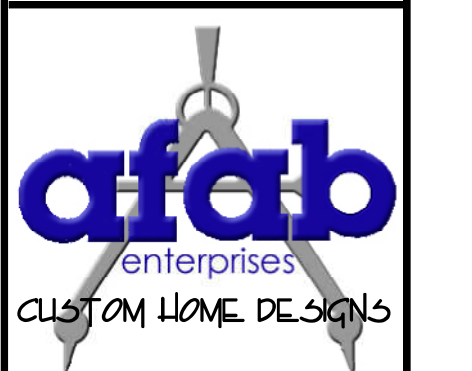
FRONT ELEVATION



LEFT ELEVATION

DATE  
2/16/2021  
DRAWING NO.  
VILLAND-CHRISTIN  
SCALE  
1/4" = 1'-0"

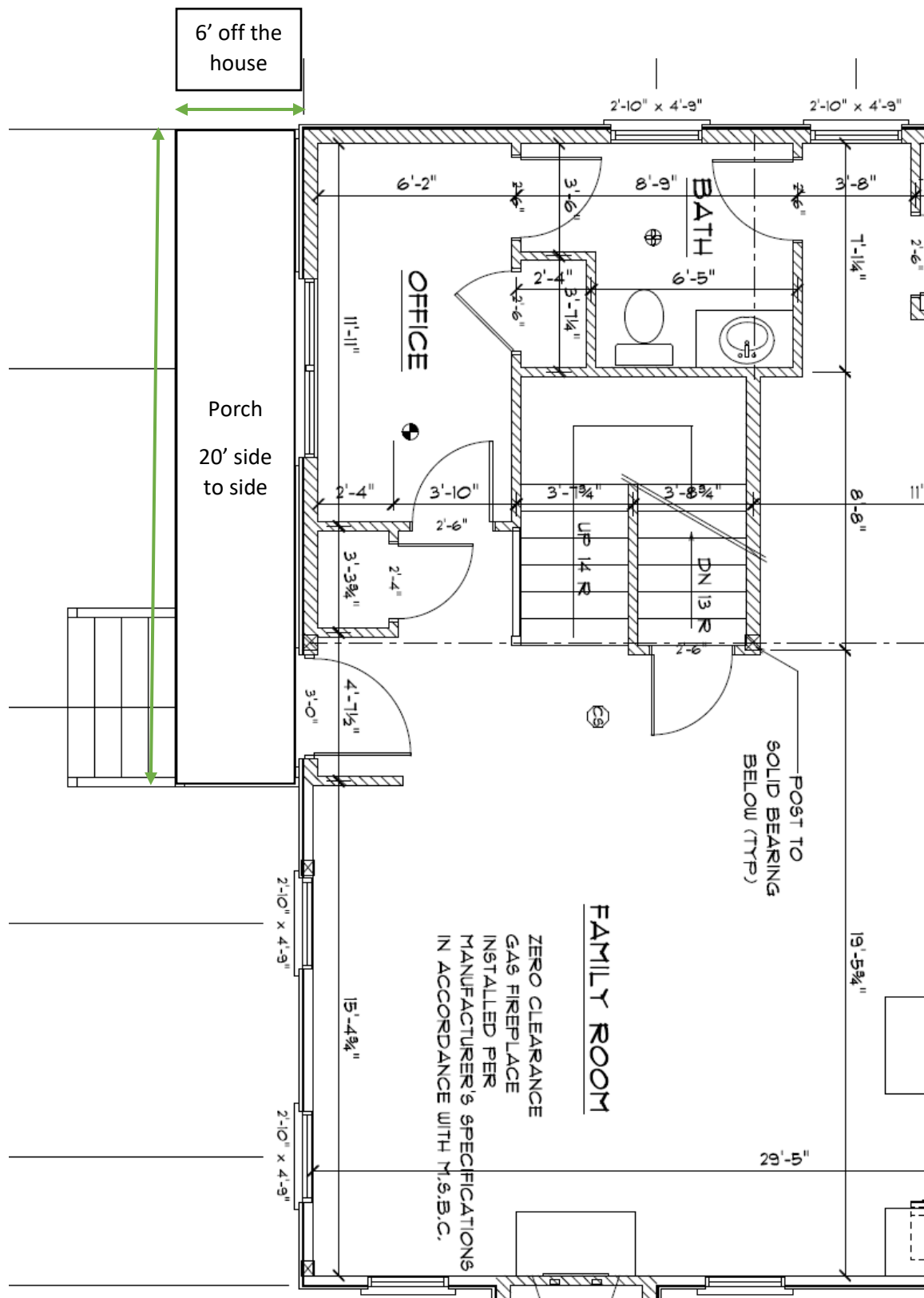
VILLANDRY CONTRACTING INC.  
PROPOSED ADDITION AND RENOVATION TO  
5 CHRISTINE RD.  
ARLINGTON MA.



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PAGE  
1





## Town of Arlington, Massachusetts

---

### Docket # 3655: 34 Marathon Sreet

#### Summary:

In accordance with the provisions of Section 3.2.3A of the Zoning Bylaws that there has been filed by Francis and Rita McGovern of Arlington, Massachusetts on March, 23, 2021, a petition seeking permission to alter their property located at 34 Marathon Street – Block Plan 025.0-0002-0004.0 Said petition would require a Special Permit under Section 8.1.3 (B) (Nonconforming Single-Family or Two-Family Dwellings) of the Zoning Bylaw for the Town of Arlington.

#### ATTACHMENTS:

Type	File Name	Description
□ Reference Material	ZBA_Package__34_Marathon_Street.pdf	ZBA Package, 34 Marathon Street
□ Reference Material	34_Marathon_St_floor_plans.pdf	34 Marathon St floor plans
□ Reference Material	gordons_floor_plans.pdf	gordons floor plans
□ Memorandum	3655_34_Marathon_St.pdf	DPCD Memo re: 34 Marathon St



Town of Arlington  
Zoning Board of Appeals  
51 Grove Street  
Arlington, Massachusetts 02476  
781-316-3396  
[www.arlingtonma.gov](http://www.arlingtonma.gov)

### LEGAL NOTICE

Notice is herewith given in accordance with the provisions of Section 3.2.3A of the Zoning Bylaws that there has been filed by **Francis and Rita McGovern** of Arlington, Massachusetts on March 23, 2021, a petition seeking permission to alter their property located at **34 Marathon Street - Block Plan 025.0-0002-0004.0** Said petition would require a Special Permit under **Section 8.1.3 (B) (Nonconforming Single-Family or Two-Family Dwellings)** of the Zoning Bylaw for the Town of Arlington.

A hearing in regards to the petition will be conducted remotely via "Zoom" **Tuesday evening May 11, 2021 at 7:30 P.M or as soon thereafter as the petitioner may be heard. To join the meeting, please register using the following URL:**

[https://town-arlington-ma-us.zoom.us/meeting/register/tJloc-upqDlrH9BzpU\\_mQMF2y5Ys20gtlBP9](https://town-arlington-ma-us.zoom.us/meeting/register/tJloc-upqDlrH9BzpU_mQMF2y5Ys20gtlBP9) **for documentation relating to this petition, visit the ZBA website at [www.arlington.gov/zba](http://www.arlington.gov/zba).**

**DOCKET NO 3655**

Zoning Board of Appeals  
Christian Klein, RA, Chair

Please direct any questions to: **[ZBA@town.arlington.ma.us](mailto:ZBA@town.arlington.ma.us)**

REQUEST FOR SPECIAL PERMIT

TOWN OF ARLINGTON

In the matter of the Application of Francis J. & Rita E. McGovern  
to the Zoning Board of Appeals for the Town of Arlington:

Application for a Special Permit is herewith made, in accordance  
with Section 10.11 of the Zoning Bylaw for the Town of Arlington,  
seeking relief from the following specific provisions of the Zoning  
Bylaw, and as described fully in the attached form, Special Permit  
Criteria:

Permission to build out 2 dormers on the  
Left side of the 3rd floor of dwelling to increase  
usable space.

The Petitioner/Applicant states he/she/they is/are the owner -  
occupant of the land in Arlington located at 34 Marathon Street  
with respect to such relief is sought; that no unfavorable action Arlington,  
has been taken by the Zoning Board of Appeals or its predecessors MA  
upon a similar petition regarding this property within the two (2)  
years next immediately prior to the filing hereof. The applicant  
expressly agrees to full compliance with any and all conditions and  
qualifications imposed upon this permission, whether by the Zoning  
Bylaw or by the Zoning Board of Appeals, should the same be  
granted. The Applicant represents that the grounds for the relief  
sought are as follows:

This Request has been granted to many  
other homes in this neighborhood and is compatible  
with the architectural features in scale and materials  
with neighboring structures.

fmcgovern@ mgh.harvard.edu, betsy bradymcgovern@gmail.com  
E-Mail \_\_\_\_\_ Signed \_\_\_\_\_ Date: \_\_\_\_\_  
Telephone 339.223.2400 Address 19 Highland Avenue  
Lexington, MA 02421  
28 of 77



TOWN OF ARLINGTON  
Dimensional and Parking Information  
For application to The Zoning Board of Appeals

1. Property Location: 34 Marathon Street Zoning District: R2
2. Present Use/Occupancy: Residential No. of dwelling units (if residential) 2
3. Existing Gross Floor Area (see definition of Gross Floor Area (GFA) in Article 2 of the Town of Arlington Zoning Bylaw and provide supporting documentation (worksheet) showing dimensions of GFA by floor: . 5538
4. Proposed Use/Occupancy: Residential No. of dwelling units (if residential) 2
5. Proposed Gross Floor Area (see definition of Gross Floor Area in Article 2 of the Town of Arlington Zoning Bylaw and provide supporting documentation (worksheet) showing dimensions of GFA by floor): . 6376

	Present Conditions	Proposed Conditions	Min. or max Required by Zoning
6. Lot size (sq. ft.)	5000 sq ft	same	min.
7. Frontage (ft.)	50 ft	same	min.
8. Floor area ratio	.55	.66	max.
9. Lot Coverage (%)	.20	.20	max
10. Lot Area per Dwelling Unit (Sq. ft.)			min.
11. Front Yard Depth (ft.)	23' 2"	23' 2"	min.
12. Left Side Yard Depth (ft.)	13.5'	13.5'	min.
13. Right Side Yard Depth (ft.)	6'	6'	min.
14. Rear Side Yard Depth (ft.)	30.2	30.2	min.
15. Height (stories)	2 1/2		max.
16. Height (ft.)	32'	32'	max.
17. Landscaped Open Space (% of GFA) Sq. ft. _____	3265	3265	min.
18. Usable Open Space (% of GFA) Sq. ft. _____	3265	3265	min.
19. Parking Spaces (number)	n/a		min.
20. Parking area setbacks	n/a		min.
21. Loading Spaces (if applicable)	n/a		min.
22. Type of construction	wood	wood	

# OPEN SPACE/GROSS FLOOR AREA

Refer to Zoning Bylaw Article 2, Definitions and Article 6, Dimensional Regulations

Address 34 Marathon Street

Zoning District R 2

## OPEN SPACE

	EXISTING	PROPOSED
Total lot area	<u>5000 sq ft</u>	<u>5000 sq ft</u>
Open Space (Usable)*	<u>814.4 sq ft</u>	<u>Same</u>
Open Space (Landscaped)	<u>60 sq feet</u>	<u>Same</u>

\*Usable Open Space must be at least 75% open to the sky, free of automotive, traffic and parking, and readily accessible. Open space shall be deemed usable only if : 1) at least 75% of the area has a grade of less than 8% and no horizontal dimension less than 25 feet.

## GROSS FLOOR AREA (GFA)

Accessory building		
Basement or cellar (>5' excluding mechanical area)	<u>100 sq ft</u>	<u>100 sq feet</u>
1 <sup>st</sup> Floor	<u>1017 sq ft</u>	<u>Same</u>
2 <sup>nd</sup> Floor	<u>1017 sq ft</u>	<u>Same</u>
3 <sup>rd</sup> Floor	<u>186 sq ft</u>	<u>705 sq ft</u>
4 <sup>th</sup> Floor		
5 <sup>th</sup> Floor		
Attic (>7'3" in height, excluding elevator, mechanical)	<u>(see 3<sup>rd</sup> floor)</u>	
Parking garages (except as used for accessory Parking garages or off street loading purposes)	<u>16'x20' 320 sq ft</u>	<u>same</u>
All weather habitable porches and balconies	<u>448 sq ft</u>	<u>448 sq ft</u>
Total Gross Floor Area (GFA)	<u>2769 sq ft</u> <u>.55</u>	<u>3288 sq ft</u> <u>.66</u>

## REQUIRED MINIMUM OPEN SPACE AREA

Proposed Usable Open Space Percent of GFA	<u>3265 sq ft</u>
Proposed Landscaped Open Space Percent of GFA	<u>3265 sq ft</u>

This worksheet applies to plans dated 1/15/2019 designed by Rober Survey

Reviewed by Inspectional Services \_\_\_\_\_ Date: \_\_\_\_\_

**Special Permit Criteria-** The following standards must be addressed and met for the grant of a Special Permit:

1). Indicate where the use requested is listed in the Table of Use Regulations as a Special Permit in the district for which the application is made or is so designated elsewhere in the Arlington Zoning Bylaw.

use regulation of residential purpose as  
a continued 2 family dwelling in an R2  
zoned district.

2). Describe how the requested use is essential or desirable to the public convenience or welfare.

The request to dormer the 3rd floor on the  
left side of dwelling will allow for more usable  
space for residential use and a 2nd bathroom for the  
upper unit which is currently 3 bedrooms.

3). Describe how the requested use will not create undue traffic congestion, or unduly impair pedestrian safety.

This use will not alter the traffic congestion and  
will not impair pedestrian safety.

4). Describe how 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 any other area of the Town will be unduly subjected to hazards affecting health, safety or the general welfare.

This dwelling will remain a 2-family. The existing  
driveway will allow for necessary parking off street. The same  
number of Bedrooms will not change the use of the sewer system.  
It will make for greater convenience for the 2nd unit dwellers.

5). Describe how any special regulations for the use, set forth in Article 11, are fulfilled.

This remains a 2-family in an area designated R2

6). Describe how 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.

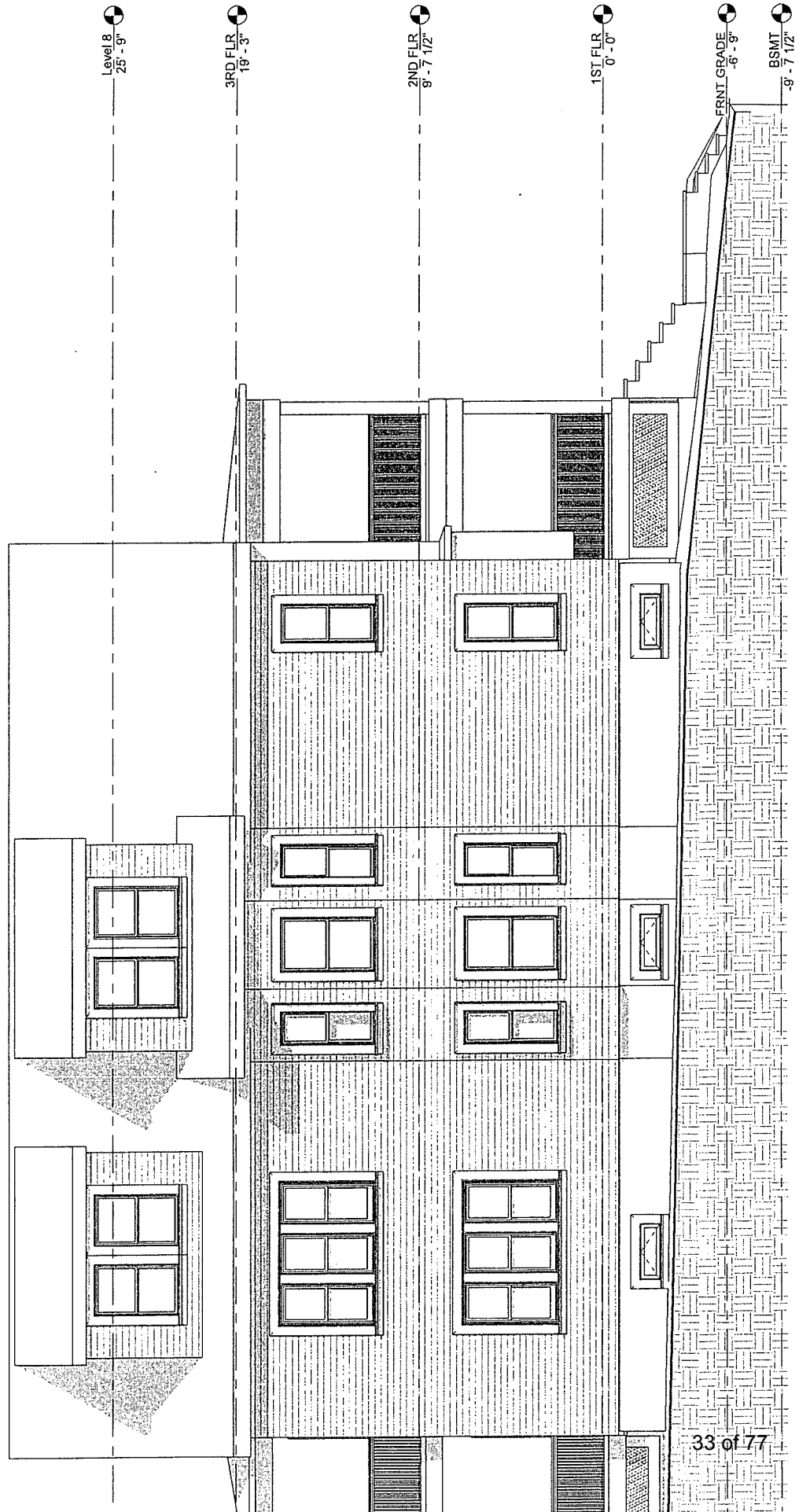
The requested addition of dormers will keep the  
structure compatible with existing neighborhood  
characteristics.

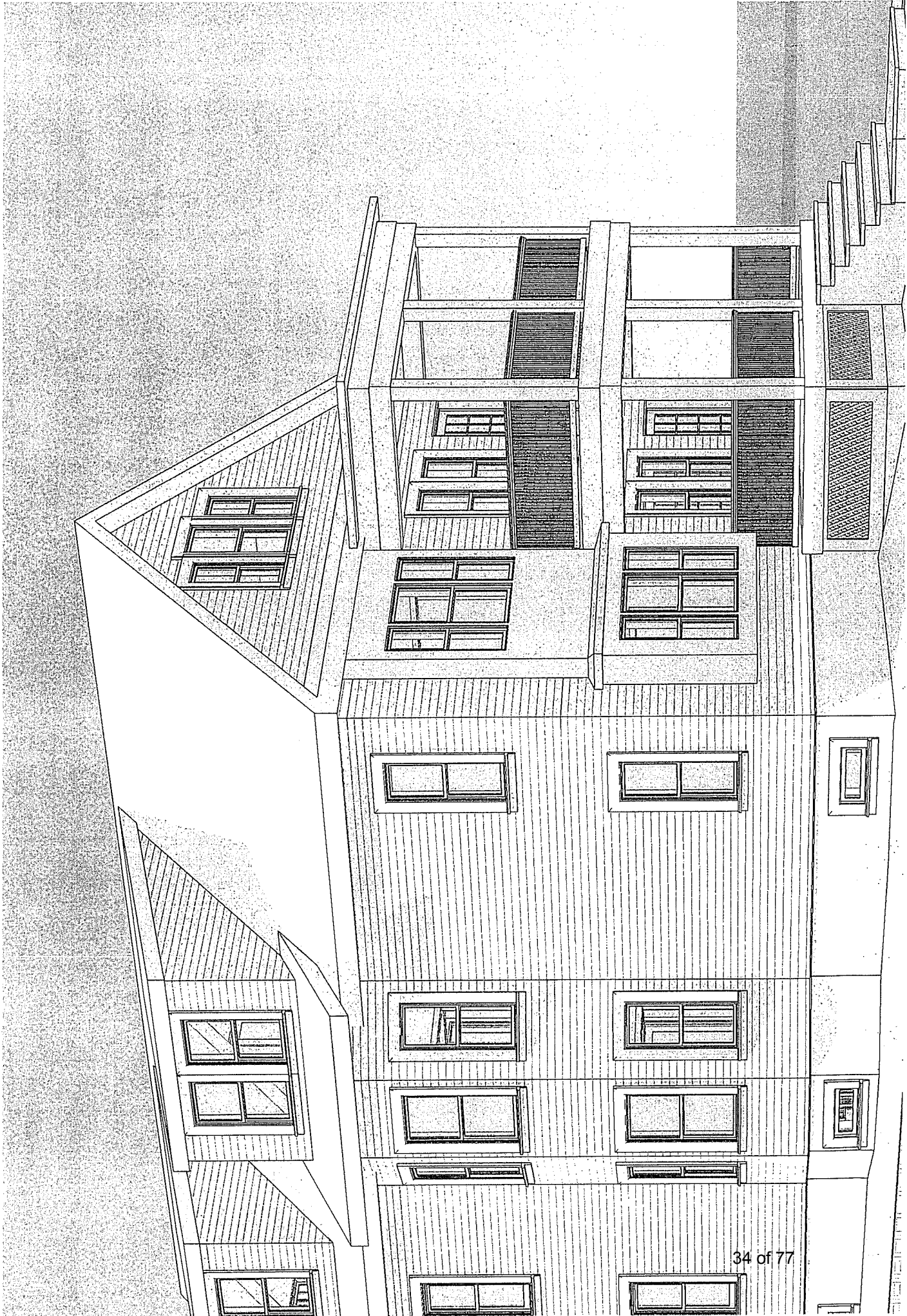
7). Describe how the requested use will not, by its addition to a neighborhood, cause an excess of that particular use that could be detrimental to the character of said neighborhood.

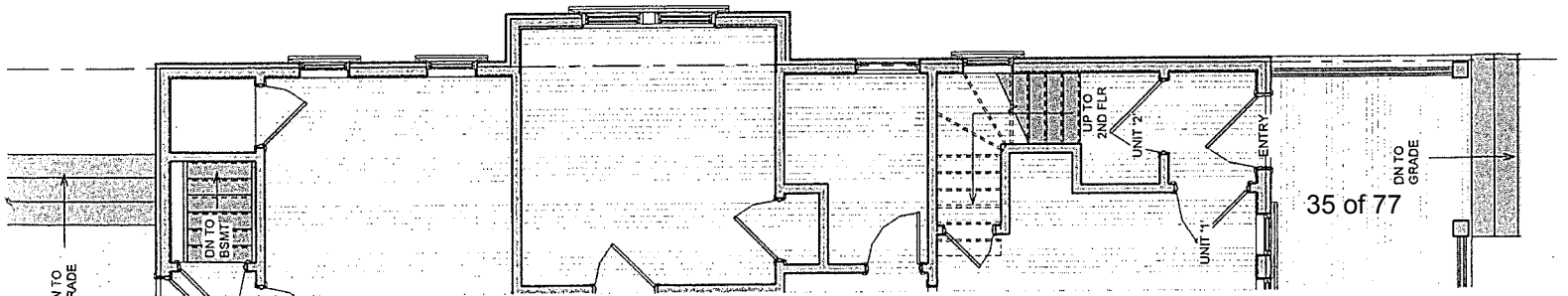
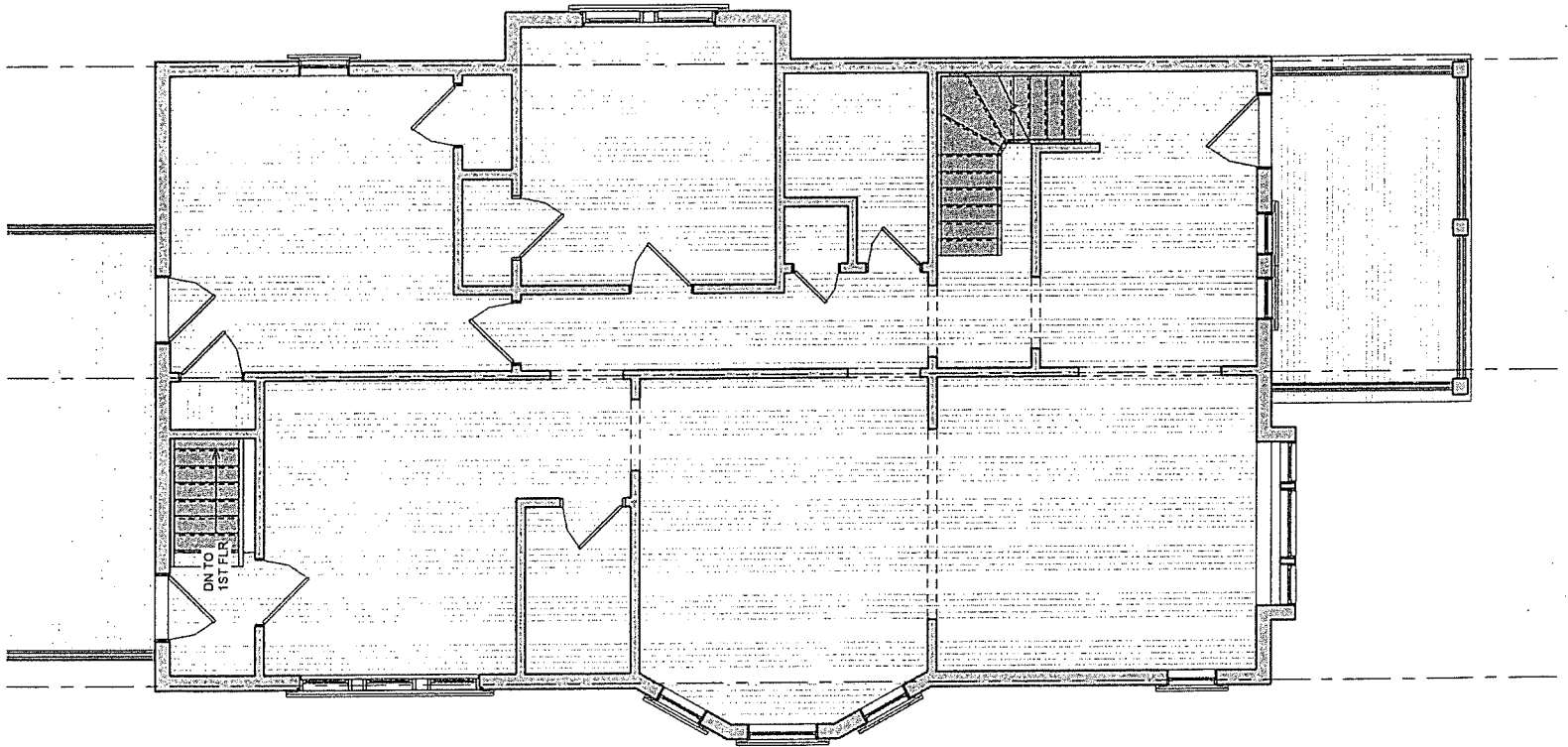
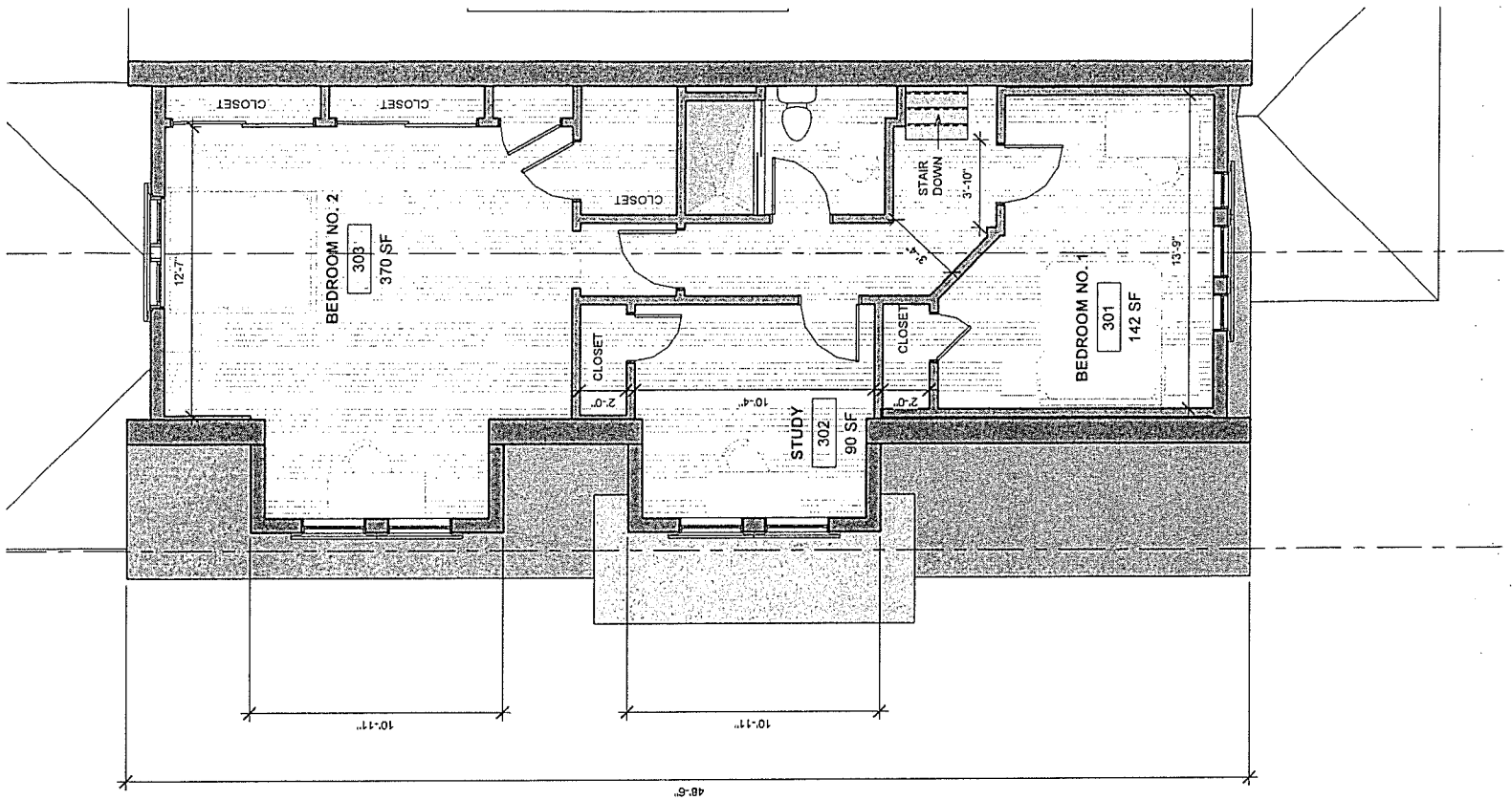
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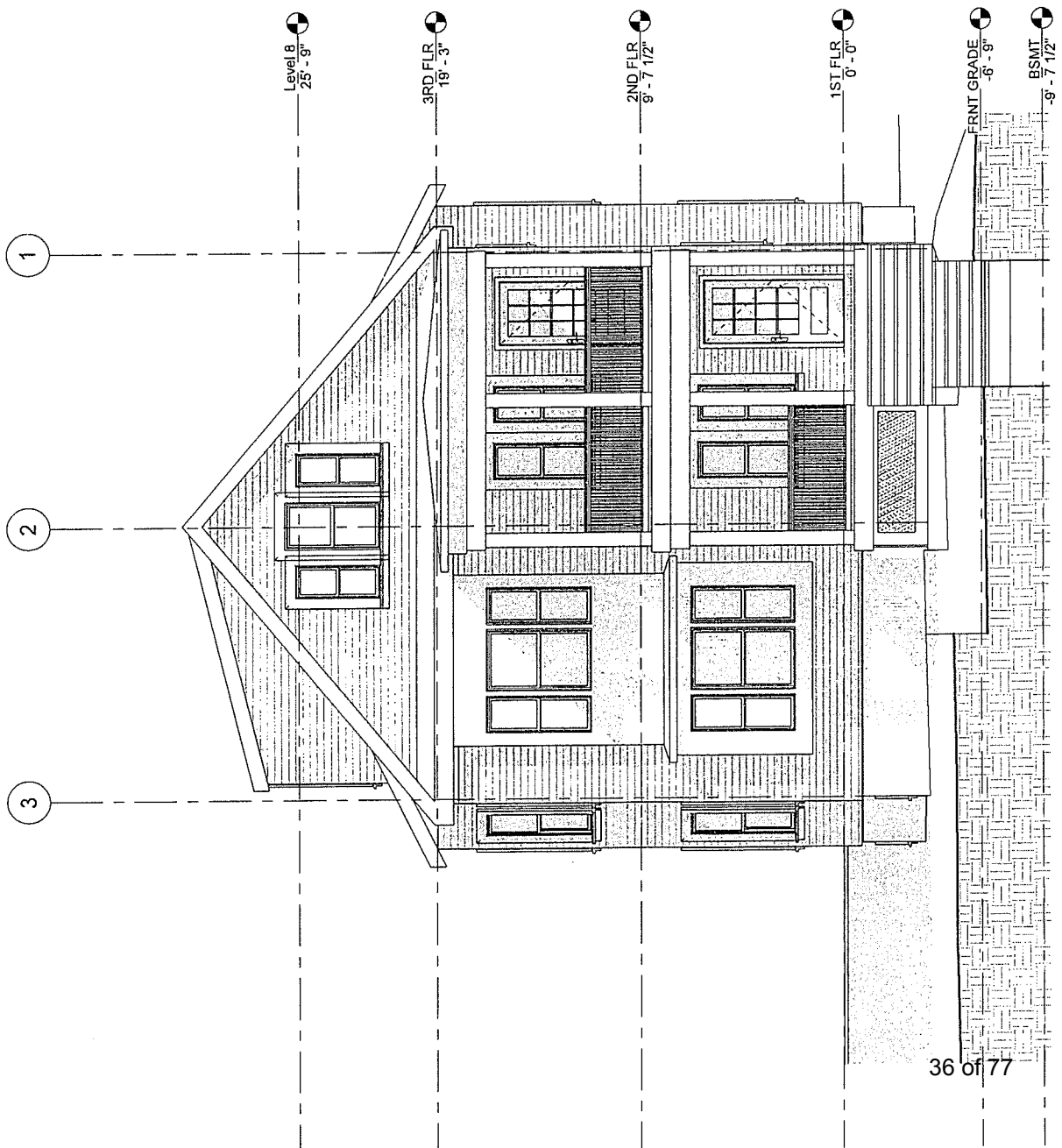
There will be no detriment to the character of the neighborhood.

Will will improve the exterior appearance of the house will Residing and repairs to trim and to insulate the house which will lower the carbon footprint of this dwelling.

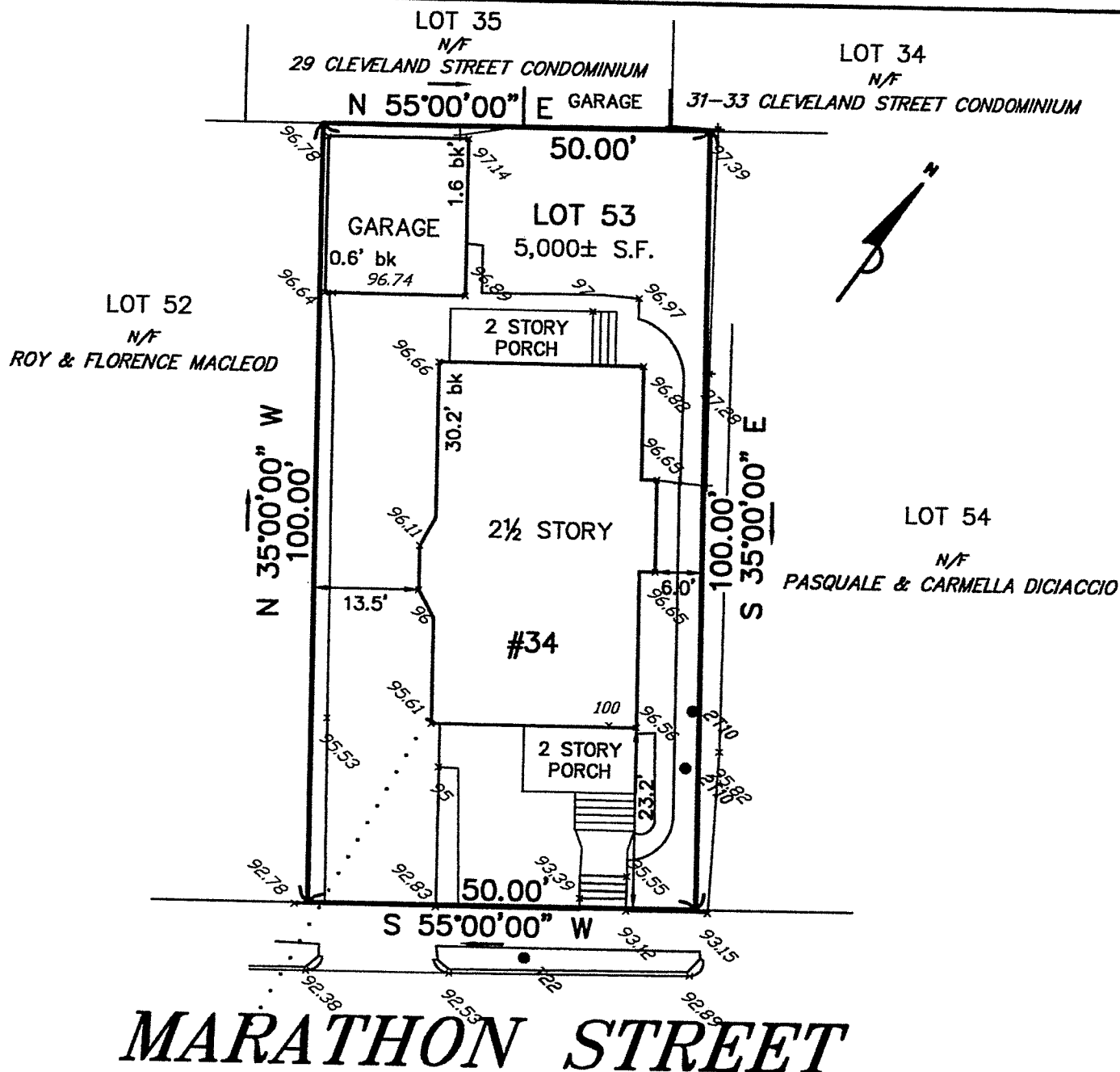












OWNER: FRANCIS & RITA McGOVERN

I HEREBY CERTIFY THAT THE BUILDING IS  
LOCATED AS SHOWN.

PROPOSED PLOT PLAN  
#34 MARATHON STREET  
IN  
ARLINGTON, MA  
(MIDDLESEX COUNTY)

SCALE: 1" = 20' DATE: 1/15/2019



**ROBER SURVEY**  
1072A MASSACHUSETTS AVENUE  
ARLINGTON, MA 02476  
(781) 648-5533

5711PP1.DWG

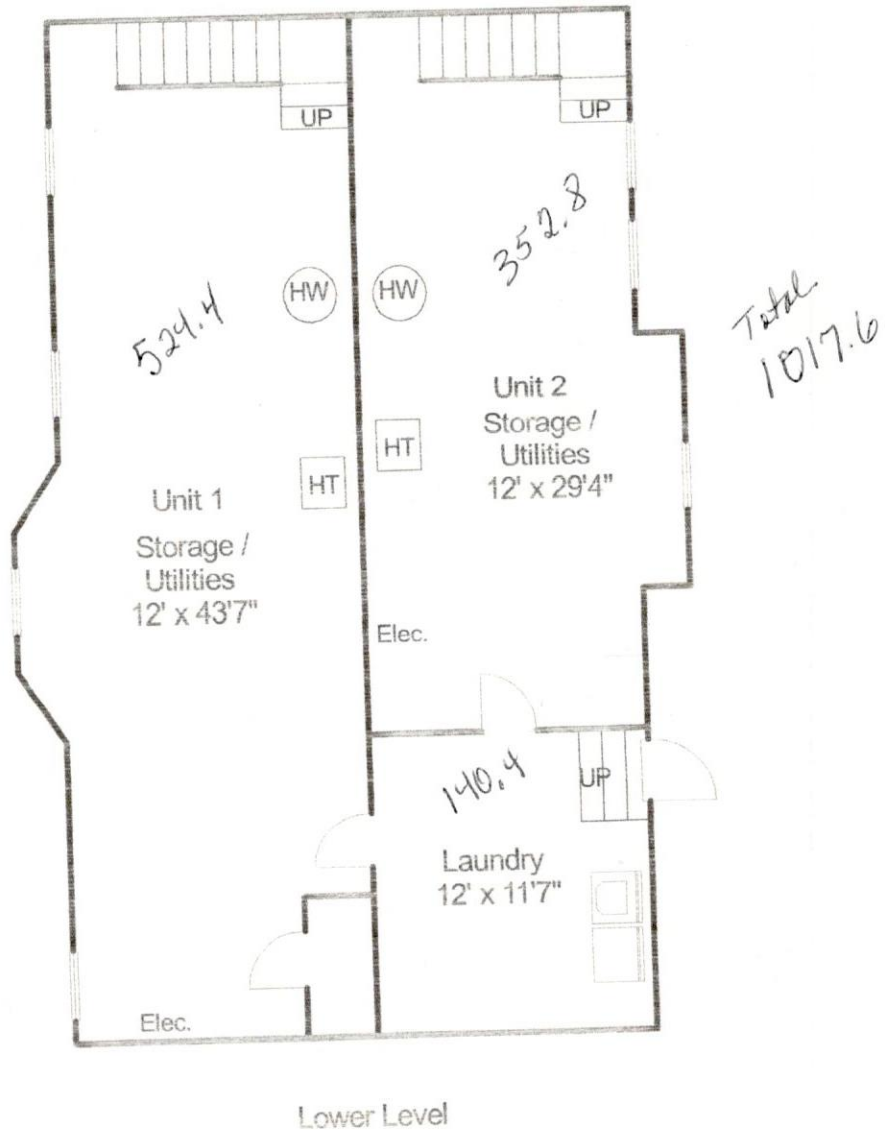
37 of 77

CLIFFORD E. ROBER, PLS DATE

THIS PLAN MAY HAVE BEEN ALTERED IF  
THE SIGNATURE IS NOT SIGNED IN BLUE.

*34 Marathon Street, Arlington, Massachusetts*

*Units 1 and 2*

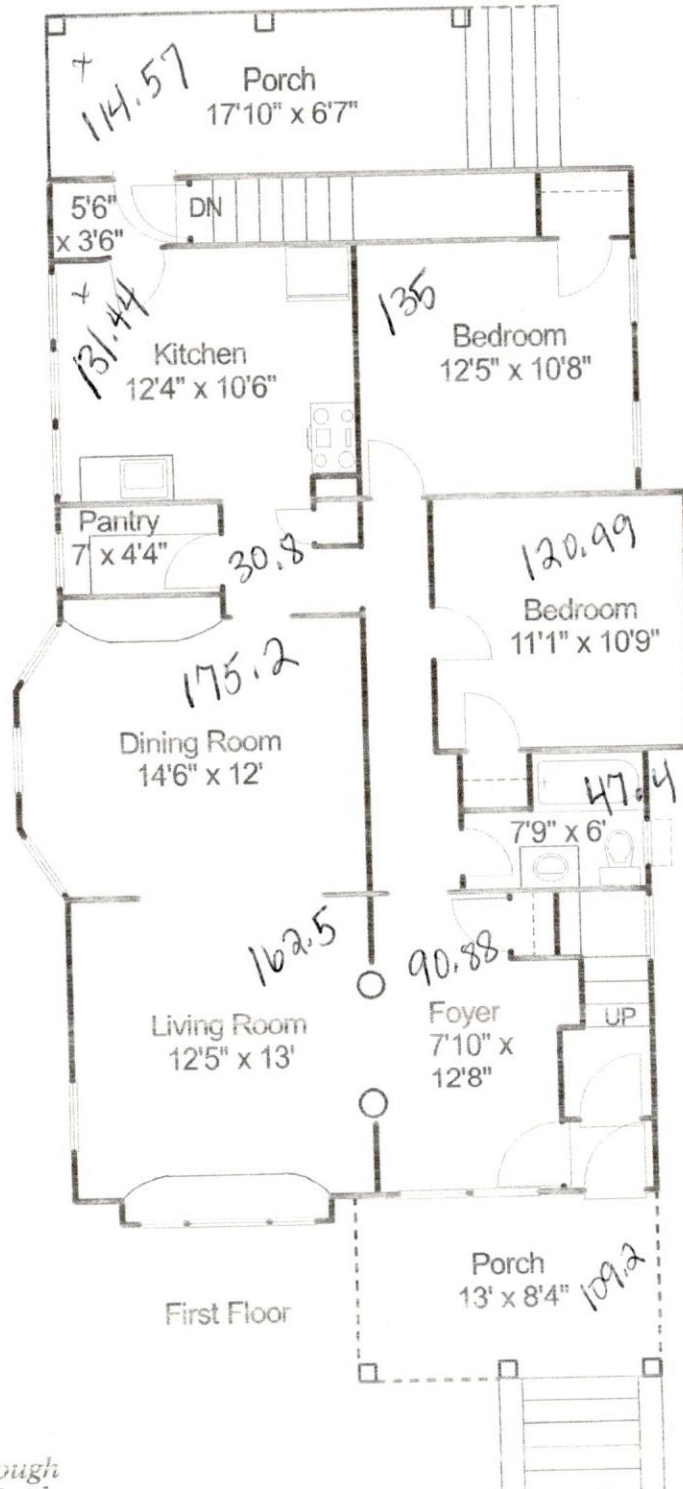


prepared for:  
Mary-Lou McDonough  
The Higgins Group Realtors  
617-947-9279

Renderings  
Kathleen Murillo  
(978) 392-1100  
approximate measurements  
© 2012

# 34 Marathon Street, Arlington, Massachusetts

## Unit 1

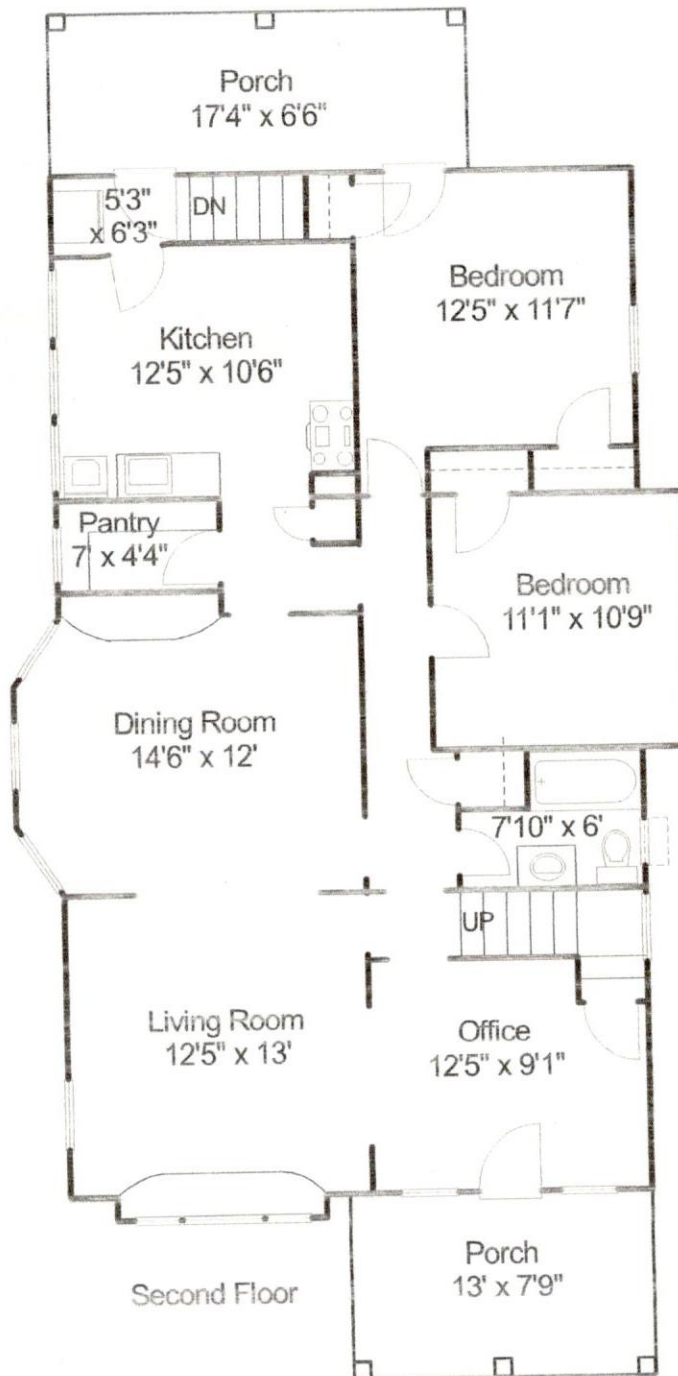


prepared for:  
 Mary-Lou McDonough  
 The Higgins Group Realtors  
 617-947-9279

Renderings  
 Kathleen Murillo  
 (978) 392-1100  
 approximate measurements  
 ©2012

# *34 Marathon Street, Arlington, Massachusetts*

## *Unit 2*

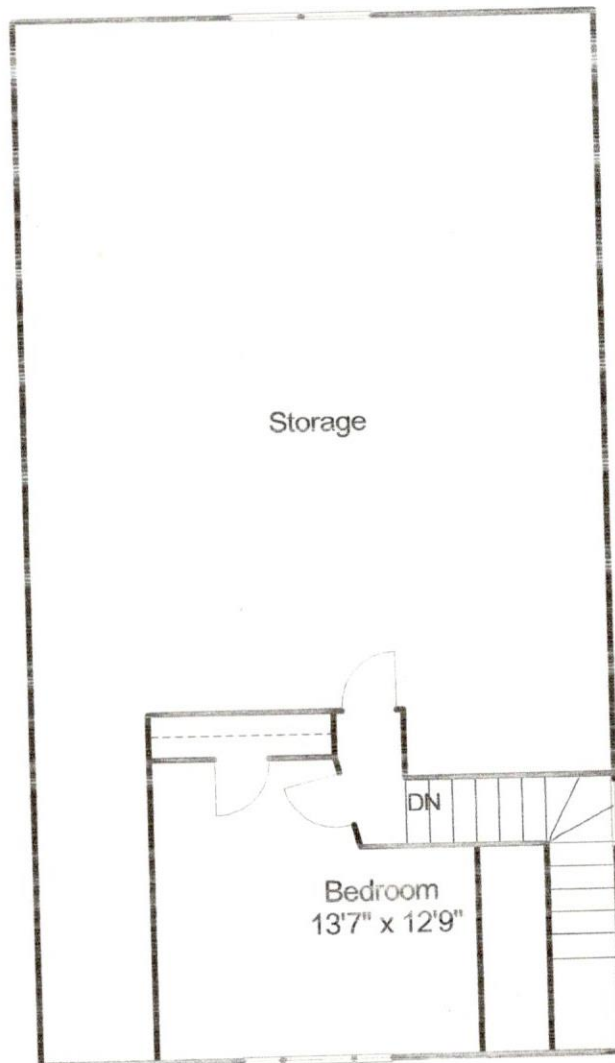


*prepared for:*  
*Mary-Lou McDonough*  
*The Higgins Group Realtors*  
*617-947-9279*

*Renderings*  
*Kathleen Murillo*  
*(978) 392-1100*  
*approximate measurements*  
*© 2012*

*34 Marathon Street, Arlington, Massachusetts*

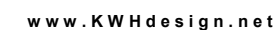
*Unit 2*



Third Floor

*prepared for:*  
*Mary-Lou McDonough*  
*The Higgins Group Realtors*  
*617-947-9279*

*Renderings*  
*Kathleen Murillo*  
*(978) 392-1100*  
*approximate measurements*  
*© 2012*



**TRUE HALFSIZE SET**  
(WHEN ON 11x17 SHEETS)

[illegible]

## 34 MARATHON ST

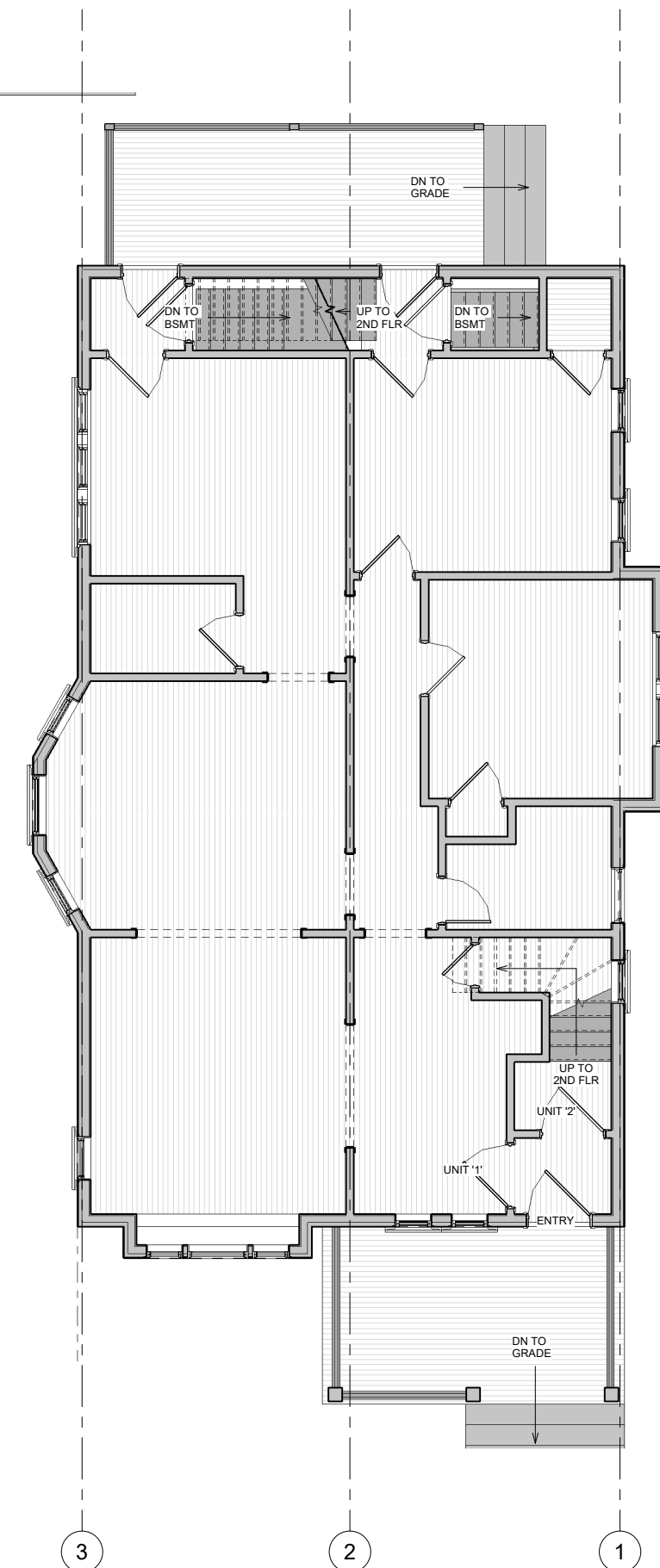
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### FLOOR PLANS

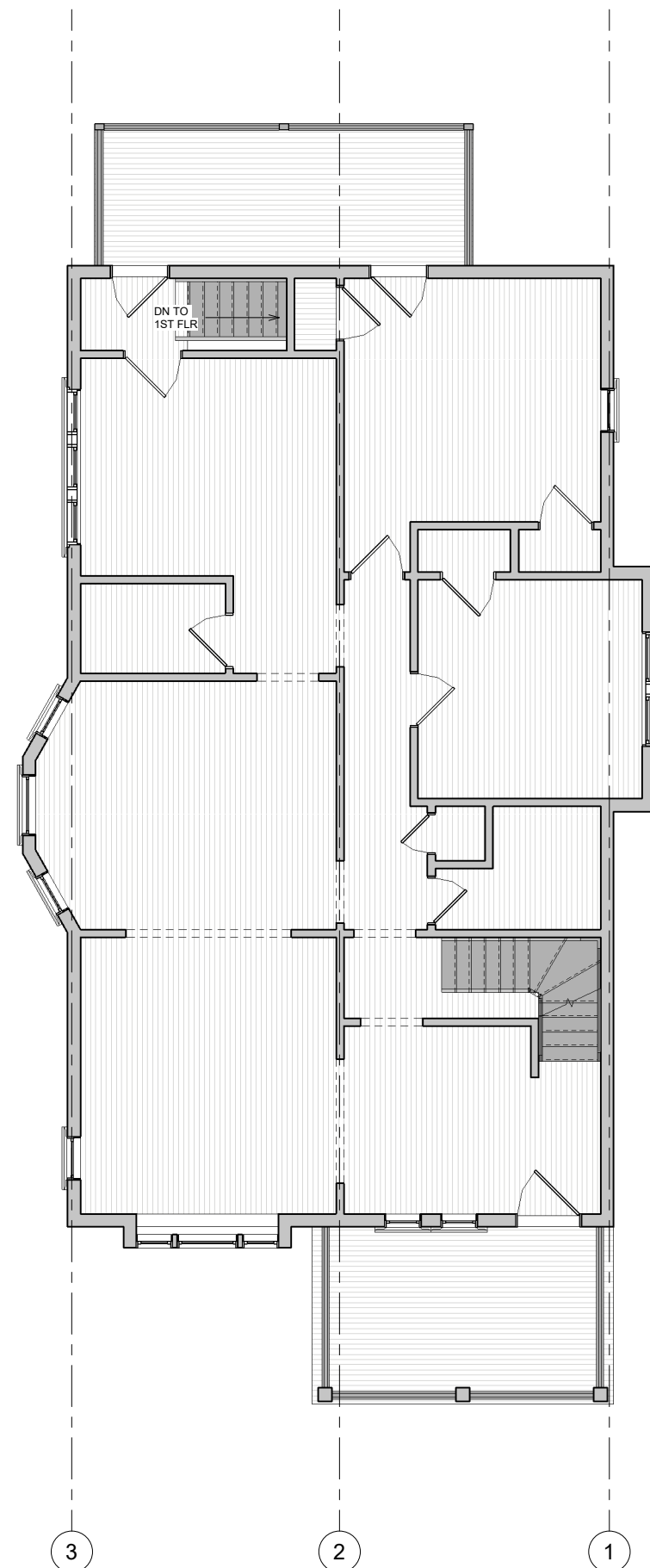
Project number	Project Number
Date	2021-04-20
Drawn by	Author
Checked by	Checker

A101

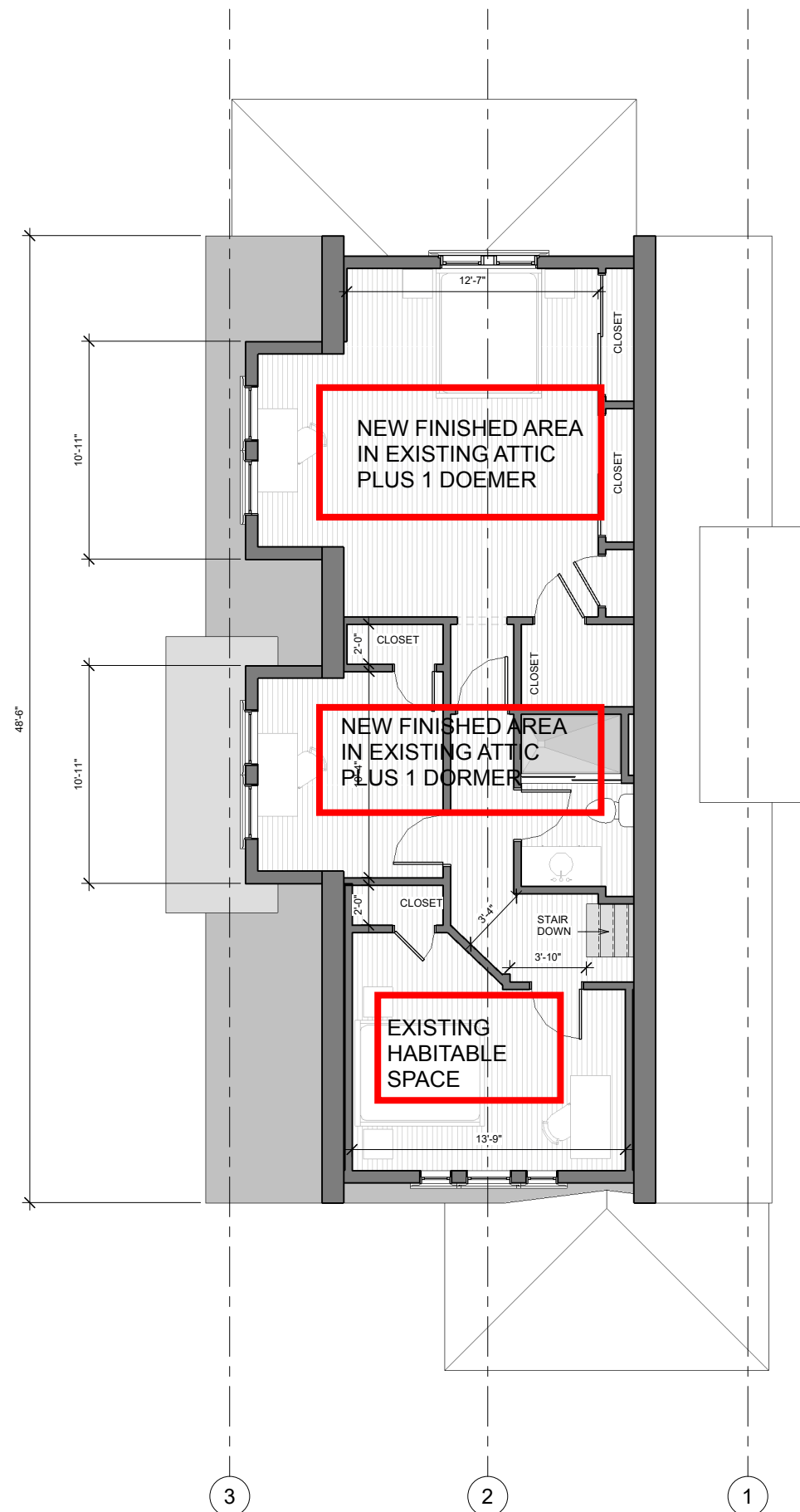
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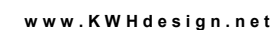
② EXISTING - 1ST FLR  
1/4" = 1'-0"



③ EXISTING - 2ND FLR  
1/4" = 1'-0"



① PROPOSED - 3RD FLR - 5 FT CP  
1/4" = 1'-0"

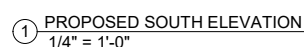
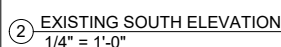


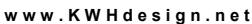
**TRUE HALFSIZE SET**  
(WHEN ON 11x17 SHEETS)

[illegible]

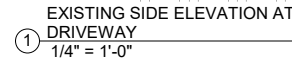
Project number	Project Number
Date	2021-04-20
Drawn by	Author
Checked by	Checker

Scale  $1/4" = 1'-0"$





**KWH design, inc.**  
Keith Hinzman, LEED AP BD+C  
PO BOX 51644  
BOSTON, MA 02205  
(617) 913-4714  
keith@kwhdesign.net  
[www.KWHdesign.net](http://www.KWHdesign.net)



**TRUE HALFSIZE SET**  
(WHEN ON 11x17 SHEETS)

[illegible]

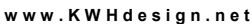
### 34 MARATHON ST DRIVEWAY SIDE ELEVATION

Project number	Project Number
Date	2021-04-20
Drawn by	Author
Checked by	Checker

A202

Scale  $1/4" = 1'-0"$





**TRUE HALFSIZE SET**  
(WHEN ON 11x17 SHEETS)

[illegible]

Project number	Project Number
Date	2021-04-20
Drawn by	Author
Checked by	Checker

Scale  $1/4" = 1'-0"$



PROPOSED SIDE ELEVATION AT DRIVEWAY  
①  $1/4" = 1'-0"$



**TRUE HALFSIZE SET**  
(WHEN ON 11x17 SHEETS)

[illegible]

34 MARATHON ST  
VIEW FROM  
SIDEWALK

Project number	Project Number
Date	2021-04-20
Drawn by	Author
Checked by	Checker

A204

	Scale
--	-------





**KWH design, inc.**  
Keith Hinzman, LEED AP BD+C  
PO BOX 51644  
BOSTON, MA 02205  
(617) 913-4714  
keith@kwhdesign.net  
[www.KWHdesign.net](http://www.KWHdesign.net)

**TRUE HALFSIZE SET**  
(WHEN ON 11x17 SHEETS)

[illegible]

34 MARATHON ST  
PROPOSED FROM  
SIDEWALK

Project number	Project Number
Date	2021-04-20
Drawn by	Author
Checked by	Checker

A205

Scale:



1 VIEW FROM SIDEWALK PROPOSED



**TOWN OF ARLINGTON**  
DEPARTMENT OF PLANNING and  
COMMUNITY DEVELOPMENT

TOWN HALL, 730 MASSACHUSETTS AVENUE  
ARLINGTON, MASSACHUSETTS 02476  
TELEPHONE 781-316-3090

**MEMORANDUM**

To: Zoning Board of Appeals  
From: Jennifer Raitt, Director, Dept. of Planning and Community Development/kl  
Date: 5/7/2021  
RE: Docket 3655 – 34 Marathon Street; Special Permit under Section 8.1.3 (B)  
(Nonconforming Single-Family or Two-Family Dwellings)

---

The applicants, Francis and Rita McGovern, seek a Special Permit in accordance with Section 8.1.3 (B) (Nonconforming Single-Family or Two-Family Dwellings) of the Zoning Bylaw. The applicants seeks to construct an addition of a two dormers on the third level of a two-family structure. The addition would increase the total square footage of the structure from 2,769 to 3,288 square feet (+519 square feet). It is unclear whether the proposed addition meets the definition of a half story, as the applicant has not provided dimensional details showing the total area of the finished floor below the roof framing and slope of the roof that will be at a height of seven feet or more.

The property is in the R2 Zoning District, and is nonconforming with the Zoning Bylaw's lot area, frontage, and right side yard dimensional requirements. The proposed addition would not increase any of these nonconformities of the existing structure, however if the dimensions of the proposed half story exceed the dimensional requirements needed to meet the definition of a half story, the addition could create a new nonconformity in the maximum height in stories. In addition, the applicant has not correctly calculated landscaped open space and usable open space, so it is unclear if the property is in conformance with those requirements or if the addition would increase any potential existing nonconformities.

The following is an application of the Special Permit criteria (Zoning Bylaw Section 3.3.3):

Criterion #1: Requested Use

The requested use is permitted in the R2 Zoning District through the granting of a Special Permit if less than one half the floor area measured from the underside of the roof framing to the finished floor below has a clear height of 7 feet 0 inches or more. The applicant has not provided the necessary dimensions to calculate whether the proposal complies with this definition.

Criterion #2: Public Convenience/Welfare

This proposal would provide additional living space for occupants of the upper unit in the two-family structure.

Criterion #3: Undue Traffic Congestion/Impairment of Public Safety

There would not be an increase in traffic congestion or an impairment of public safety.

Criterion #4: Undue Burden on Municipal Systems

There would not be an undue burden on municipal systems.

Criterion #5: Special regulations

This proposal would not result in the need for special regulations.

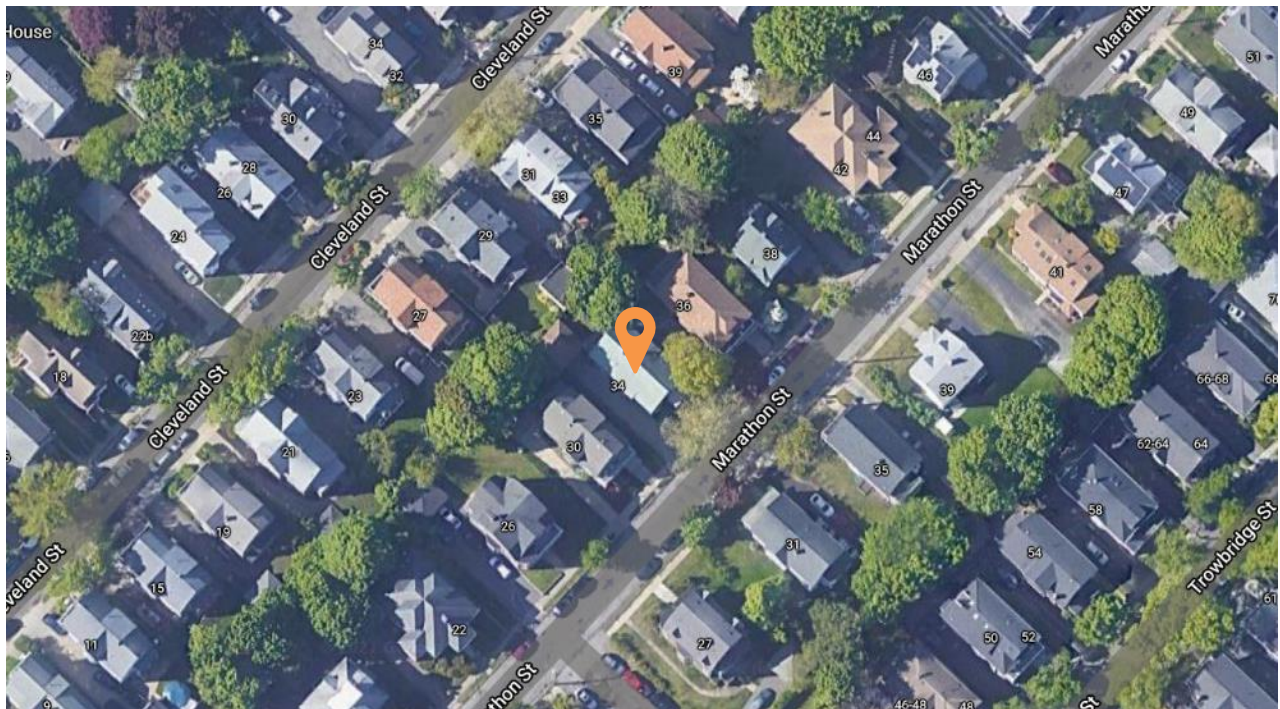
Criterion #6: Integrity/Character of District; Detrimental to Health, Morals, Welfare

This type of addition is common in the surrounding neighborhood. The proposed dormers are well-proportioned and align with other features on the existing structure. They are sufficiently set back from the front façade so as to avoid adding significant appearance of height beyond two stories<sup>1</sup>. The proposal would not detrimentally impact the neighborhood character of the district or adjoining districts, nor will it be detrimental to the health, morals, or welfare of the neighbors of the property.

Criterion #7: Detrimental Excess in Particular Use

This proposal would not cause any detrimental excesses.

Below are aerial and street-view photos of the current building:

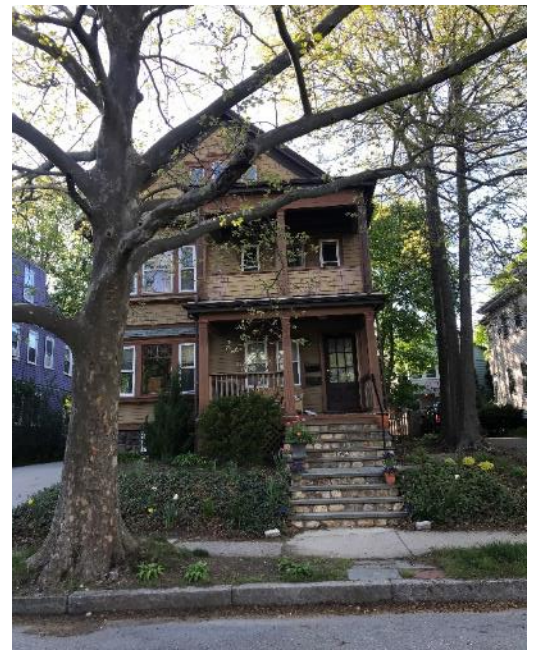


---

<sup>1</sup> Residential Design Guidelines, Principle C-1, pg 36.

<https://www.arlingtonma.gov/home/showpublisheddocument?id=54518>





#### Recommendation:

The Department of Planning and Community Development recommends that the Zoning Board of Appeals requests details regarding the dimensions of the third story of the structure, usable, and landscaped open space to ensure that the addition meets the Zoning Bylaw's definition of a half story and that no existing nonconformities are increased prior to approving this application.

#### Related dockets:

- #3652: 41-43 Fairmont St – Applicant sought a special permit to create an addition via a shed dormer on a two-family structure on a nonconforming lot in the R2 Zoning District. Residential Design Guidelines were considered in the evaluation of the proposal. Approved with conditions on 4/13/2021.
- #3630: 49 Magnolia – Applicant sought a special permit to create an addition via two dormers on a two-family structure on a nonconforming lot in the R2 Zoning District. Approved with conditions on 9/8/20.
- #3601: 210-212 Broadway – Applicant sought a special permit to create an addition via two dormers on a two-family structure on a nonconforming lot in the R2 Zoning District. Approved on 9/24/19.



## Town of Arlington, Massachusetts

---

### Docket # 3656: 53 Pine Ridge Road

#### Summary:

In accordance with the provisions of Section 3.2.3A of the Zoning Bylaws that there has been filed by David Potere of Arlington, Massachusetts on March 23, 2021, a petition seeking permission to alter his property located at 53 Pine Ridge Road – Block Plan 147.0-0001-0001.0 Said petition would require a Special Permit under Section 5-18 / (5.4.2B.6) Districts and Uses of the Zoning Bylaw for the Town of Arlington.

#### ATTACHMENTS:

Type	File Name	Description
▣ Reference Material	ZBA_Package__53_Pine_Ridge_Road.pdf	ZBA Package, 53 Pine Ridge Road
▣ Memorandum	3656_53_Pine_Ridge_Rd.pdf	DPCD Memo re: 53 Pine Ridge Rd
▣ Reference Material	Marc_Demaree_Letter_5-11-21.pdf	Marc Demaree Letter 5-11-21



Town of Arlington  
Zoning Board of Appeals  
51 Grove Street  
Arlington, Massachusetts 02476  
781-316-3396  
[www.arlingtonma.gov](http://www.arlingtonma.gov)

### LEGAL NOTICE

Notice is herewith given in accordance with the provisions of Section 3.2.3A of the Zoning Bylaws that there has been filed by **David Potere** of Arlington, Massachusetts on March 23, 2021, a petition seeking permission to alter his property located at **53 Pine Ridge Road - Block Plan 147.0-0001-0001.0** Said petition would require a Special Permit under **Section 5-18 / (5.4.2B,6) Districts & Uses** of the Zoning Bylaw for the Town of Arlington.

A hearing in regards to the petition will be conducted remotely via "Zoom" **Tuesday evening May 11, 2021 at 7:30 P.M or as soon thereafter as the petitioner may be heard. To join the meeting, please register using the following URL:**

[https://town-arlington-ma-us.zoom.us/meeting/register/tJloc-](https://town-arlington-ma-us.zoom.us/meeting/register/tJloc-upqDlrH9BzpU_mQMF2y5Ys20qtIBP9)

[upqDlrH9BzpU\\_mQMF2y5Ys20qtIBP9](https://town-arlington-ma-us.zoom.us/meeting/register/tJloc-upqDlrH9BzpU_mQMF2y5Ys20qtIBP9) **for documentation relating to this petition, visit the ZBA website at [www.arlington.gov/zba](http://www.arlington.gov/zba).**

**DOCKET NO 3656**

Zoning Board of Appeals  
Christian Klein, RA, Chair

Please direct any questions to: **[ZBA@town.arlington.ma.us](mailto:ZBA@town.arlington.ma.us)**



**REQUEST FOR SPECIAL PERMIT**

**TOWN OF ARLINGTON**

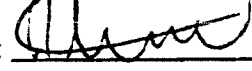
In the matter of the Application of 53 Pine Ridge Road  
to the Zoning Board of Appeals for the Town of Arlington:

Application for a Special Permit is herewith made, in accordance with Section 3.3 of the Zoning Bylaw of the Town of Arlington, Massachusetts, seeking relief from the following specific provisions of the Zoning Bylaw, and as described fully in the attached form, *Special Permit Criteria*:

5.4.2 B (6) No alteration or addition which increases the gross floor area of a building by 750 square feet or more, or by 50% or more of the building's gross floor area on the date of application for a permit or because of cumulative alterations or additions during the previous two years, shall be allowed unless ...

The Applicant states he/she/they is/are the owner/occupant of the land in Arlington located at 53 Pine Ridge Road with respect to such relief is sought; that no unfavorable action has been taken by the Zoning Board of Appeals upon a similar petition regarding this property within the two (2) years next immediately prior to the filing hereof. The applicant expressly agrees to full compliance with any and all conditions and qualifications imposed upon this permission, whether by the Zoning Bylaw or by the Zoning Board of Appeals, should the same be granted. The Applicant represents that the grounds for the relief sought are as follows:

The use of the property will not change. The proposed project confirms with all zoning bylaws except that a special permit is required for the size of the addition. The addition will be in keeping with the character of the existing building and the neighborhood context.

E-Mail: david.potere@gmail.com Signed:  Date: 23 MARCH 2021  
Telephone: 617.860.798.7519 Address: 119 LAKE ST. UNIT #2 ARLINGTON MA 02474

**Special Permit Criteria:** Per Section 3.3.3 of the Zoning Bylaw, a Special Permit shall only be granted upon the Board’s determination that the benefits of the proposed project will outweigh its adverse effects. The responses provided below will inform the Board as to whether the standards for approval have been met.

A). Indicate where the requested use is listed in the Table of Use Regulations as allowed by Special Permit in the district for which the application is made or is so designated elsewhere in the Zoning Bylaw.

The building is a single family house, allowed by right. The use will not change.  
\_\_\_\_\_  
\_\_\_\_\_

B). Explain why the *requested use is essential or desirable to the public convenience or welfare.*

The building is a single family house, allowed by right. The use will not change.  
\_\_\_\_\_  
\_\_\_\_\_

C). Explain why *the requested use will not create undue traffic congestion, or unduly impair pedestrian safety.*

The building is a single family house, allowed by right. The use will not change.  
\_\_\_\_\_  
\_\_\_\_\_

D). Explain why *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 any other area of the Town will be unduly subjected to hazards affecting health, safety or the general welfare.*

The building is a single family house, allowed by right. The use will not change.  
\_\_\_\_\_  
\_\_\_\_\_

E). Describe how any special regulations for the use, as may be provided in the Zoning Bylaw, including but not limited to the provisions of Section 8 are fulfilled.

The building is a single family house, allowed by right. The use will not change.

F). Explain why 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 changes and additions to the house are designed to harmonize with the existing  
structure. The materials and details will match the existing house. The use will not change.

G). Explain why *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 building is a single family house, allowed by right. The use will not change.

**TOWN OF ARLINGTON**  
Dimensional and Parking Information  
For Applications to the Zoning Board of Appeals

1. Property Location: 53 Pine Ridge Road Zoning District: R1

2. Present Use/Occupancy: Residence No. of dwelling units 1

3. Existing Gross Floor Area (refer to Section 5.3.22 of the Zoning Bylaw and provide supporting documentation [worksheet and drawings] showing dimensions of GFA by floor):  
3129 Sq. Ft.

4. Proposed Use/Occupancy: Residence No. of dwelling units 1

5. Proposed Gross Floor Area (refer to Section 5.3.22 of the Zoning Bylaw and provide supporting documentation [worksheet and drawings] showing dimensions of GFA by floor):  
4951 Sq. Ft.

	Present Conditions	Proposed Conditions	Min. or max Required by Zoning
6. Lot size (Sq. Ft.)	9,412	9,412.00	min. 6,000
7. Frontage (Ft.)	188	188	min. 60
8. Floor area ratio	0.33	0.53	max. 0.00
9. Lot Coverage ( %)	14.70%	18.24%	max 35.00%
10. Lot Area per Dwelling Unit (Sq. Ft.)	9,412	9,412	min. 0
11. Front Yard Depth (Ft.)	48	48	min. 25
12. Left Side Yard Depth (Ft.)	18	18	min. 25
13. Right Side Yard Depth (Ft.)	37	11	min. 10
14. Rear Yard Depth (Ft.)	22	22	min. 20
15. Height (Stories)	3	3	max. 3
16. Height (Ft.)	30.4	30.4	max. 35.0
17. Landscaped Open Space (Sq. Ft.) Refer to Section 2 in the Zoning Bylaw.	4,832.00	3,921.00	
17A. Landscaped Open Space (% of GFA)	154.43%	79.20%	min. 0.00%
18. Usable Open Space (Sq. Ft.) Refer to Section 2 in the Zoning Bylaw.	3,771.00	2,860.00	
18A. Usable Open Space (% of GFA)	120.52%	57.77%	min. 0.00%
19. Number of Parking Spaces			min.
20. Parking area setbacks (if applicable)			min.
21. Number of Loading Spaces (if applicable)	9,412	9,412.00	min. 6,000
22. Type of construction	5	5	N/A
23. Slope of proposed roof(s) (in. per ft.)	6.5	6.5	min.

**TOWN OF ARLINGTON**  
Open Space / Gross Floor Area Information  
For Applications to the Zoning Board of Appeals

Refer to Section 2: *Definitions*, and Section 5: *District Regulations* in the Zoning Bylaw of the Town of Arlington before completing this form.

Address: 53 Pine Ridge Road                      Zoning District: R1

<u>OPEN SPACE*</u>	<u>EXISTING</u>	<u>PROPOSED</u>
Total lot area	<u>9412</u>	<u>9412</u>
Open Space, Usable	<u>3,771.00</u>	<u>2,860.00</u>
Open Space, Landscaped	<u>4,832.00</u>	<u>3,921.00</u>

\* Refer to the Definitions in Section 2 of the Zoning Bylaw.

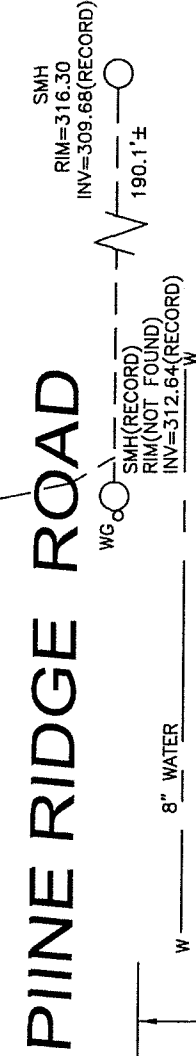
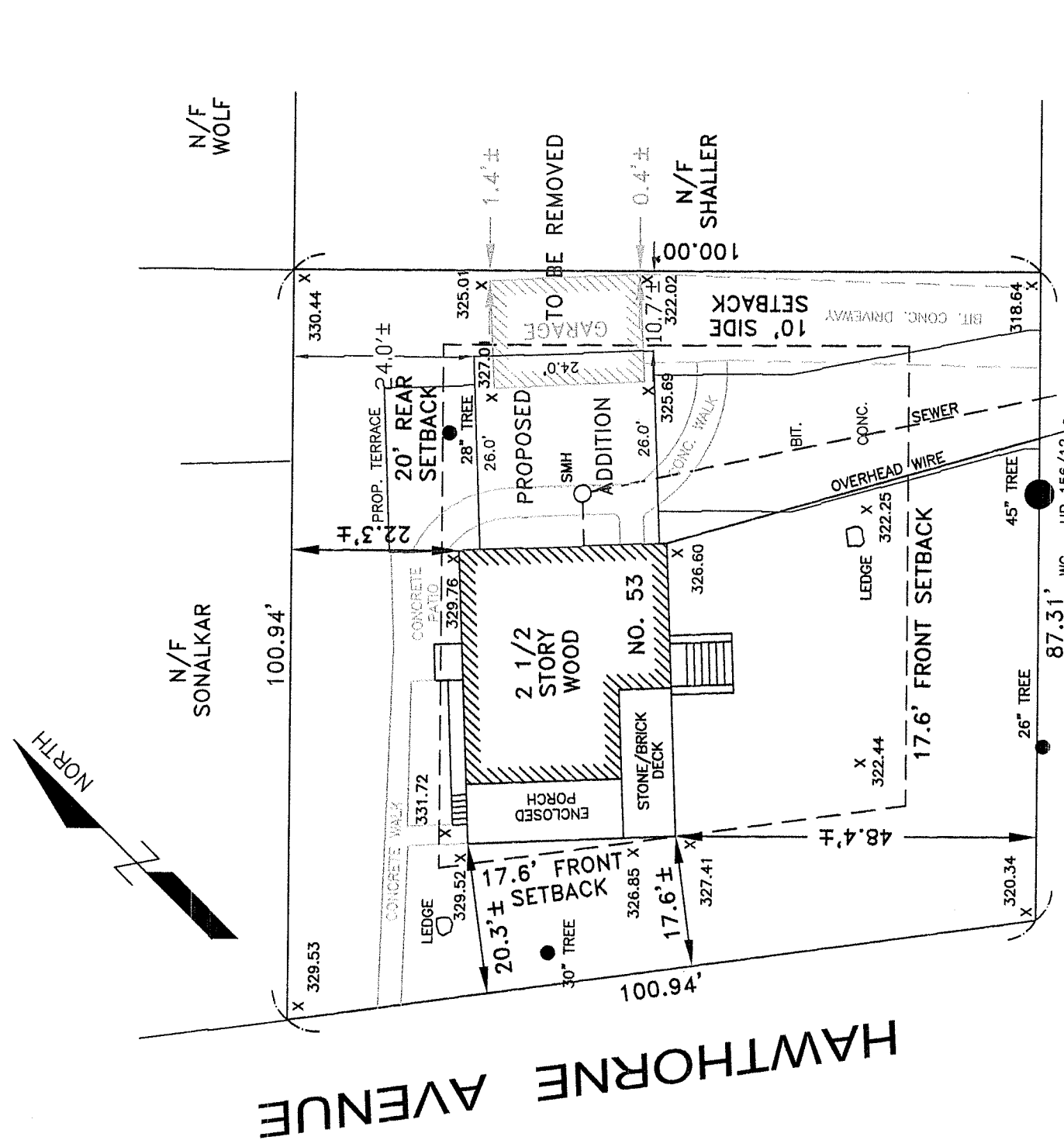
<u>GROSS FLOOR AREA (GFA) †</u>		
Accessory Building	<u>0</u>	<u>0</u>
Basement or Cellar (meeting the definition of Story, excluding mechanical use areas)	<u>1093</u>	<u>1093</u>
1 <sup>st</sup> Floor	<u>956</u>	<u>1721</u>
2 <sup>nd</sup> Floor	<u>789</u>	<u>1513</u>
3 <sup>rd</sup> Floor	<u>0</u>	<u>0</u>
4 <sup>th</sup> Floor	<u>0</u>	<u>0</u>
5 <sup>th</sup> Floor	<u>0</u>	<u>0</u>
Attic (greater than 7'-0" in height, excluding elevator machinery; or mechanical equipment)	<u>0</u>	<u>0</u>
Parking garages (except as used for accessory parking or off-street loading purposes)	<u>291</u>	<u>624</u>
All weather habitable porches and balconies	<u>0</u>	<u>0</u>
Total Gross Floor Area (GFA)	<u>3129</u>	<u>4951</u>

† Refer to Definition of Gross Floor Area in Section 2 and Section 5 of the Zoning Bylaw.

<u>REQUIRED MINIMUM OPEN SPACE AREA</u>		
Landscaped Open Space (Sq. Ft.)	<u>4,832.00</u>	<u>3,921.00</u>
Landscaped Open Space (% of GFA)	<u>154.43%</u>	<u>79.20%</u>
Usable Open Space (Sq. Ft.)	<u>3,771.00</u>	<u>2,860.00</u>
Usable Open Space (% of GFA)	<u>120.52%</u>	<u>57.77%</u>

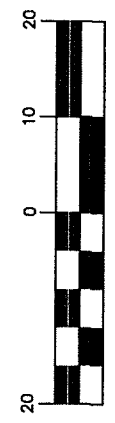
This worksheet applies to plans dated 03/23/2021 designed by David Whitney

Reviewed with Building Inspector: \_\_\_\_\_ Date: \_\_\_\_\_



LOT AREA = 9,412 S.F.±  
EXISTING BUILDING = 792 S.F.±  
EXISTING GARAGE = 292 S.F.±  
EXISTING PAVEMENT + WALK = 1,110 S.F.±  
PROPOSED ADDITION = 624 S.F.±  
EXISTING LOT COVERAGE = 11.5%  
PROPOSED LOT COVERAGE = 15.0%  
EXISTING OPEN SPACE = 76.7%  
PROPOSED OPEN SPACE = 73.3%

- NOTES
1. SEE DEED RECORDED IN MIDDLESEX COUNTY REGISTRY OF DEEDS IN DEED BOOK 50469, PAGE 80.
  2. SEE PLAN RECORDED IN MIDDLESEX COUNTY REGISTRY OF DEEDS IN DEED BOOK 113, PAGE 32.
  3. SUBJECT PARCEL IS LOCATED IN ZONE R1.
  4. UTILITIES SHOWN HEREON WERE TAKEN FROM AVAILABLE FIELD AND RECORD LOCATIONS AND ARE APPROXIMATE ONLY. CALL DIG-SAFE BEFORE ANY EXCAVATION.
  5. ALL CONCRETE WALKWAYS TO BE REMOVED.



( IN FEET )  
1 inch = 20 ft.

CERTIFIED PLOT PLAN  
IN

ARLINGTON, MA

SCALE: 1" = 20' MARCH 18, 2021

DLJ GEOMATICS  
PROFESSIONAL LAND SURVEYING

276 NORTH STREET

WEYMOUTH, MA 02191

(781) 812-0457

53 PINE RIDGE RD ARLINGTON.dwg

PROFESSIONAL LAND SURVEYOR DATE

# POTERE RESIDENCE

53 PINE RIDGE ROAD  
ARLINGTON, MA 02476

DAVID WHITNEY

ARCHITECT

49 LINDEN STREET  
ARLINGTON, MA 02476  
781 643 0759

## DRAWING INDEX

D0.1 Site Demolition Plan  
D1.0 Basement Demolition Plan  
D1.1 First Floor Demolition Plan  
D1.2 Second Floor Demolition Plan  
D1.3 Third Floor Demolition Plan

A1.1 Site Plan  
A1.0 Basement Plan  
A1.1 First Floor Plan  
A1.2 Second Floor Plan  
A1.3 Third Floor Plan

A2.1 South Elevation  
A2.2 West Elevation  
A2.3 North Elevation  
A2.4 East Elevation

SPECIAL PERMIT SET  
3.23.21

DAVID WHITNEY  
ARCHITECT

49 LINDEN STREET  
ARLINGTON, MA 02476  
781 643 0759

POTERE RESIDENCE  
53 PINE RIDGE ROAD  
ARLINGTON, MA 02476

TITLE:

Site  
Demolition Plan

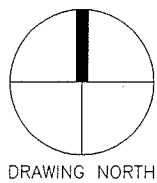
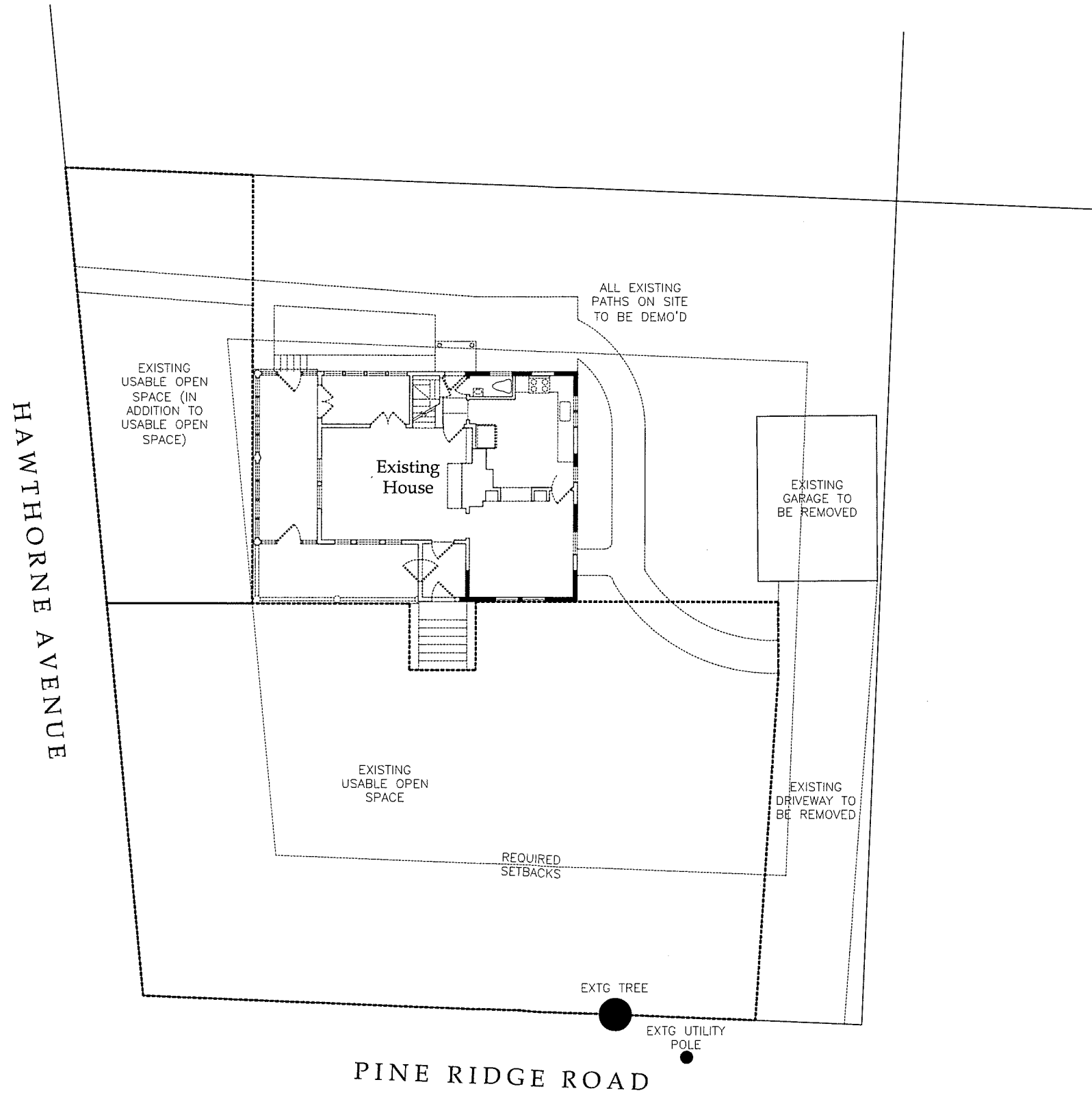
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DATE: 3.23.21

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FILE: PLANS

SHEET

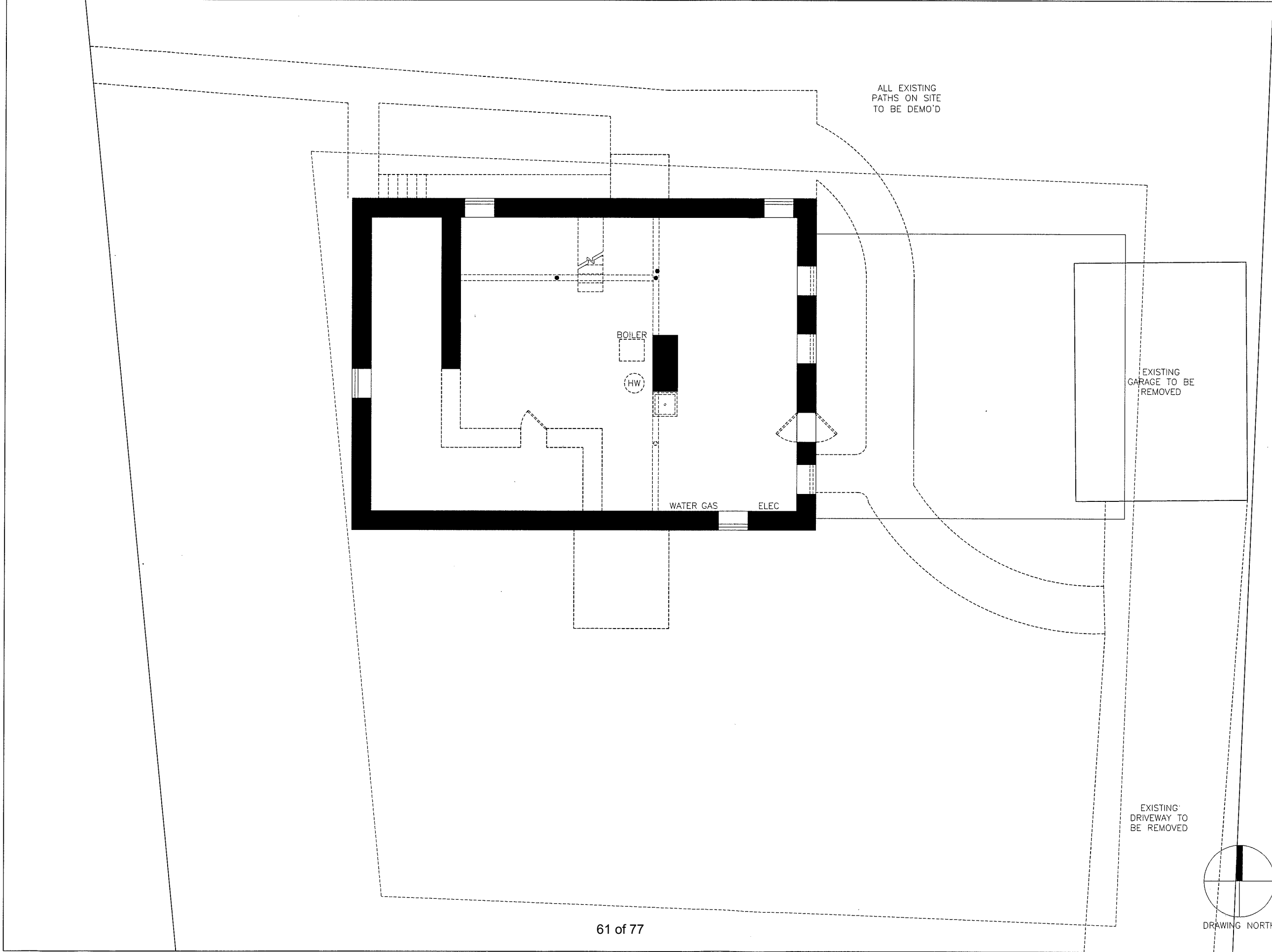
D0.1

© DAVID WHITNEY AIA



DRAWING NORTH





DAVID WHITNEY  
ARCHITECT

49 LINDEN STREET  
ARLINGTON, MA 02476  
781 643 0759

POTERE RESIDENCE  
53 PINE RIDGE ROAD  
ARLINGTON, MA 02476

TITLE:  
**Basement  
Demolition Plan**

SCALE: 1/8" = 1'-0"  
DATE: 3.23.21

DRAWN BY: DW  
FILE: PLANS

SHEET  
**D1.0**  
© DAVID WHITNEY AIA

DAVID WHITNEY  
ARCHITECT

49 LINDEN STREET  
ARLINGTON, MA 02476  
781 643 0759

POTERE RESIDENCE  
53 PINE RIDGE ROAD  
ARLINGTON, MA 02476

TITLE:

First Floor  
Demolition Plan

SCALE: 1/8" = 1'-0" DATE: 3.23.21

DRAWN BY: DWW FILE: PLANS

SHEET

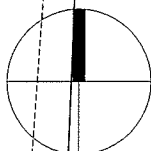
D1.1

© DAVID WHITNEY AIA

ALL EXISTING  
PATHS ON SITE  
TO BE DEMO'D

EXISTING  
GARAGE TO BE  
REMOVED

EXISTING  
DRIVEWAY TO  
BE REMOVED



DRAWING NORTH

DAVID WHITNEY  
ARCHITECT

49 LINDEN STREET  
ARLINGTON, MA 02476  
781 643 0759

POTERE RESIDENCE  
53 PINE RIDGE ROAD  
ARLINGTON, MA 02476

TITLE:

Second Floor  
Demolition Plan

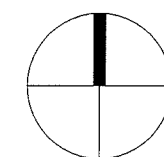
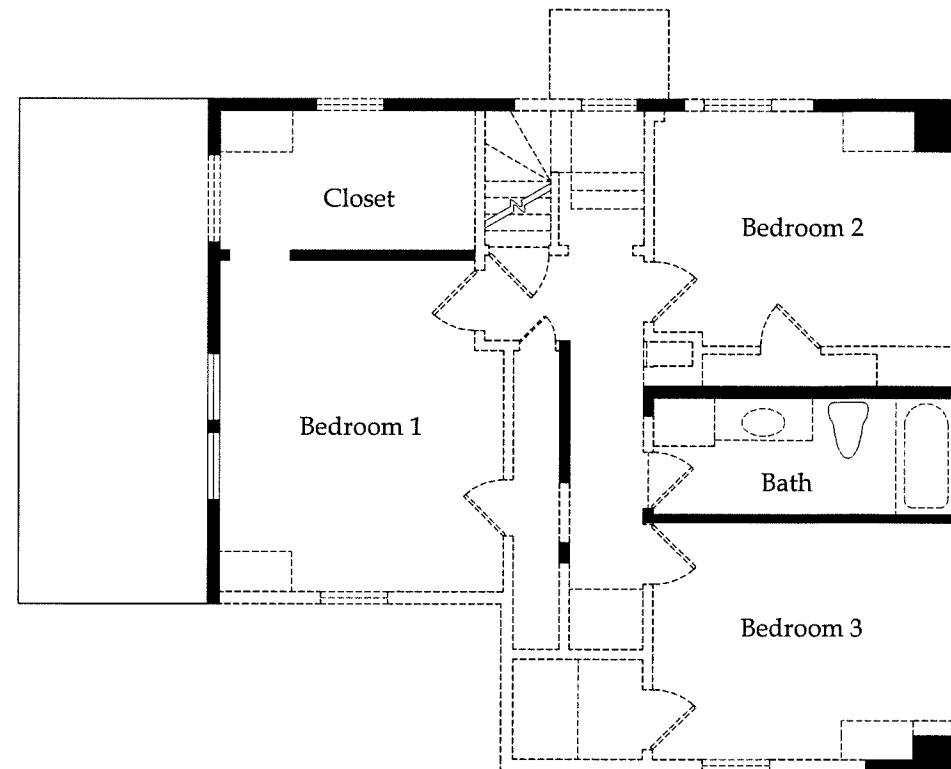
SCALE: 1/8" = 1'-0" DATE: 3.23.21

DRAWN BY: DWW FILE: PLANS

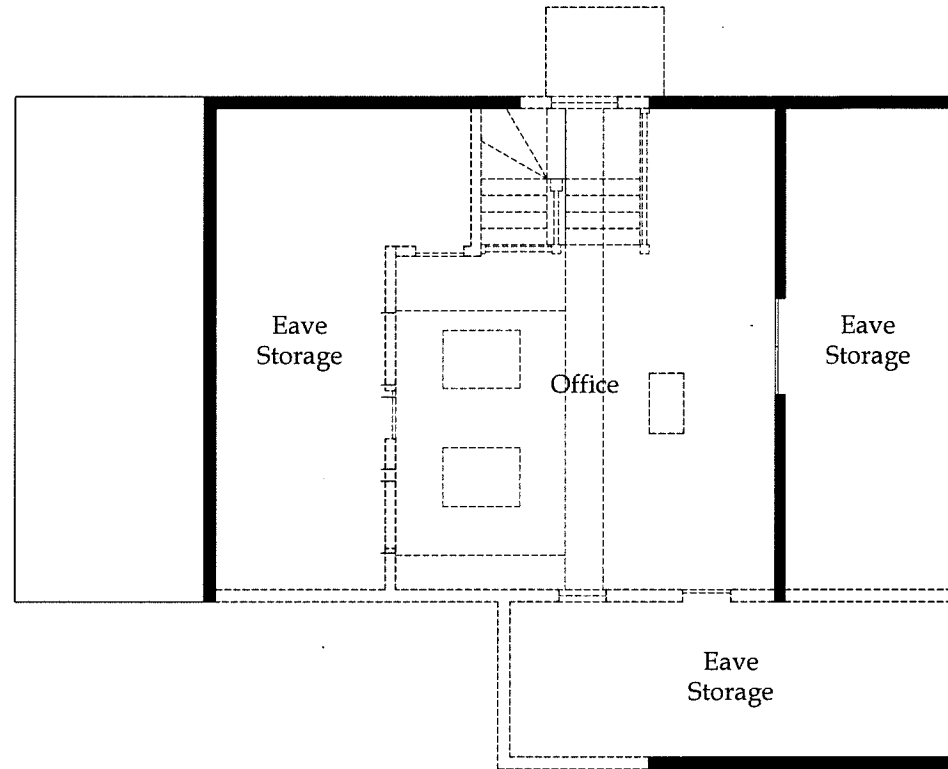
SHEET

D1.2

© DAVID WHITNEY AIA



DRAWING NORTH



DAVID WHITNEY  
ARCHITECT

49 LINDEN STREET  
ARLINGTON, MA 02476  
781 643 0759

POTERE RESIDENCE  
53 PINE RIDGE ROAD  
ARLINGTON, MA 02476

TITLE:

Third Floor  
Demolition Plan

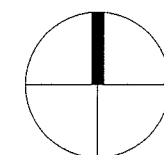
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DRAWN BY: DWW FILE: PLANS

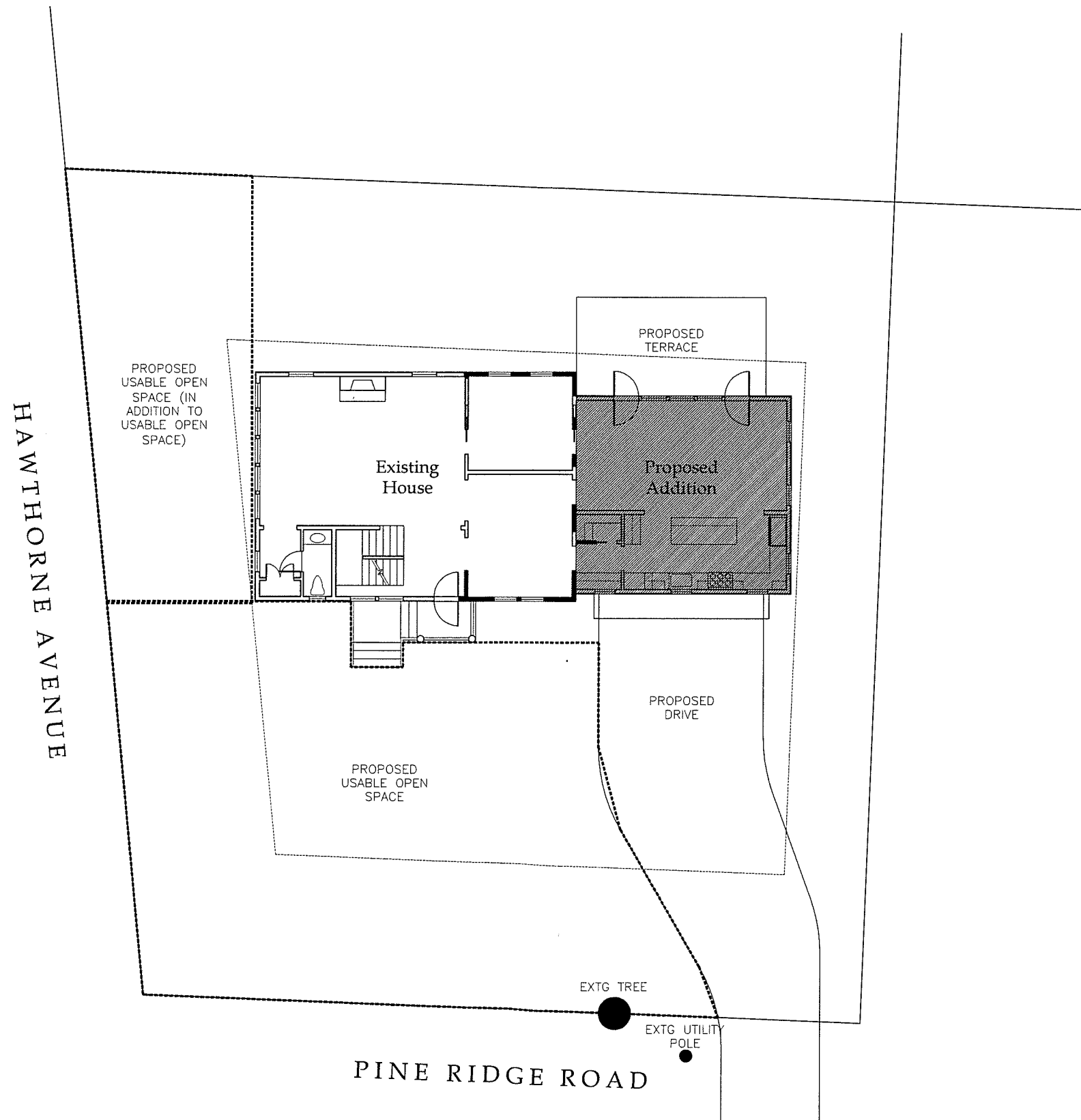
SHEET

D1.3

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DAVID WHITNEY  
ARCHITECT

49 LINDEN STREET  
ARLINGTON, MA 02476  
781 643 0759

POTERE RESIDENCE  
53 PINE RIDGE ROAD  
ARLINGTON, MA 02476

TITLE:

Site Plan

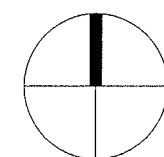
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TITLE:

Basement Plan

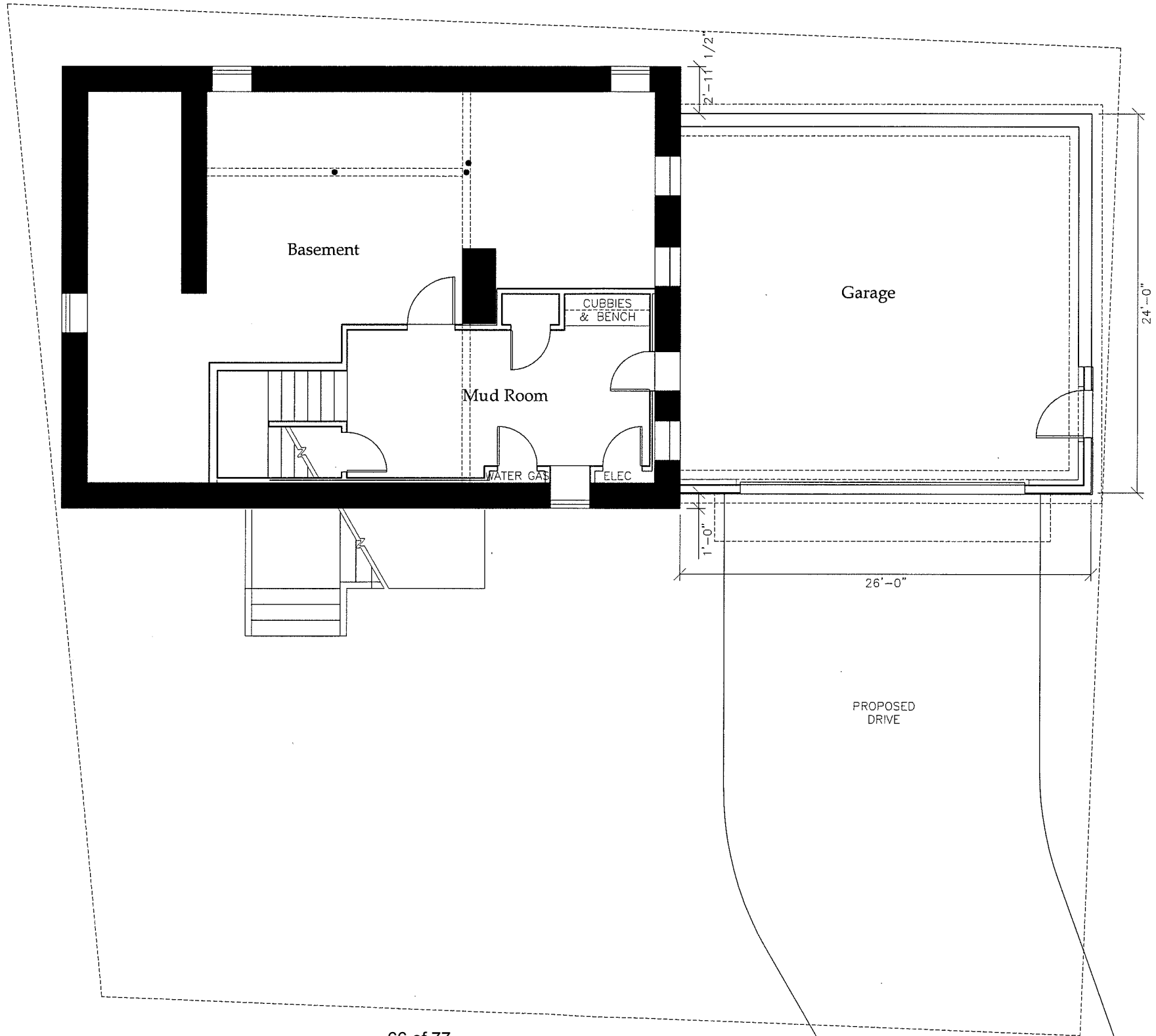
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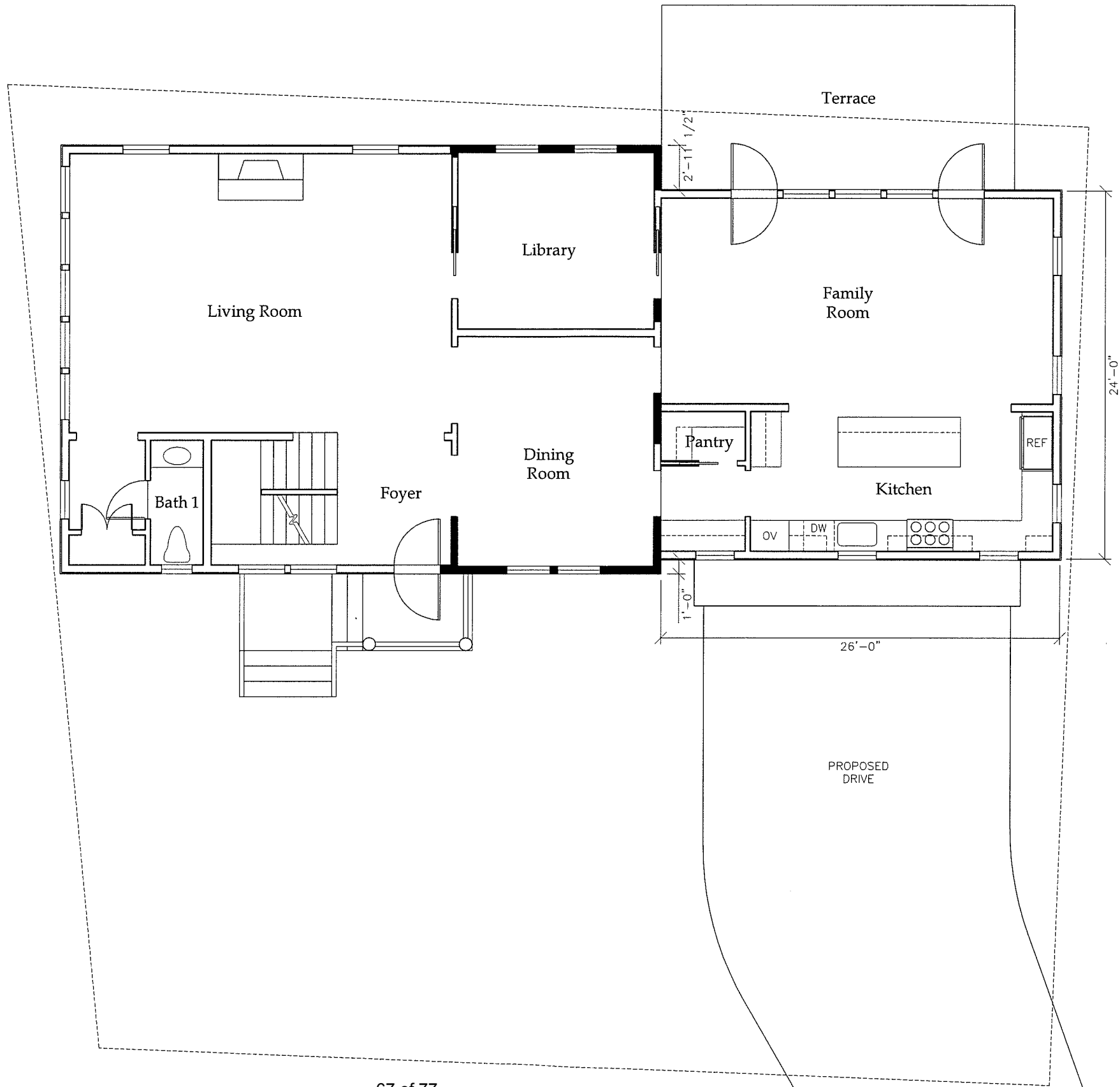
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TITLE:

First Floor Plan

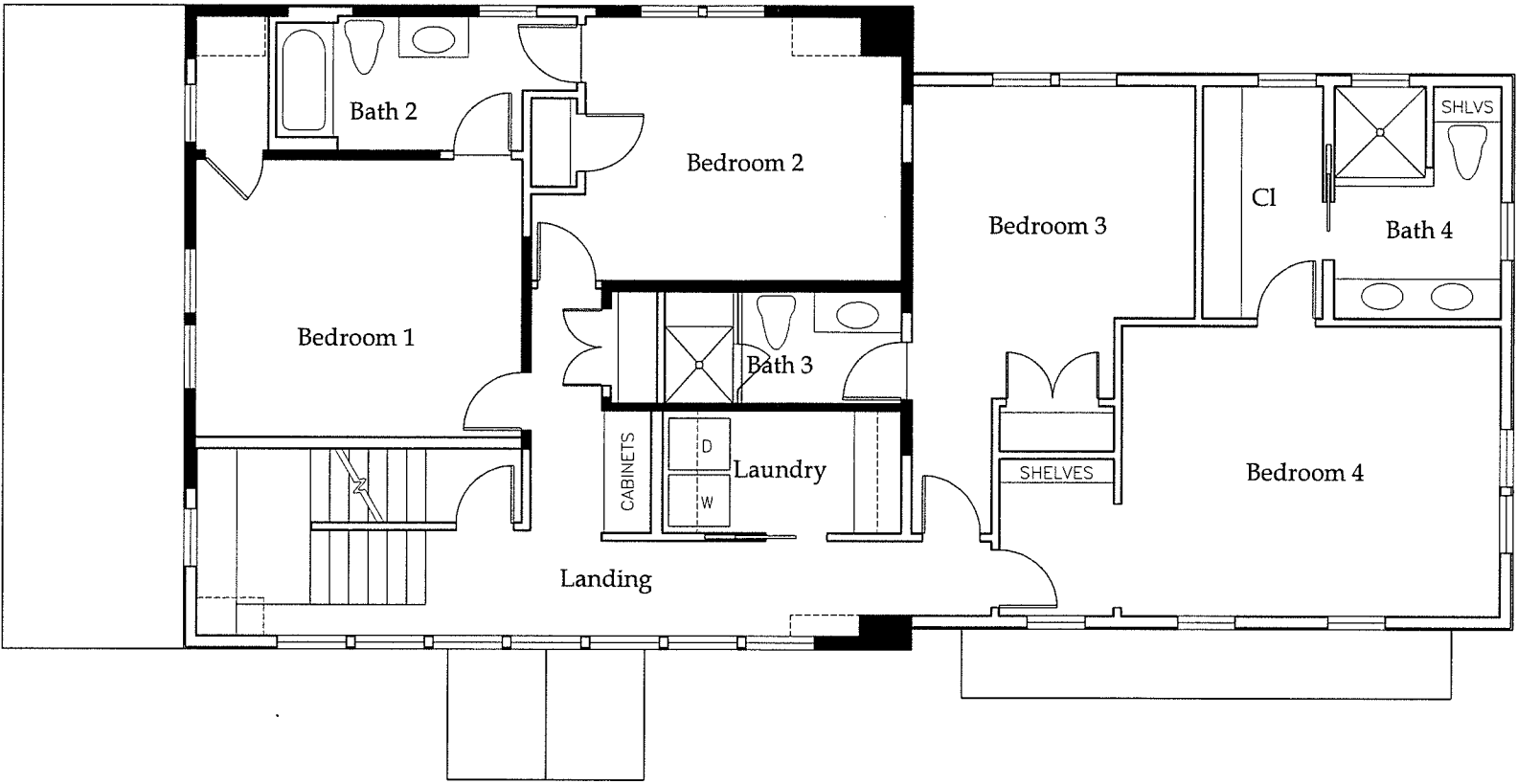
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TITLE:

Second Floor Plan

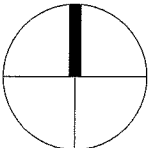
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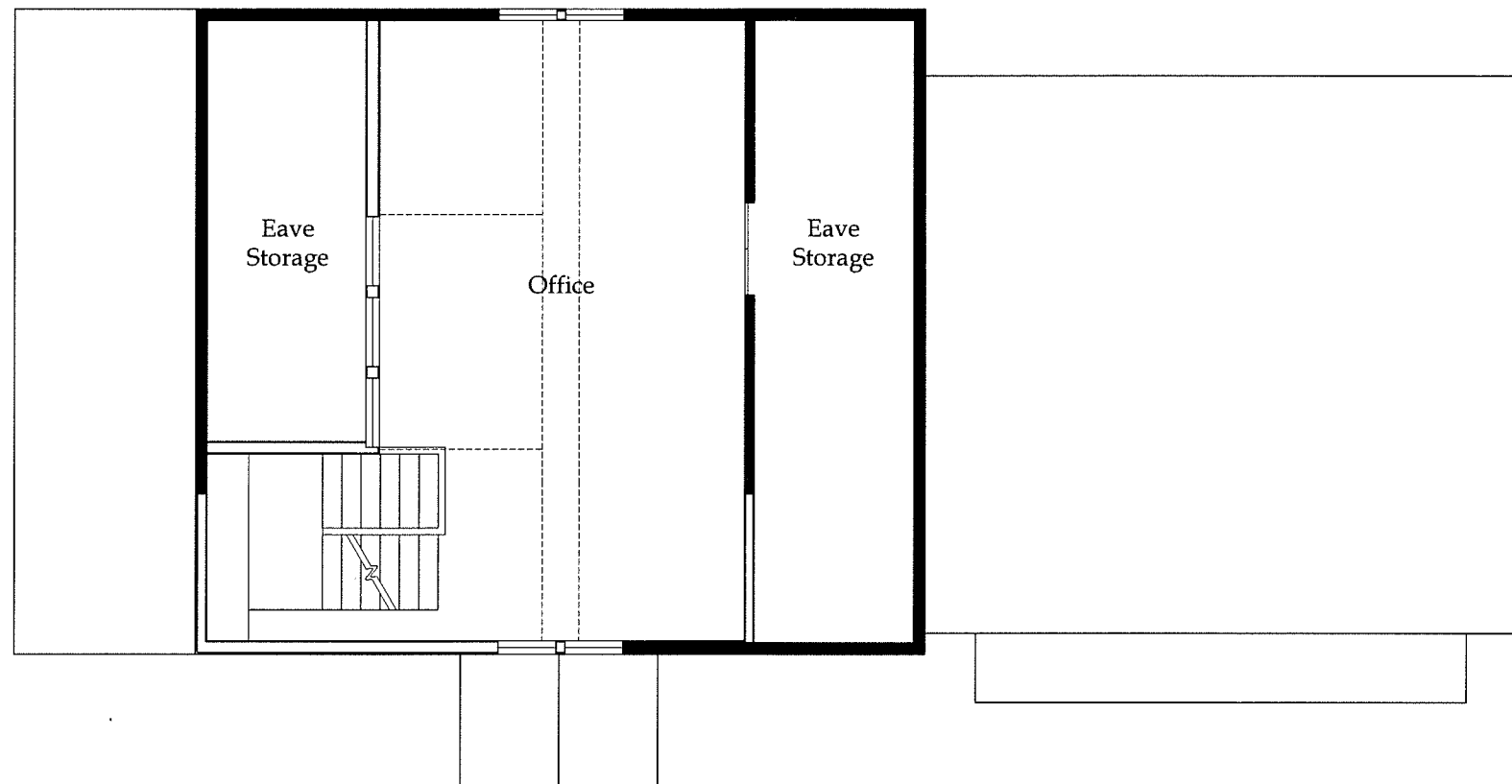
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ARLINGTON, MA 02476

TITLE:

Third Floor Plan

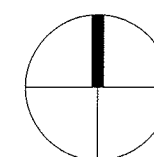
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ARLINGTON, MA 02476

TITLE:

South Elevation

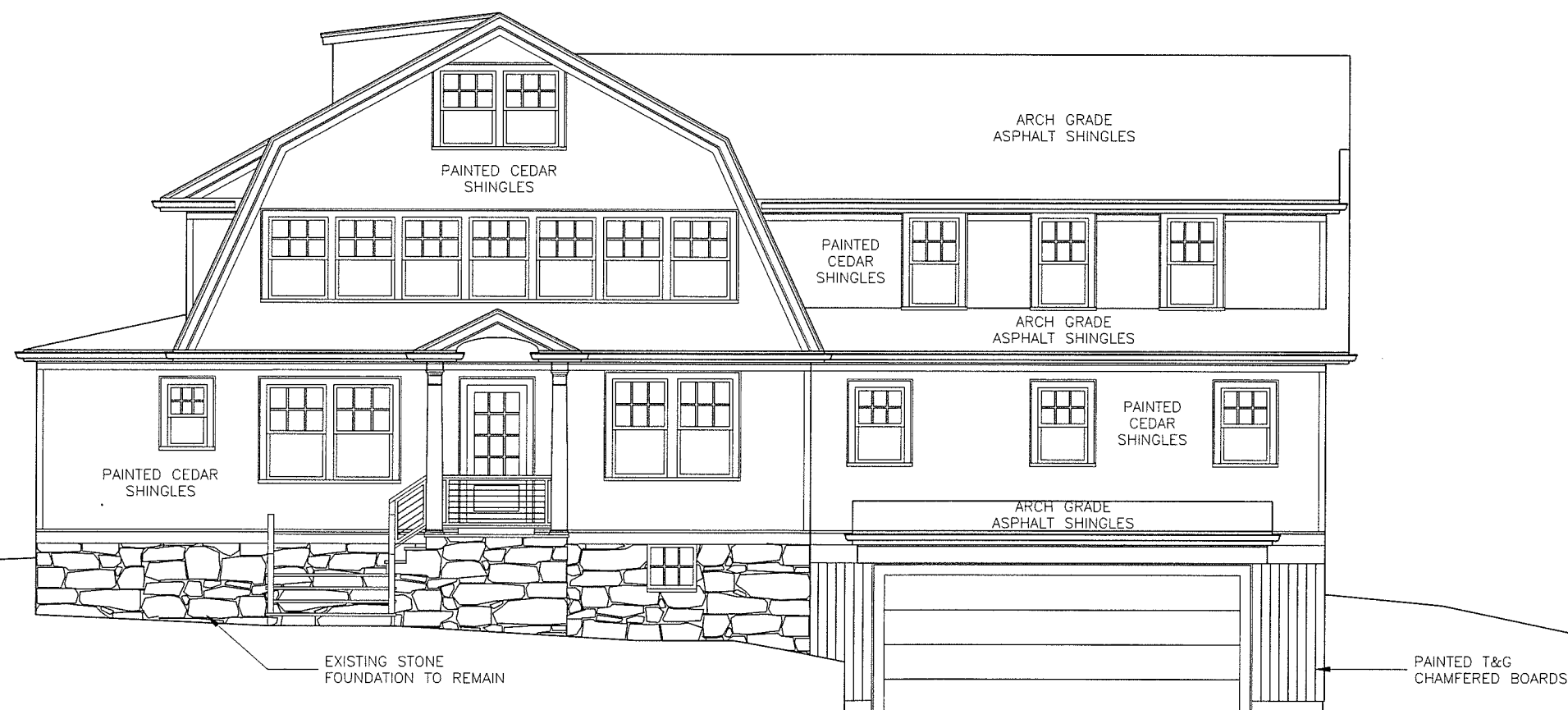
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TITLE:

West Elevation

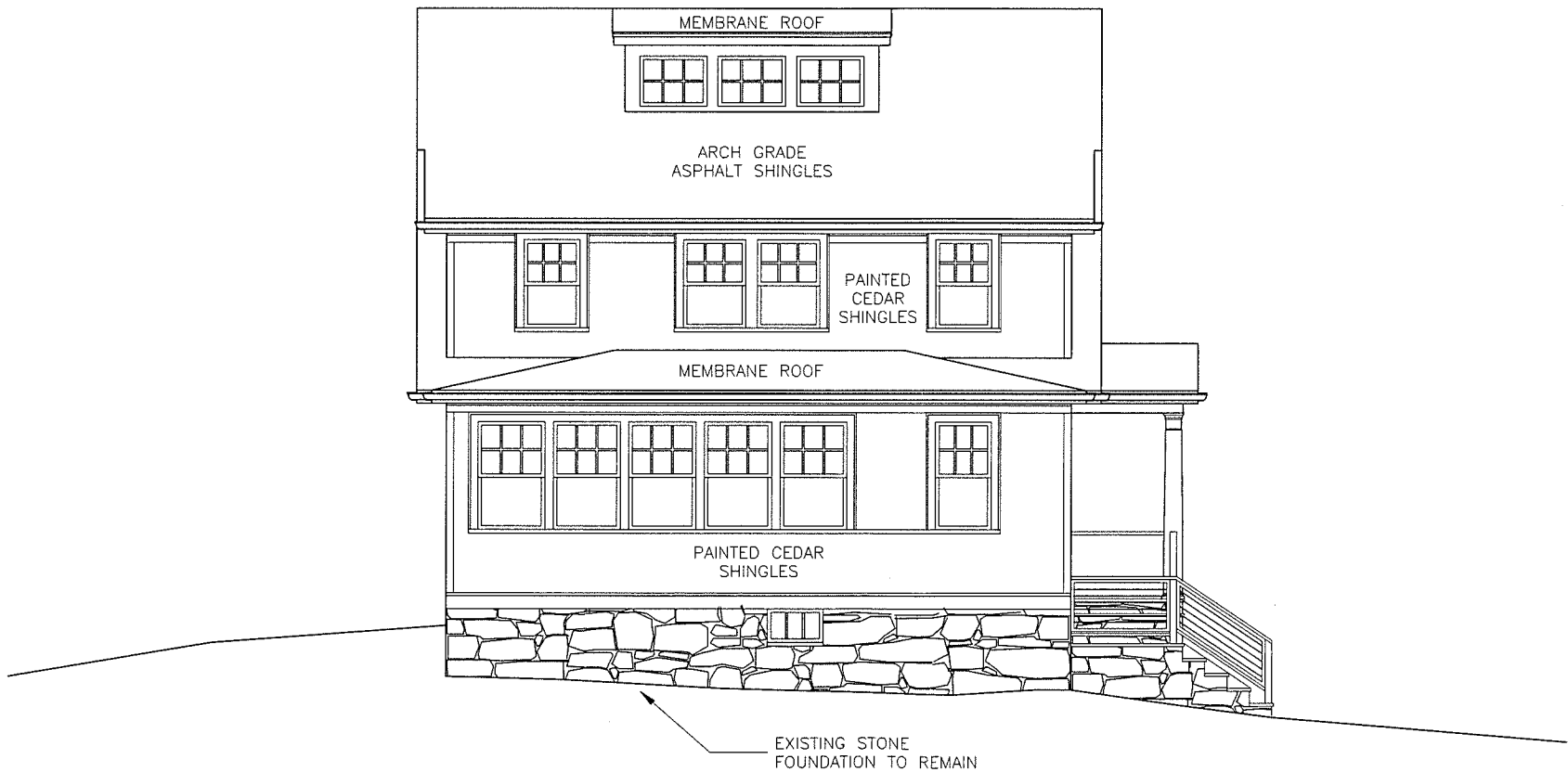
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ARLINGTON, MA 02476

TITLE:

North Elevation

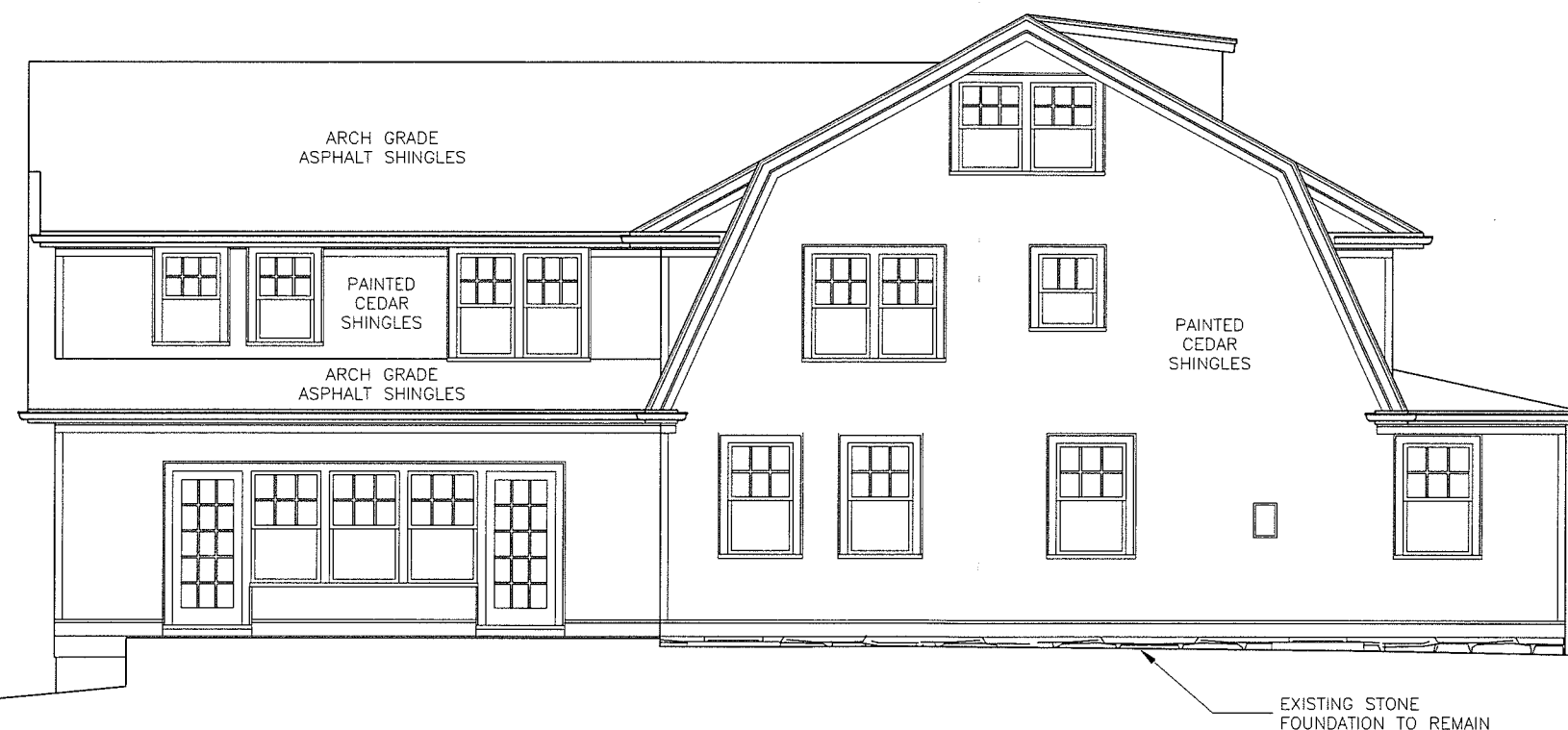
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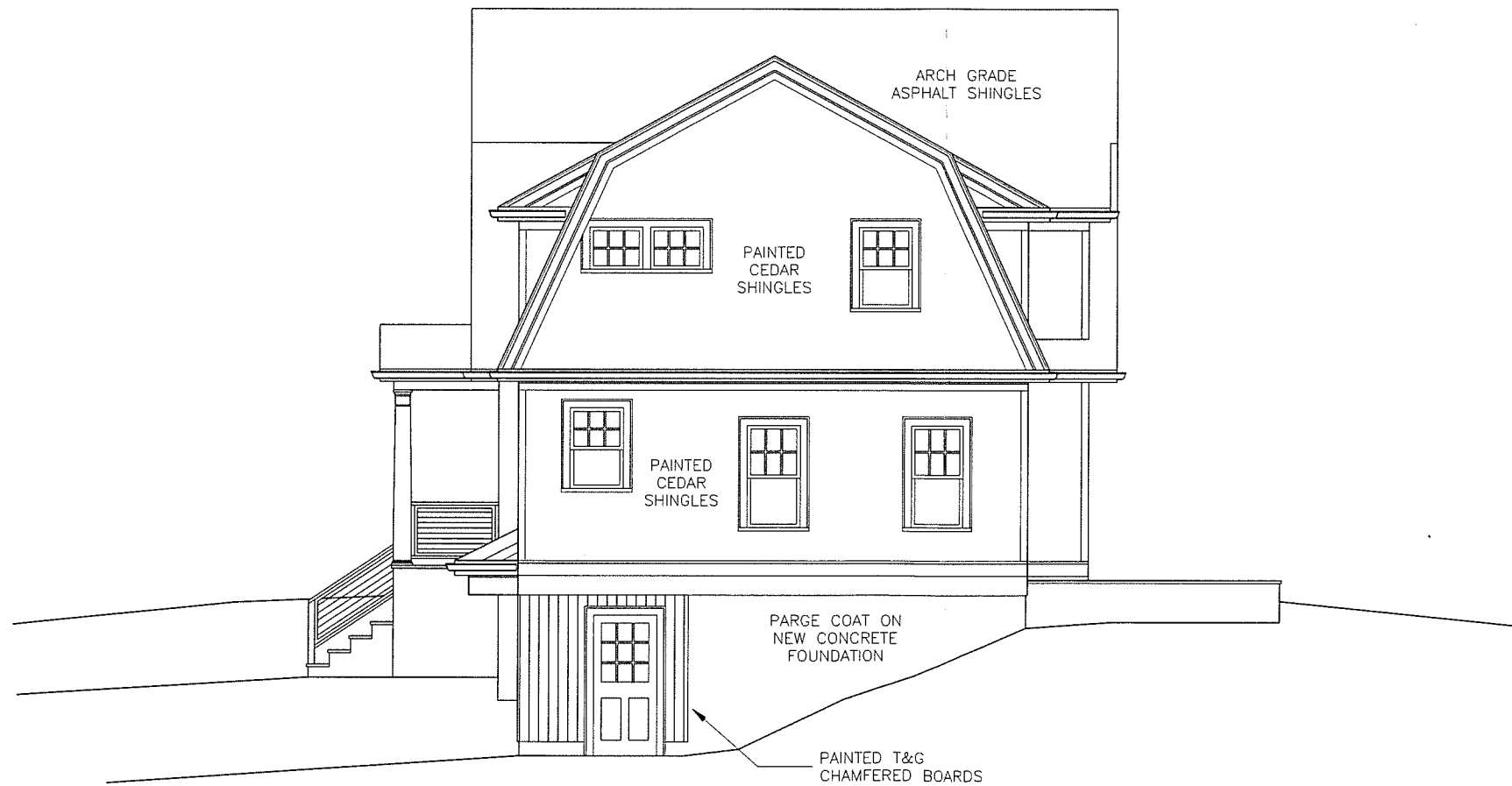
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POTERE RESIDENCE  
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TITLE:

East Elevation

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DATE: 3.23.21

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**TOWN OF ARLINGTON**  
DEPARTMENT OF PLANNING and  
COMMUNITY DEVELOPMENT

TOWN HALL, 730 MASSACHUSETTS AVENUE  
ARLINGTON, MASSACHUSETTS 02476  
TELEPHONE 781-316-3090

**MEMORANDUM**

To: Zoning Board of Appeals  
From: Jennifer Raitt, Director, Dept. of Planning and Community Development/kl  
Date: 5/7/2021  
RE: Docket 3656 – 53 Pine Ridge Road; Special Permit under Zoning Bylaw Section 5-18  
(Districts & Uses)

---

The applicant, David Potere, seeks a Special Permit in accordance with Section 5-18 (Districts & Uses) of the Zoning Bylaw. The applicant seeks to construct a large addition on the first and second floor of their single -family home, extending the building footprint 26 feet into the right side yard over a new park-under garage. The proposal would result in an increase in square footage from 3,129 to 4,951 square feet (+1,822 square feet). Lot coverage would increase from 14.7% to 18.24% (+3.54%).

The existing structure is nonconforming with the current Zoning Bylaw's left side yard requirements. The proposed addition would not increase the existing nonconformities of the structure. The following is an application of the Special Permit criteria (Zoning Bylaw Section 3.3.3):

Criterion #1: Requested Use

The requested use is permitted through a Special Permit in the R1 zoning district.

Criterion #2: Public Convenience/Welfare

This proposal would provide additional living space.

Criterion #3: Undue Traffic Congestion/Impairment of Public Safety

There would not be an increase in traffic congestion or an impairment of public safety.

Criterion #4: Undue Burden on Municipal Systems

The Engineering Division should review the application's stormwater analysis report to determine whether the addition will increase the surface water runoff rate relative to the predevelopment runoff rate, as per Article 15 of the Town Bylaw.

Criterion #5: Special regulations

This proposal would not result in the need for special regulations.

Criterion #6: Integrity/Character of District; Detrimental to Health, Morals, Welfare

The addition will expand the footprint of the structure 26 feet into the right side yard of the property and eliminate the existing garage. The new driveway would be curved to preserve an existing tree in the front yard, although the applicant may need to receive

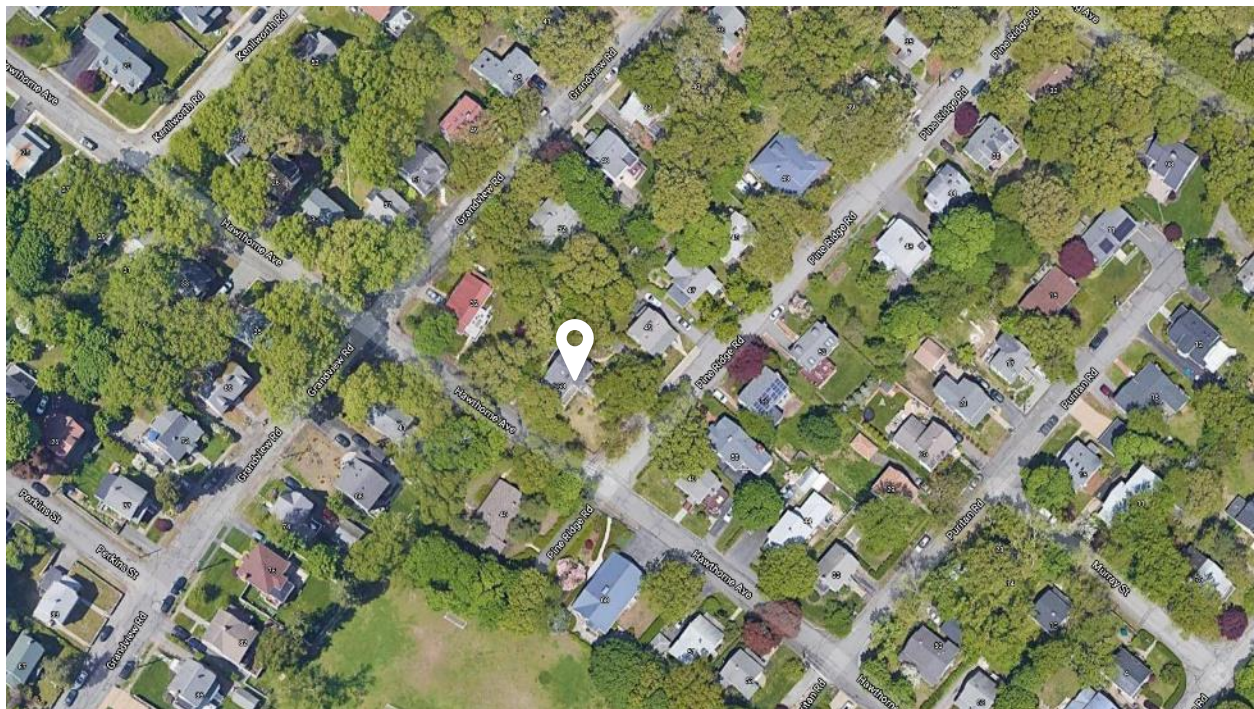
approval of a Tree Plan from the Tree Warden prior to commencing work on the property per Article 16 of the Town Bylaw.

The addition is designed to complement the style of the existing structure and adjacent homes in the neighborhood. The lower roof line along the east side of the addition reduces the impact of the increased mass of the addition. By demolishing the existing garage and replacing it with a park-under garage, the applicant creates additional side yard area, which complements the rhythm of spacing of other structures along Pine Ridge Road<sup>1</sup>. This proposal does not threaten neighborhood character, nor is it detrimental to health, morals, or welfare.

Criterion #7: Detrimental Excess in Particular Use

There would not be any detrimental excesses.

Below are aerial and street-based photos of the current building:



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<sup>1</sup> Residential Design Guidelines, Principles A-1, A-2, A-3, B-1, B-2, and B-3  
<https://www.arlingtonma.gov/home/showpublisheddocument?id=54518>





Recommendation:

The Department of Planning and Community Development maintains that the proposal is consistent with the Special Permit criteria and therefore recommends that the Zoning Board of Appeals approve this application.

Related Dockets:

- #3614: 20 Beacon St – Applicant sought a special permit to create a large addition of 1,896 square feet to their single-family home in an R2 district, citing a desire to remain in their property instead of moving away from Arlington. Approved on 1/28/20.
- #3603: 34 Governor Rd – Applicants sought a special permit to create a large addition of 1,575 square feet to their single-family home, citing a desire to accommodate a growing family and love for the neighborhood. Approved on 9/27/19.



To the Zoning Board,

I have reviewed the proposed work to be performed at 53 Pine Ridge Road and have concerns, mostly centered around the logistics of performing such a large addition at this specific location. I send this email to document our concerns and also allow the zoning board an opportunity to review prior to the meeting.

For the zoning board who may not be familiar with the area, the subject property is located at the corner of Pine Ridge Road and Hawthorne Avenue. The roads in this area are all private roads, which basically means that they are narrower than normal and do not have many of the safety requirements (i.e., min. width, shoulder, sidewalks, etc.) that would be required for a public road. You should also be aware that public access to Robbins Park (and the adjacent Brackett School) is directly across the street of this corner as well. As it is the closest point for the neighborhoods north of the park, there is significant pedestrian traffic through this corner. It is also not unusual for cars to park in this area to gain access to the adjacent basketball/pickleball court, dog walking, baseball field located in the park.

As you can see from above, this corner is very busy. There is no stop sign on Hawthorne and there are no shoulders or sidewalks on Hawthorne. Neither street can support street parking very well without it becoming a one-way road. Any attempt to park on both sides of the street typically results in access only by smaller cars and certainly would not allow for larger emergency vehicles to pass. Sightlines on the corner are very difficult as is without construction trucks parked back to back, which is a particular concern as young kids use this as their main access point to the park and school. The morning hours when kids are walking to school is of particular concern as it is also a time when many construction trades are arriving on-site and beginning work.

Due to all of the above, our neighborhood can struggle with even relatively small construction projects (i.e., bathroom renovation, deck rebuild, etc.) due to the numerous added construction vehicles. This project, however, is significantly larger than anything we have seen. The amount of construction trucks from all of the different trades involved, laydown area required for materials, etc. will be several orders of magnitude larger than what I have ever seen in this area since we moved into our house in 1998. And all of this will be happening at a pinch point in vehicle and pedestrian traffic. At the very least, it is major inconvenience. At its worst, it would be a major safety hazard.

With that being said, I request that the zoning board require the applicants to provide a detailed Construction Plan that provides the logistics (i.e., parking, laydown areas, access, etc.) that will be followed that will maintain safety at this corner. It should also provide a means that issues can be reported so that corrections can be made and should provide a means to hold the General Contractor and/or Owner accountable for following the accepted plan.

Thanks you,  
Marc Demaree  
52 Pine Ridge Road