



Town of Arlington, MA Redevelopment Board

Agenda & Meeting Notice November 21, 2022

Per Board Rules and Regulations, public comments will be accepted during the public comment periods designated on the agenda. Written comments may be provided by email to cricker@town.arlington.ma.us by Monday, November 21, 2022 at 3:00 p.m. The Board requests that correspondence that includes visual information should be provided by Friday, November 18, 2022 at 12:00 p.m.

The Arlington Redevelopment Board will meet Monday, November 21, 2022 at 7:30 PM in the **Arlington Community Center, Main Hall, 27 Maple Street, Arlington, MA 02476**

1. Public Hearing Docket #3724 37 Broadway

7:30 p.m. Notice is herewith given that an application has been filed on October 26, 2022 by Batten Bros. Sign, 893 Main Street, Wakefield, MA 01880 for Arlington Center Garage and Service Corp, 438 Massachusetts Avenue, Suite 127, Arlington, to open Special Permit Docket #3724 in accordance with the provisions of MGL Chapter 40A § 11, and the Town of Arlington Zoning Bylaw Section 3.4, Environmental Design Review and Section 6.2 Signs. The applicant proposes to replace the existing wall signs and a directory sign at Beth Israel Lahey Health, 37 Broadway, Arlington, MA in the Major Business Zoning District (B2A) and Business Sign District. The opening of the Special Permit is to allow the Board to review and approve the project under Section 6.2 Signs.

- Applicant will be provided 10 minutes for an introductory presentation.
- DPCD staff will be provided 5 minutes for an overview of their updated Public Hearing Memorandum.
- Members of the public will be provided time to comment.
- Board members will discuss Docket and may vote

2. Preliminary Discussion of Zoning Amendments

8:00 p.m. Board will discuss potential zoning amendments, including a memorandum prepared regarding the Board's proposed list of zoning amendments and citizen petitions for Zoning Warrant Articles. This discussion and future discussions will inform the Warrant Article filing process for 2022 Annual Town Meeting.

- Proposed article: Open Space Requirements for Multi-family and Mixed Uses – Laura Wiener, James Fleming, Pat Hanlon, Xavid Pretzer
- Proposed article: Parking Minimum Elimination in B5 District – James

Fleming

- Proposed article: Elimination of Usable Open Space Requirements – James Fleming
- Proposed article: Affordable Housing on Non-Conforming Parcels – Barbara Thornton

3. Hybrid Meeting Protocol

9:30 p.m. The Board will review Hybrid Meeting Protocol

4. Meeting Minutes (10/3/22 and 10/17/22)

9:40 p.m. The Board will review and vote to approve meeting minutes from 10/3/22 and 10/17/22

5. Open Forum

9:50 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.

6. New Business

10:10 p.m.

7. Adjourn

10:15 p.m. Estimated time of Adjournment



Town of Arlington, Massachusetts

Public Hearing Docket #3724 37 Broadway

Summary:

7:30 p.m.

Notice is herewith given that an application has been filed on October 26, 2022 by Batten Bros. Sign, 893 Main Street, Wakefield, MA 01880 for Arlington Center Garage and Service Corp, 438 Massachusetts Avenue, Suite 127, Arlington, to open Special Permit Docket #3724 in accordance with the provisions of MGL Chapter 40A § 11, and the Town of Arlington Zoning Bylaw Section 3.4, Environmental Design Review and Section 6.2 Signs. The applicant proposes to replace the existing wall signs and a directory sign at Beth Israel Lahey Health, 37 Broadway, Arlington, MA in the Major Business Zoning District (B2A) and Business Sign District. The opening of the Special Permit is to allow the Board to review and approve the project under Section 6.2 Signs.

- Applicant will be provided 10 minutes for an introductory presentation.
- DPCD staff will be provided 5 minutes for an overview of their updated Public Hearing Memorandum.
- Members of the public will be provided time to comment.
- Board members will discuss Docket and may vote

ATTACHMENTS:

Type	File Name	Description
□ Reference Material	EDR_Public_Hearing_Memo_Docket_#3724_37_Broadway.pdf	EDR Public Hearing Memo Docket #3724 37 Broadway
□ Reference Material	Docket_#3724_37_Broadway_Combined_Application_Materials_with_timestamp_10-26-2022.pdf	Docket #3724 37 Broadway 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: Claire Ricker, Secretary Ex-Officio
Subject: Environmental Design Review, 37 Broadway, Arlington, MA
Docket #3724
Date: November 17, 2022

I. Docket Summary

This is an application by Batten Bros. Sign, 893 Main Street, Wakefield, MA 01880 for Arlington Center Garage and Service Corp, 438 Massachusetts Avenue, Suite 127, Arlington, to open Special Permit Docket #3724 in accordance with the provisions of MGL Chapter 40A § 11, and the Town of Arlington Zoning Bylaw Section 3.4, Environmental Design Review and Section 6.2 Signs. The applicant proposes to replace the existing wall signs and a directory sign at Beth Israel Lahey Health, 37 Broadway, Arlington, MA in the Major Business Zoning District (B2A) and Business Sign District. The opening of the Special Permit is to allow the Board to review and approve the project under Section 6.2 Signs.

Materials submitted for consideration of this application include:

- Application for EDR Special Permit,
- Impact statement;
- Site plan with sign locations;
- Photographs of existing signs;
- Dimensional information of the proposed signage; and
- Renderings of signage.

The property at 37 Broadway has been used for many years as a medical office; Beth Israel Lahey Health has been a tenant since 2005. Beth Israel Lahey Health wishes to replace the existing wall signs and existing directory with signage reflecting the organization's new logomark. The signage exceeds the allowable signage in the Business Sign District.

In 1984, the Zoning Board of Appeals approved Docket Number 2558 allowing one 36 square foot wall sign to be installed at a height of 25 feet and above the sills of the second floor windows, noting that the location of the sign was in the public interest because the sign band was a more appropriate location for such a sign. In 2014, the Department of Planning and Community Development issued administrative approval of the wall sign above the entry door. There is no record of sign approvals for the second wall sign or the directory sign. The Department has recommended that the applicant seek a special permit to consolidate approved signs and signage without permits under a single permit.

Section 6.2, Signs, directs the Redevelopment Board to review any requests for sign special permits via Environmental Design Review.

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.

A medical office of 3,000 square feet or more has been established at this site for many years; it is a pre-existing, conforming use at this location in the B2A Major Business Zoning 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.

A medical office has operated from this location for many years, and this business provides a service for the community. 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 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 medical office 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 the proposed new signage. 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 proposed new signage. 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.

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.

There are no changes to 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 because of this proposal. 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.

The applicant seeks to replace four existing nonconforming signs with new signage exceeding what is allowable in the Business Sign District. A Special Permit has been requested to allow the business to install signage in excess of what is permitted:

1. Sign A: Replacing the existing wall sign on Silk Street façade with a new, internally illuminated sign of approximately 28 square feet at a sign height of 28 feet. The sign would be mounted with toggle bolts into the sign band.
2. Sign B: Replacing the existing wall sign on the building façade facing driveway with a new, internally illuminated sign of approximately 28 square feet at a sign height of 28 feet. The sign would be mounted with toggle bolts into the sign band.
3. Sign C: Replacing the existing wall sign above entry with a non-illuminated acrylic wall sign of approximately 30 square feet, mounted at a sign height of 13 feet 6 inches.
4. Sign D: Replacing the existing freestanding directory sign with a smaller fabricated aluminum cabinet freestanding directory sign of 21.5 square feet. The directory sign would be 6 feet 10 inches in height and set back from Broadway by 19 feet 6 inches.

Per Section 6.2.5(D)(10), the Business Sign District allows a maximum of 40 square feet of wall signs in total, installed at a maximum sign height of 25 feet above grade. Under Section 6.2.1(E)(8), the wall sign above the entry is exempt from this sign area as it is not visible from the public right of way. Excluding the wall sign above the entry, the proposed signs exceed the allowable sign area by 16 square feet, and would be installed at a sign height three feet higher than the maximum in the Zoning Bylaw.

Under Section 6.2.5(C) of the Zoning Bylaw, freestanding directory signs are not allowed in the Business Sign District. In sign districts where freestanding directory signs are allowed, the maximum sign is 12 square feet and sign height is 6 feet.

The application exceeds the maximum wall sign area and the sign height allowed in the Business Sign District, and proposes a sign type that is not allowed in the Business Sign

District. All proposed signage is to replace existing signs, some of which have not been approved administratively or through a Special Permit. Per Section 6.2.2(C), the ARB may grant a Special Permit to allow signs in a location other than what is 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."

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 at 37 Broadway is not listed on the *Inventory of Historically or Architecturally Significant Properties in the Town of Arlington*. 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.

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

12. EDR-12 Sustainable Building and Site Design w

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 signs of a larger size, at a taller height, and a sign type not otherwise allowed in the Business Sign District 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)

Docket No. 3724

1. Property Address 37 Broadway
Name of Record Owner(s) ARLINGTON CENTER GARAGE & SERVICE CORP Phone 617-784-0671
Address of Owner 438 MASS AVE SUITE 127, ARLINGTON, MA 02474
Street City, State, Zip
2. Name of Applicant(s) (if different than above) Batten Bros. Sign
Address 893 Main St. Wakefield, MA 01880 Phone 7812454800
Status Relative to Property (occupant, purchaser, etc.) Sign Installer
3. Location of Property 33-2-5.A
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) Medical Offices
6. Proposed Use of Property (include # of dwelling units, if any) Same
7. Permit applied for in accordance with 6.2.5.D Wall Sign Standards
the following Zoning Bylaw section(s) 6.2.5.C Allowed Sign Types by Sign District
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.

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

The applicant states that ARLINGTON CENTER GARAGE & SERVICE CORP is the owner -or- occupant -or- purchaser under agreement of the property in Arlington located at 37 Broadway 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.

Jeff Sarra

Digitally signed by Jeff Sarra
DN: cn=Jeff Sarra, o=Batten Bros Inc, ou, email=jeff@battensign.com, c=US
Date: 2022.10.25 13:15:05 -0400

Signature of Applicant(s)

893 Main St. Wakefield, MA 01880

7812454800

Address

Phone

PLANNING & COMMUNITY
DEVELOPMENT
2022 OCT 26 P 1:59

TOWN CLERK'S OFFICE
ARLINGTON, MA 02177



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.

- N/A Dimensional and Parking Information Form (see attached)
- X Site plan of proposal
- N/A Model, if required
- X Drawing of existing conditions
- X Drawing of proposed structure
- N/A Proposed landscaping. May be incorporated into site plan
- X Photographs
- X Impact statement
- _____ Application and plans for sign permits
- N/A 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.
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 to reduce the effect of shadows on abutting property in an R0, R1 or R2 district or on public open space.
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.
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.
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.

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.
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.

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.
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.
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.
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.
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>]

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 as a special permit in the use regulations for the applicable district or is so designated elsewhere in this Bylaw.
2. The requested use is essential or desirable to the public convenience or welfare.
3. The requested use will not create undue traffic congestion or unduly impair pedestrian safety.
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.
5. Any special regulations for the use as may be provided in this Bylaw are fulfilled.
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.
7. The requested use will not, by its addition to a neighborhood, cause an excess of the particular use that could be detrimental to the character of said neighborhood.

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

Docket No. 3724

Property Location _____

Zoning District _____

Owner: _____

Address: _____

Present Use/Occupancy: No. of Dwelling Units: _____

Uses and their gross square feet: _____

Proposed Use/Occupancy: No. of Dwelling Units: _____

Uses and their gross square feet: _____

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



893 Main Street, Wakefield, MA 01880

T 781.245.4800 F 781.246.4798

Town of Arlington Redevelopment Board
730 Massachusetts Ave
Arlington, MA 02476

October 25, 2022

Re: Beth Israel Lahey Health Primary Care Signage – 37 Broadway Arlington, MA

Beth Israel Lahey Health Primary Care, located at the above referenced property, respectfully requests approval from the Board to allow for the replacement of the existing signage with new branded signage of similar style, size and construction in the same locations as the existing signs per the provided drawings.

The property is located at the corner of Broadway and Silk Street in the B2A zoning district, the replacement signage identifies the new branded logo with the merger of Beth Israel Deaconess and Lahey Health.

As the same number and size of signs currently exist on site, the new branded signage would not negatively impact the surrounding area, nor deviate from the intent of the zoning by-law in that it is similar in style, size and design of other signage in the area and replacing signage that is currently and has been in place for many years.

The requested approval will not create undue traffic congestion, impair pedestrian safety, nor would it affect the towns municipal systems in any way.

Traffic flow, parking and loading, the natural environment and city services are not impacted by approval of this request in that the signage is simply replacing current signage.

37 Broadway - Arlington, MA



Sign A Beth Israel Lahey Health
Primary Care

Sign B Beth Israel Lahey Health
Primary Care

Sign C Beth Israel Lahey Health
Primary Care

Sign D

Customer

Beth Israel Lahey Health
Primary Care

Location:

37 Broadway
Arlington, ma

Job Description:

Channel
Letters
A-I-a-I

Date

07.13.22

Revisions

This is an original copyright drawing created by and owned by Batten Bros., Inc. - It is submitted for your personal use in connection with a project being planned for use by Batten Bros. It is not to be shown to anyone outside your organization, nor is it to be used, reproduced, copied or exhibited in any fashion.

Scale

Noted

File Name

Sketch #:

Account

J. Sarra

Since 1946



Batten Bros.
Signs & Awnings

893 Main Street
Wakefield, MA 01880

781.245.4800



Existing - 20' Wide



Proposed

Sign A

Customer

Beth Israel Lahey Health
Primary Care

Location:

37 Broadway
Arlington, ma

Job Description:

Channel
Letters
A-I-a-I

Date

07.13.22

Revisions

This is an original copyright drawing created by and owned by Batten Bros., Inc. - It is submitted for your personal use in connection with a project being planned for use by Batten Bros. It is not to be shown to anyone outside your organization, nor is it to be used, reproduced, copied or exhibited in any fashion.

Scale

Noted

File Name

Sketch #:

Account

J. Sarra

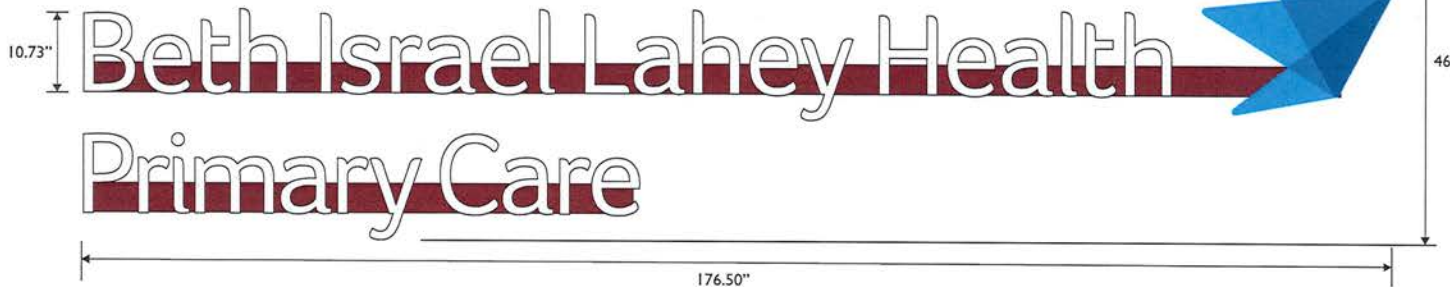
Since 1946



Batten Bros.
Signs & Awnings

893 Main Street
Wakefield, MA 01880

781.245.4800



Front View

Illuminated Letters

Scale: .75" = 1'-0"

- Internally Illuminated Letters
- .187" White Trimless Acrylic Faces
- 2" Deep White Painted Sides
- Internal Illumination By White LED's
- 4" Tall Custom Aluminum Raceway Painted PMS#TBD
- Install On Wall With Toggle Bolts Into Facade
- UL Listed

"Logo Icon"

- .187" White Trimless Acrylic Face
- Translucent Digital Print Overlay, Clear Laminate
- 2" Deep Painted White Returns
- Internal Illumination By White LED's
- Raceway Mounted
- UL Listed

Total Square Footage = 27.96 SF

15"x146.50" = 15.26

14.5"x75" = 7.55

26"x28.5" = 5.15



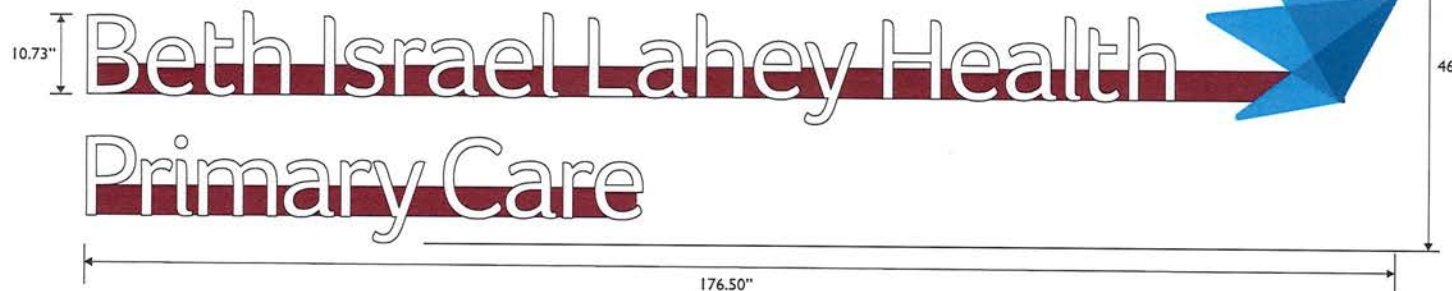
Side View



Existing - 20' Wide



Proposed



Front View

Illuminated Letters
Scale: .75" = 1'-0"

- Internally Illuminated Letters
- .187" White Trimless Acrylic Faces
- 2" Deep White Painted Sides
- Internal Illumination By White LED's
- 4" Tall Custom Aluminum Raceway Painted PMS#TBD
- Install On Wall With Toggle Bolts Into Facade
- UL Listed

"Logo Icon"

- .187" White Trimless Acrylic Face
- Translucent Digital Print Overlay, Clear Laminate
- 2" Deep Painted White Returns
- Internal Illumination By White LED's
- Raceway Mounted
- UL Listed

Total Square Footage = 27.96 SF
15"x146.50" = 15.26
14.5"x75" = 7.55
26"x28.5" = 5.15



Side View

Sign B

Customer

Beth Israel Lahey Health
Primary Care

Location:

37 Broadway
Arlington, ma

Job Description:

Channel
Letters
A-I-a-2

Date

07.13.22

Revisions

This is an original copyright drawing created by and owned by Batten Bros., Inc. - It is submitted for your personal use in connection with a project being drawn for you by Batten Bros. It is not to be shown to anyone outside your organization, nor is it to be used, reproduced, copied or exhibited in any fashion.

Scale

Noted

File Name

Sketch #:

Account
J. Sarra

Since 1946



Batten Bros.
Signs & Awnings

893 Main Street
Wakefield, MA 01880

781.245.4800



Existing - 48"H x 72"W = 24 SF
Existing Planter is 9'-6" x 4' x 16"H

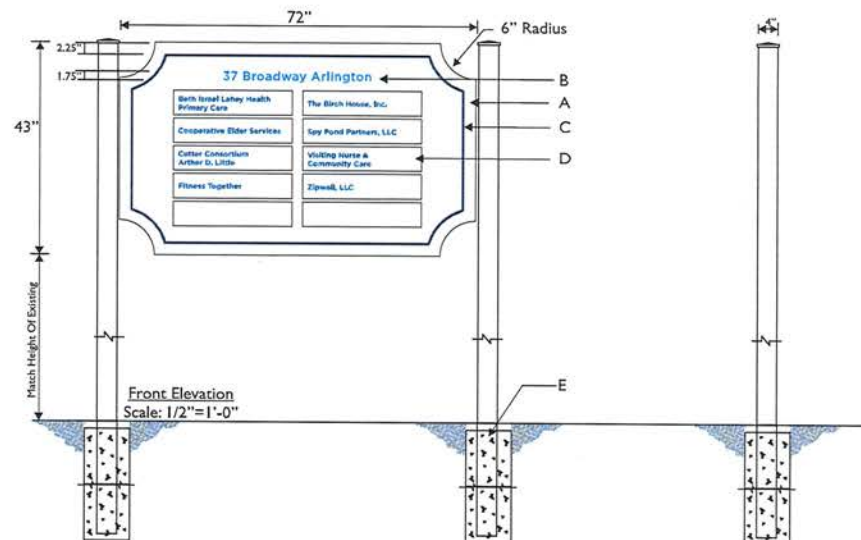


Proposed - 43" x 72" = 21.5 SF

Sign D



19'-6" Setback From
Sign To Street



- A) 72" x 43" x 2.20"D Fabricated Aluminum Cabinet
- .100 Aluminum Faces With Welded .090 Returns
- Spray Finish P6 (Designer White)
- Double Sided

- B) Vinyl Address Graphics
- Color V5 (Persian Blue)

- C) Painted Inline Detail - .50"
- Spray Finish P1 (Ameritac Blue)

- D) 5" x 24" x .50"D Aluminum Tenant Panels
- .080 Brake Formed White Aluminum (Factory Finish)
- Secure To Background Panel (A) With Hidden Aluminum Angles
And White Pan Head Screws
- Vinyl Graphics Color V1 (Dark Blue)

- E) 4"x4" x .125" Aluminum Support Posts Welded Into Sign Structure
- Spray Finish P6 (Designer White)
- Set Posts In New Concrete Footings 36" Below Grade

Customer

Beth Israel Lahey Health
Primary Care

Location:

37 Broadway
Arlington, ma

Job Description:

Ground Sign
A-2-1

Date

08.31.22

Revisions

This is an original copyright drawing created by and owned by Batten Bros, Inc. - It is submitted for your personal use in connection with a project being shown for you by Batten Bros. It is not to be shown to anyone outside your organization, nor is it to be used, reproduced, copied or exhibited in any fashion.

Scale

Noted

File Name

Sketch #:

Account

J. Sarra

Since 1946



Batten Bros.
Signs & Awnings

893 Main Street
Wakefield, MA 01880

781.245.4800



Town of Arlington, Massachusetts

Preliminary Discussion of Zoning Amendments

Summary:

8:00 p.m. Board will discuss potential zoning amendments, including a memorandum prepared regarding the Board's proposed list of zoning amendments and citizen petitions for Zoning Warrant Articles. This discussion and future discussions will inform the Warrant Article filing process for 2022 Annual Town Meeting.

- Proposed article: Open Space Requirements for Multi-family and Mixed Uses – Laura Wiener, James Fleming, Pat Hanlon, Xavid Pretzer
- Proposed article: Parking Minimum Elimination in B5 District – James Fleming
- Proposed article: Elimination of Usable Open Space Requirements – James Fleming
- Proposed article: Affordable Housing on Non-Conforming Parcels – Barbara Thornton

ATTACHMENTS:

Type	File Name	Description
▢ Reference Material	Agenda_Item_2_11-1-22_ARB_Open_Space_memo.pdf	11-1-2022 ARB Open Space Memo
▢ Reference Material	Agenda_Item_2_Fleming_Memo_To_ARB_-_November_2022.pdf	Fleming Memo to ARB 11-2022
▢ Reference Material	Agenda_Item_2_Thornton_Memo_Non-conforming_parcels.pdf	Thornton Memo to ARB 11-16-2022
▢ Reference Material	Usable_Open_Space_-_Problems_With_Modification.pdf	Usable Open Space - Problems with Modification

To: Claire Ricker, Director, Department of Community Development and Planning,
and Secretary Ex Officio, Arlington Redevelopment Board
Kelly Lynema, Assistant Director, DPCD
From: James Fleming, Pat Hanlon, Xavid Pritzker, Laura Wiener
Date: November 1, 2022
RE: Proposed Changes to Open Space Requirements for 2023 Town Meeting

Proposal to Eliminate or Change Open Space Requirements For Multi-Family and Mixed Uses

Problem Statement

The current open space (OS) regulations control building size in a convoluted way; if you add more floor area (GFA) to a building, you need more OS.

For Mixed Use and Multi-family Housing, the OS requirements scale with the GFA. Increasing the size of the building shrinks the footprint the building can occupy; this is a severe constraint on creating viable mixed-use development, and limits the number of units that can be built on lots in commercial zones. The existing standards are particularly hard to meet on smaller and irregularly shaped lots. These are often the lots available for redevelopment.

Arlington's mixed-use developments have small amounts of commercial space because the commercial market is soft right now, and therefore commercial space isn't viewed as profitable. In addition, the open space and parking requirements cut into the size of the ground floor that can be provided. However, the bylaw provides an incentive to build mixed use by allowing more flexibility than commercial or multi-family buildings alone. Allowing more housing through mixed-use development supports our commercial base by providing customers, making it easier for existing and new commercial spaces to have stable tenants.

We are proposing changes to OS requirements. Our primary reason is to support housing and business growth; more housing would be able to be built, and business would be made more viable by having more customers close by.

By-law Challenges

Currently, all OS requirements are based on GFA. Amending this requirement to make the OS requirement a % of the lot area would work better for larger buildings with an FAR over 1, but would increase the OS requirement for any building with an FAR of less than 1, possibly making existing conforming structures nonconforming. Any amendments to the OS requirements should avoid creating new nonconformities, or otherwise adding new restrictions on development that is currently allowed by right. As a result we are limiting this proposal to zoning districts where mixed-use is allowed (B1, B2, B2A, B3, B4, and B5).

Possibilities Considered

Below are some possible ways of addressing the problem we wish to solve:

- Option 1: **Eliminate all Open Space Requirements in the Business Zones, both Landscaped Open Space and Useable Open Space.** This provides maximum flexibility for residential and mixed use projects to create more housing units. Often the

open space in residential projects is not used by residents and can be replaced with porches and possibly roof decks. Additionally, most of our storefronts have little or no open space, with close to total lot coverage, making it difficult to add the required open space when adding additional stories. This is one way to encourage redevelopment of the business zone. This allows for leaving existing Open Space regulations intact for other zones, and does not require modifying the definition of Open Space.

- Option 2: **Eliminate all Open Space Requirements in Commercial Zones, specifically for Mixed Use and Multi-Family Residential Uses.** This attempts to do the same as Option 1, but basing the requirement on the use as well as the zone.
- Option 3: **For all uses in Business Zones, replace the current Landscaped and Useable Open Space requirements with a single 10% Landscaped Open Space requirement, based on lot area.** This is important in 2 ways. First it decouples the amount of floor area from the amount of open space. As previously stated, the current requirement is that the greater the floor area, the more open space is required. This makes it difficult to efficiently develop all lots, but particularly smaller or irregularly shaped lots. Secondly, it removes the current requirement for Useable Open Space, with its high dimensional requirement (25' in each direction). This change would increase flexibility and allow more units to be created. If this option is considered, we should also look at liberalizing the restriction on using roof decks to fulfill the OS requirement. The bylaw requires that for a roof to be counted toward open space it needs to be "not more than 10 feet above the level of the lowest story used for dwelling purposes". This definition is impractical and does not encourage building of roof decks, which can be used and enjoyed by residents. Roof Decks are considered Useable Open Space. They should be redefined to include actual roofs, and be considered Landscaped Open Space.
- Option 4: **For Mixed Use and Multi-Family Residential Uses specifically, replace the current Landscaped and Useable Open Space requirements with a 10% Landscaped Open Space requirement, based on lot area.** This attempts to do the same as Option 3, but based on the use instead of based on the zoning district.

Conclusion

The options summarized above are not intended as an exclusive list. There are many ways of modifying the Town's current open space requirements to encourage housing and business growth in the areas most suited for them. These options do, however, illustrate some of the available possibilities. We look forward to engaging with the ARB in a discussion of the problems presented by the current regulations and ways of addressing them.

For reference, we have included two Appendices.

Appendix 1 is Neighboring Communities Open Space Requirements

Appendix 2 shows Arlington's Open Space Requirements in the Business Zones

Appendix 1.

Neighboring Community Open Space Requirements

Watertown ([districts](#), [link to table of dimensional regs](#))

Open space has no minimum dimensional requirement, only that it be pervious. Central Business District has no open space requirement. Other business districts are mostly 10% open space.

Waltham ([districts](#), [dimensional controls](#))

No lot coverage or open space limits for business. 15% open space requirement for residential in B districts

Belmont ([districts](#), [dimensional controls](#))

No Open Space requirement in any business district. No lot coverage limit in cbd.

Lexington ([districts](#), [FAR limit](#), [Dimensional Controls](#))

Lexington has no open space requirement but they limit lot coverage in many districts. There is no lot coverage limits in the central business district.

Winchester ([districts](#), [dimensional controls](#))

10% open space. No requirement in business districts

Medford ([districts](#), [dimensional controls](#), [usable open space definition](#))

This is the only community in the area that ties Useable Open Space to floor area, as Arlington does. No OS required for 1/2F detached or commercial. Usable OS 25% of GFA for >2 unit

Appendix 2. Arlington's Open Space Reqs.

B District Open Space and Lot Coverage

Use District	Minimum/Maximum Requirement		
	Landscaped Open Space	Usable Open Space	Maximum Lot Coverage
B1			
Single-family detached dwelling, two-family dwelling, duplex dwelling, three-family dwelling	10%	30%	-----
Mixed-use	20%	Sec. 5.3.21	-----
Any other permitted use	20%	Sec. 5.3.21	-----
B2			
Single-family detached dwelling, two-family dwelling, duplex dwelling, three-family dwelling	10%	30%	-----
Townhouse or apartment building	10%	20%	-----
Mixed-use	10%	Sec. 5.3.21	-----
Any other permitted use	10%	Sec. 5.3.21	-----
B2A			
Single-family detached dwelling, two-family dwelling, duplex dwelling, three-family dwelling	10%	30%	-----
Apartments on street w/ ROW =<50 ft.	10%	25%	-----
Apartments on street w/ ROW >50 ft.	10%	20%	-----
Mixed-use <=20,000 sq. ft.	-----		-----
Mixed-use >20,000 sq. ft.	10%	Sec. 5.3.21	-----
Any other permitted use	20%	Sec. 5.3.21	-----
	10%		-----

Use District	Minimum/Maximum Requirement		
	Landscaped Open Space	Usable Open Space	Maximum Lot Coverage
B3			
Single-family detached dwelling, two-family dwelling, duplex dwelling, three-family dwelling	10%	30%	-----
Townhouse or apartment building	10%	20%	-----
Mixed-use <=20,000 sq. ft.	-----	Sec. 5.3.21	-----
Mixed-use >20,000 sq. ft.	10%		-----
Any other permitted use	20%	Sec. 5.3.21	-----
B4			
Single-family detached dwelling, two-family dwelling, duplex dwelling, three-family dwelling	10%	30%	-----
Apartments on street w/ ROW =<50 ft.	10%	30%	-----
Apartments on street w/ ROW >50 ft.	10%	20%	-----
Mixed-use <=20,000 sq. ft.	-----		-----
Mixed-use >20,000 sq. ft.	10%	Sec. 5.3.21	-----
Any other permitted use	10%	Sec. 5.3.21	-----
B5			
Single-family detached dwelling, two-family dwelling, duplex dwelling, three-family dwelling	10%	30%	-----
Townhouse or apartment building	10%	15%	-----
Mixed-use <= 20,000 sq. ft.	-----	Sec. 5.3.21	-----
Mixed-use > 20,000 sq. ft.	10%		-----
Any other permitted use	10%	----- (20% for residential use)	-----
On a lot >= 40,000 sq. ft.	10%	Sec. 5.3.21	-----
On a lot >= 80,000 sq. ft.	10%	Sec. 5.3.21	-----

Hello!

I'm a resident of Arlington who wants to discuss some ideas for warrant articles that affect town zoning. Please consider the following my opening content; problem I'm trying to solve, proposed solution, any additional content, etc.

Best,

- James Fleming, 58 Oxford St

Parking Minimum Elimination in B5 District

Background

Arlington has a B5 zoning district which is effectively the core downtown (Arlington Center); it has the shops, plazas, everything that makes a downtown great, and it is the best-connected place in town for transit; multiple overlapping bus routes to nearby towns, the minuteman bike path, and metered street parking and public parking lots.

Problem Statement

The town requires 1 parking space per dwelling (changed as of 2022 ATM), and a varying requirement for commercial spaces. However, we have seen projects come before the ARB (190 Mass Ave, Docket #3650) which propose less parking than this (originally 1/2 space per unit).

Additionally, according to the 2020 American Community Survey, 80% of renters in Arlington had one or fewer vehicles per household, and 20% had no car at all. It would seem there is a market for apartment buildings with less than 1 space per unit.

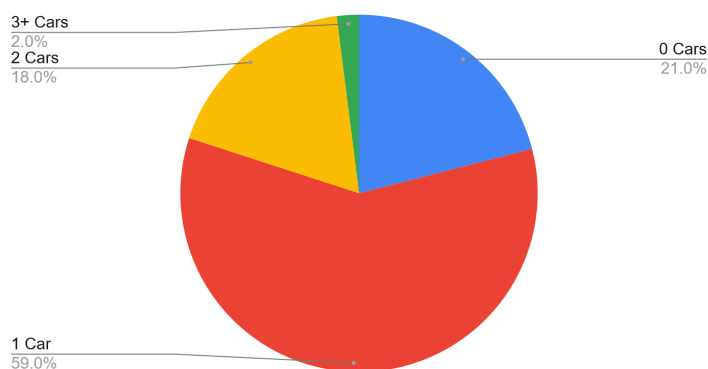
This all matters to me because parking is not the highest and best use of our town's land; it cannot contribute to a vibrant streetscape, cannot house people, and pays little in taxes. Arlington should not impose any requirement to build parking; instead, leave it up to individual property owners to decide the right amount.

Proposed Solution

I propose eliminating the parking requirements for all uses, for the B5 district, as a first step in having town land better serve Arlington residents. This will not mean no parking gets built, as that is up to individual property owners, and in any case the district is not that large; I suspect that, at most, a little bit of parking may go away if someone redevelops a building.

The main goal of this endeavor is to take an incremental step in the best possible scenario; B5 is the most transit friendly part of town, and has a walkable downtown, so it is the most likely to see a positive outcome. Taking an incremental step provides some protection against any unforeseen consequences, while allowing the Town to gain information about how much parking is actually required.

Arlington Vehicles Per Household, Renters
American Community Survey, 2020



Elimination of Usable Open Space Requirements

Background

Every property with a residential component is required to have Usable Open Space -- a contiguous area (min 25x25) that ostensibly is for the outdoor enjoyment of the resident(s). From the bylaw:

The part or parts of a lot designed and developed for outdoor use by the occupants of the lot for recreation, including swimming pools, tennis courts, or similar facilities, or for garden or for household service activities such as clothes drying; which space is at least 75% open to the sky, free of automotive traffic and parking, and readily accessible by all those for whom it is required.

The amount of usable open space required is a set percentage of the size of the building. From section 5.3.22(C):

For the purposes of this bylaw, the district dimensional requirements for Usable Open Space and Landscaped Open Space are calculated based on Gross Floor Area

Problem Statement

With this requirement, the town is making a determination about the usability of an open space for a resident of a property. The person with the best ability to make a judgement about whether an open space is usable is not the town, nor the neighbors - it is the resident of the property. I think it is reasonable to state that what one person believes is plentiful open space, another may deem to be too small.

Consider what it would mean if a property owner wanted to, say, put an addition on the back of their house that encroached on their Usable Open Space. Under the current zoning, that might not be allowed. However, this property owner has already made a conscious choice that they would appreciate the added living space more than the open space that they have.

Consider what it would mean for a developer building a rental property. If they build apartments with little or no open space, then the people who move there will be making a conscious tradeoff -- the lack of open space will be an acceptable situation to live in.

Having lived in apartment buildings in Arlington, the open space there is never used -- it is not comfortable to use such a space because 1) it is very exposed, either being on a major road or surrounded by apartments where many people can see you, and 2) because as a renter, you have no ability to customize the open space to your desires.

Proposed Change

I propose removing the Usable Open Space requirement in its entirety. The reason is that it empowers residents to make their own tradeoffs as to the amount of open space they need, and weigh that tradeoff against their other needs.

Note that this will not allow homes to explode in size. Residential buildings are constrained in other ways:

- Limited to 35% coverage of the lot
- Separate requirement for landscaping to ensure a degree of beauty in the neighborhood
- 20ft rear setback (de facto "open space")

Other Options

I considered other ways of making the requirement less impactful, however no matter how I tried to modify the requirement, it created problems of its own.

Reducing Dimensions

I considered reducing the dimensions to e.g. 20x20. However, this creates a problem:

Currently there are many nonconforming lots that do not comply with usable open space because they have no dimension greater than 25 feet, generally in East Arlington. Shrinking this dimension makes it likely that many lots will come into conformance. However, those currently non-conforming lots have the ability to dormer their attic, by special permit. If they come into conformance, they will no longer be able to get a special permit; they will instead need a variance, which they are unlikely to get. This may take away vested rights that the current property owners have.

Reducing Percentage

I considered reducing the percentage from e.g. 30% of GFA to a lower percent (e.g. 15%). However, this carries the same risk as above: that someone who is currently non-conforming becomes conforming and loses the ability to do something that they could currently do by special permit.

I personally fall into this case: our house is non-conforming with Usable Open Space, but we have a non-zero amount of usable open space. Reducing this percentage could make us conforming, and remove our ability to dormer the attic under a special permit.

Make UOS not scale with GFA

I considered making Usable Open Space scale with the lot size, instead of the Gross Floor Area. While this has the effect of reducing the requirement for buildings with an FAR > 1, it increases the requirement for FAR < 1. Almost every 1F and 2F dwelling has an FAR < 1, so this would have the effect of making huge portions of Arlington out of conformance.

We could simultaneously reduce the percentage from 30%, however we would have no way of guaranteeing that the chosen percentage would create no new nonconformities.

Creation of a Process Allowing Permanently Affordable Housing to be Built on Privately Owned Parcels of “Non-Conforming” Size

(In the “Notes” section below, you will find examples of how this regulation may be incorporated into current zoning requirements or with the addition of an overlay zone for nonconforming parcels.)

Intentions:

Arlington is desperately in need of housing at prices that will help the community maintain a diversity of incomes among town residents. This article proposes two potential processes for creating and/or converting extra land on “non-conforming” parcels to be of use to meet the community’s housing goals:

- 1) Allowing development of missing middle, workforce, or permanently affordable housing on existing, vacant, nonconforming parcels in the R0, R1, and R2 zoning districts.
- 2) Allowing subdivision of overly-large lots in the R0, R1, and R2 zoning districts to create nonconforming parcels for the development of missing middle, workforce, or permanently affordable housing.

An initial rough analysis of Assessor data suggests the following potential number of eligible housing units per zoning district:

Existing, vacant, nonconforming parcels:

R0: 21
R1: 145
R2: 19

Large parcels for potential subdivision:

R0: 93 parcels with 15,000 sf or more
R1: 1,173 parcels with 9,000 sf or more
R2: 77 parcels with 10,000sf or more

I believe that the possibility of adding 185 to 1,528 new units of affordable, missing middle, workforce or permanently Affordable housing (according to Town and state standards) is worth the effort. This article’s scope also includes an option to develop smaller non-conforming parcels into permanent open space if compliant with the MA Decarbonization Roadmap and other relevant State laws on Municipal Reforestation.

Article for the Development of Non-Conforming Parcels:

To see if the Town will vote, to allow the development of new sources of affordable housing (affordable because it is a smaller land size, because it could add to our supply of permanently affordable “workforce” housing, because the developer has made an appropriate payment in lieu of “affordability in perpetuity” to the Arlington Housing trust Fund or “affordable in perpetuity” housing with “affordability” as defined in Arlington Zoning By-Laws) by modifying the requirements for constructing housing units to enable construction on smaller lots as long as those units are permanently committed to be available for rental or ownership according to standards and policies of the Arlington Housing Trust Fund, official regional guidelines (see

(Zoning Bylaw Section 2, Basic Provisions, Definitions Associated with Affordable Housing) of affordability, or take any action related thereto.

Such construction would be permissible in all zoning districts allowing residential use, providing the tracts were laid out prior to July 1, 2022, and receive a special permit from the ZBA.

Ownership, sale, repurchase and rental of each property would be overseen by the Arlington Housing Trust Fund or a comparable entity that would have the authority to enforce the affordability guidelines in perpetuity, when “affordability in perpetuity” guidelines are applicable. Similarly, the commitment of land on a nonconforming parcel consistent with the goal of Decarbonization and Municipal Reforestation can also be undertaken with an in-lieu of development fee paid to the AHTF.

Summary:

1. Build small single or double units for purchase or rental on the “extra” land available on non-conforming parcels or overly large parcels.
2. Build a “cottage cluster”, appropriate for deep lots without sufficient frontage, on the “extra” land available on non-conforming parcels or overly large parcels.
3. Convert extra land on non-conforming parcels to permanent open space that is consistent with Town and State policies on Decarbonization and Reforestation.

NOTES:

Below are suggested standards, per zoning district, for the creation of an affordable residential unit on a “non-conforming” parcel. These standards would create more lenient zoning requirements in exchange for the creation of a permanently affordable housing unit. Gross Floor Areas might range between 1500 and 4300 square feet, depending on the lot.

Non- Conforming Lots R1 Zoning District Requirements

- New zoning district created for non-confirming lots **AR1** (Affordable Residential Single Family)
- Special permit required
- All units developed must adhere to Section 8.2 of the Zoning Bylaws
- Minimum lot size 3,000 square feet.
- Minimum street frontage 40’
- Open Space will be reduced to 20% with a minimum of 20’ in one direction.
- The size of a single-family dwelling is determined by using the F.A.R. calculation of 0.50
- A lot can be subdivided to create a non-confirming lot. However, the existing lot must meet all conforming lot requirements in accordance with the zoning by law

Examples

<u>Lot Size</u>	<u>Front Yard</u>	<u>Rear Yard</u>	<u>Side Yard</u>	<u>Lot Coverage</u>	<u>F.A.R.</u>
------------------------	--------------------------	-------------------------	-------------------------	----------------------------	----------------------

3,000	15'	20'	5' on one side 10' on 2 nd side	35%	0.50
3,500	15'	20'	5' on one side 10' on 2 nd side	35%	0.50
4,000	15'	20'	5' on one side 10' on 2 nd side	35%	0.50
5,000	15'	20'	5' on one side 10' on 2 nd side	35%	0.55

Non- Conforming Lots - R2 Zoning District Requirements

- New zoning district created for non-confirming lots **AR2** (Affordable Residential Two- Family)
- Special permit required
- All units developed must adhere to Section 8.2 of the Zoning Bylaws
- Minimum lot size 4,000 square feet
- Minimum street frontage 40'
- Open Space will be reduced to 20% with minimum of 20' in one direction
- The size of a two-family dwelling determined by using the F.A.R. calculation of 0.85
- A lot can be subdivided to create a non-confirming lot. However, the existing lot must meet all conforming lot requirements in accordance with the zoning bylaws.

Example

<u>Lot Size</u>	<u>Front Yard</u>	<u>Rear Yard</u>	<u>Side Yard</u>	<u>Lot Coverage</u>	<u>F.A.R.</u>
4,000	15'	20'	5' on one side 10' on 2 nd side	35%	0.85
5,000	15'	20'	5' on one side 10' on 2 nd side	35%	0.85

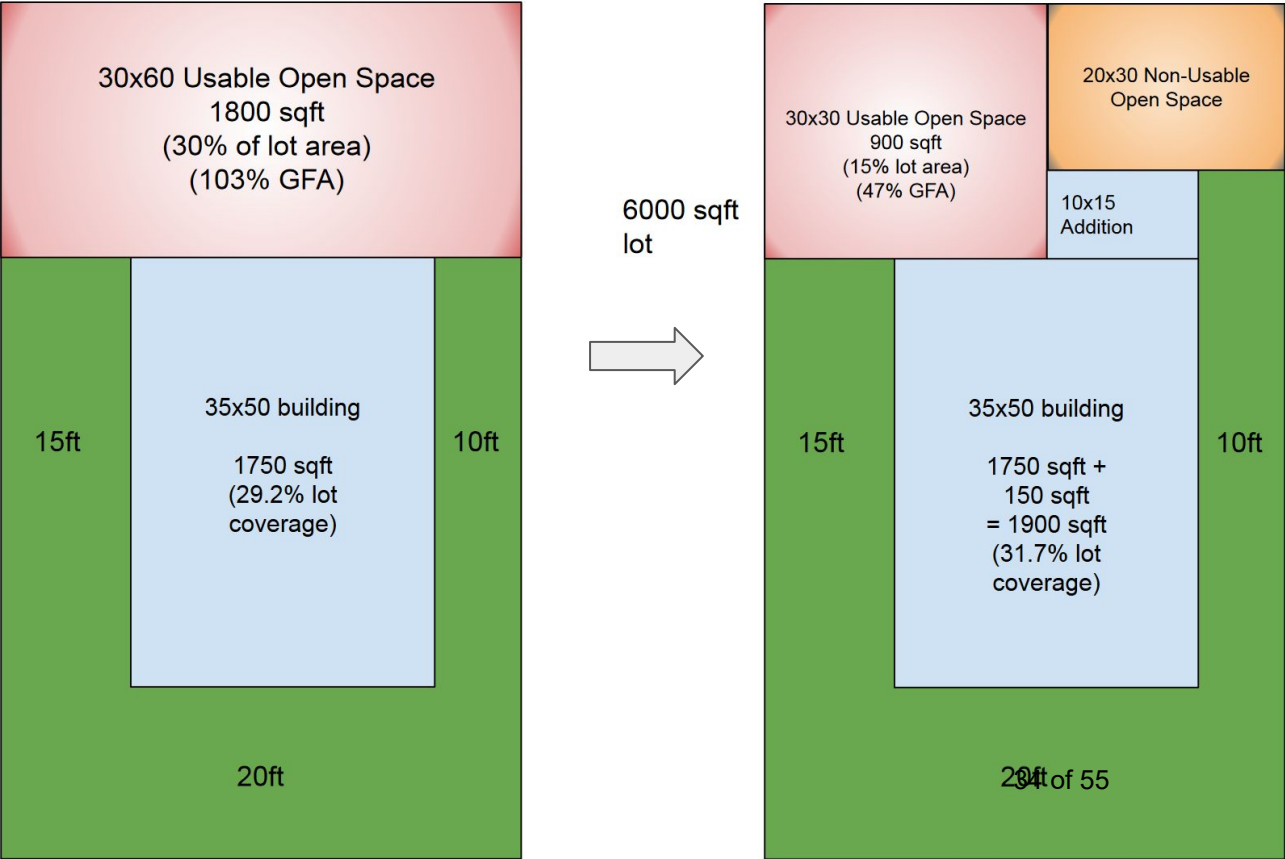
Non- Conforming Lots- R0 Zoning District Requirements

- New zoning created for non-confirming lots **AR0** (Affordable Residential Single Family)
- Special permit required
- All units developed must adhere to Section 8.2 of the Zoning By-Laws
- Minimum lot size 6,000 square feet.
- Minimum street frontage 50'.
- Open Space will be reduced to 20% with a minimum of 20' in one direction.
- The size of a single-family dwelling is determined by using the F.A.R. calculation of 0.45.
- A lot can be subdivided to create a non-confirming lot so long as one portion of the existing lot meets the conforming lot requirements.

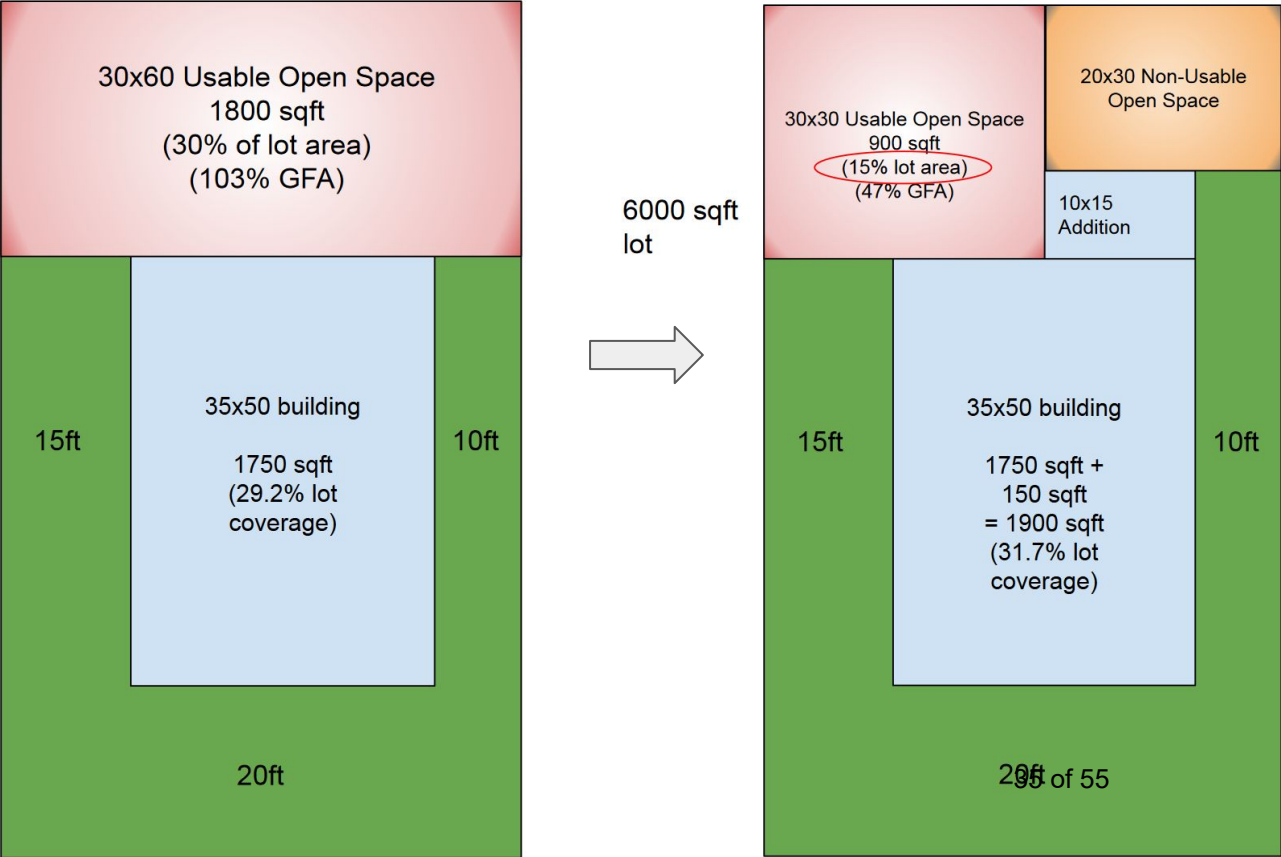
Examples

<u>Lot Size</u>	<u>Front Yard</u>	<u>Rear Yard</u>	<u>Side Yard</u>	<u>Lot Coverage</u>	<u>F.A.R.</u>
6,000	25'	20'	10'	35%	0.45
7,000	25'	20'	10'	35%	0.45

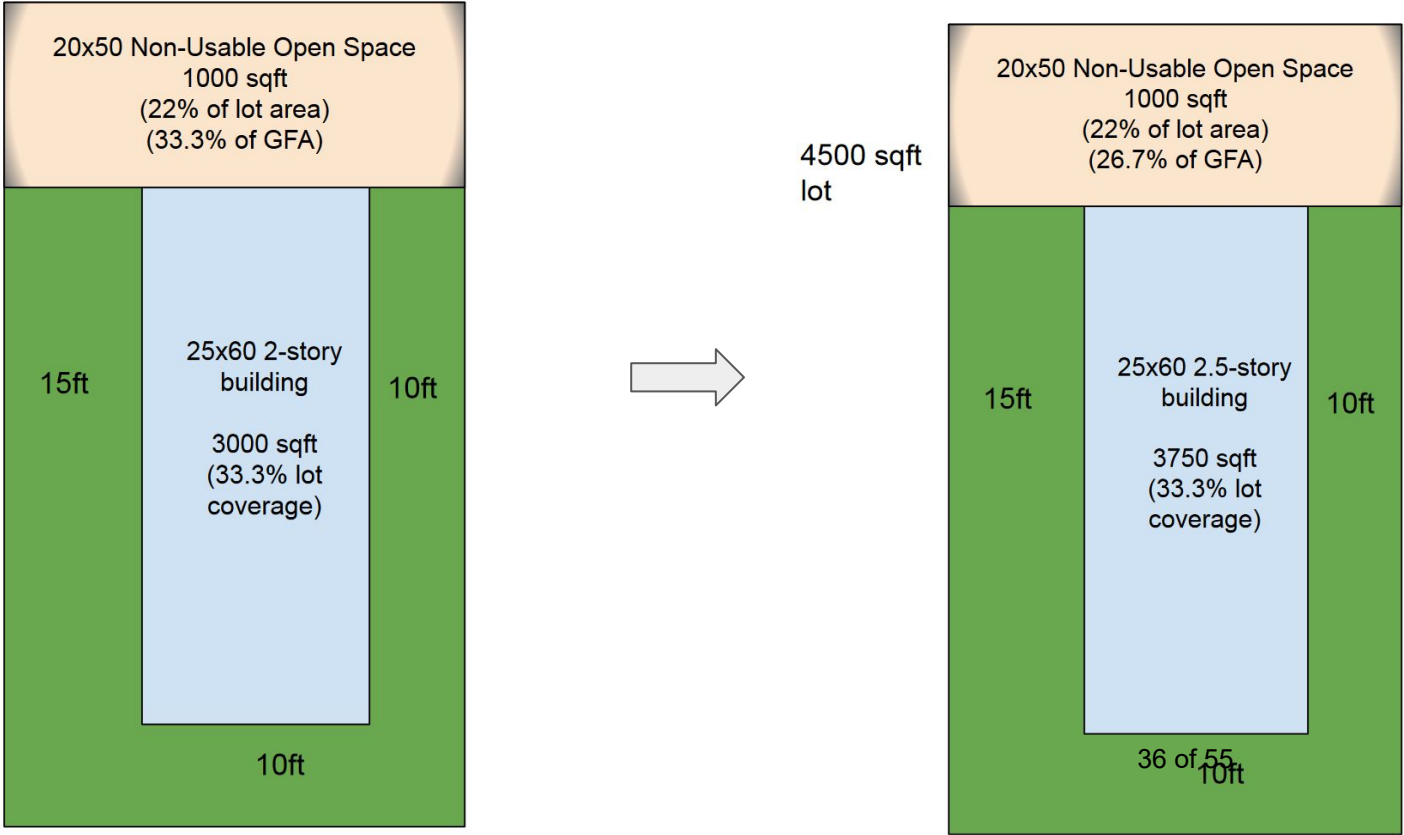
Usable Open Space - 30% of GFA



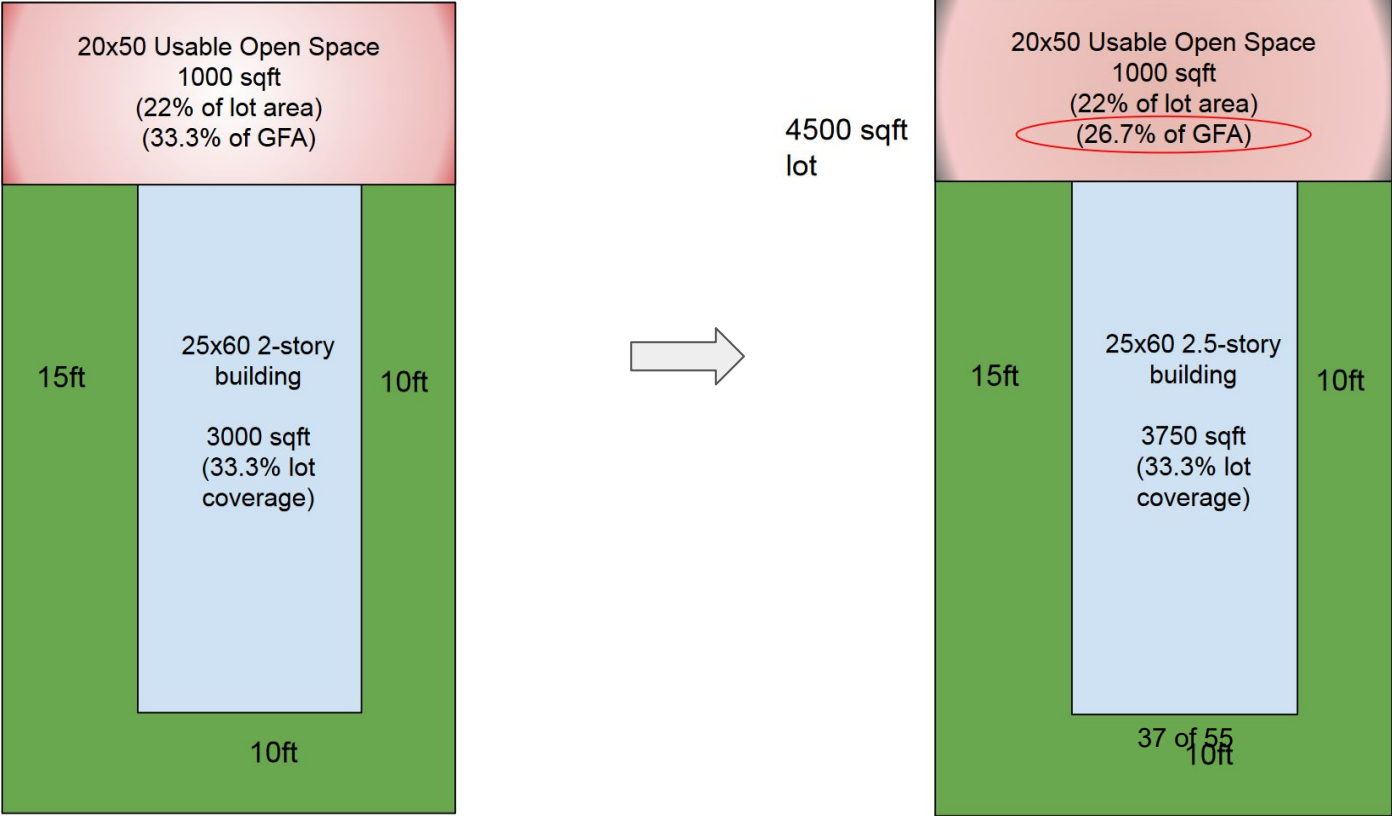
Usable Open Space - 30% of Lot Area



Usable Open Space - 25ft Dimension



Usable Open Space - 20ft Dimension





Town of Arlington, Massachusetts

Hybrid Meeting Protocol

Summary:

9:30 p.m. The Board will review Hybrid Meeting Protocol

ATTACHMENTS:

Type	File Name	Description
▢ Reference Material	Agenda_Item_3_2022-11-02_MEMO_ARB_Hybrid_Meeting_Decision_Points_rjz0.pdf	11-2-2022 Memo ARB Hybrid Meeting Decision Points
▢ Reference Material	Agenda_Item_3_Hybrid_Meeting_Protocol_Decision_Points.pdf	Hybrid Meeting Protocol Decision Points



ARLINGTON REDEVELOPMENT BOARD

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

TELEPHONE 781-316-3090

MEMORANDUM

To: Arlington Redevelopment Board
From: Rachel Zsemlery, ARB Chair
Date: November 2, 2022
Subject: Hybrid Meetings Decision Points Recommendations

Members of the ARB,

In late September, the Town of Arlington's Remote Participation Study Committee (RPSC) created a set of documents outlining the Town's hybrid participation pilot program, which the ARB has previously expressed interest in participating in. Contained within the document are a set of questions to be addressed by each Board or Commission participating in the program to ensure a consistent set of expectations around what hybrid participation looks like at their meetings.

Below please find my recommendations to address the attached Remote Participation Study Committee's decision points. Please feel free to send your feedback and comments to me via email ahead of our Monday November 7th Board meeting or in person during the meeting.

- 1. Should you designate a co-host?** A member of the DPCD (typically Claire Ricker or Kelly Lynema) will be designated as the co-host monitoring in-person attendees and remote attendees during the meeting. This is similar to the role that Jenny Raitt filled in acting as a co-host to the ARB's Chair during the ARB's virtual meetings.
- 2. What happens in case of a technical failure?** In the case of a technical failure or loss of connectivity, the meeting will be continued in person so long as a quorum of the board is present in person. As such, any applicants or presenters appearing before the board shall appear in person rather than virtually. Should an applicant elect to include a consultant or other non-decision making member of their team in their presentation virtually, they will need to be prepared to answer any questions and make any decisions required during the hearing without the input of the virtual members in the case of technical failure.
- 3. How do you recognize members of the public who would like to speak?** Members of the public who would like to speak either during public comment periods during a hearing or the open forum agenda item should indicate their desire to speak through using the raise hand function in zoom. They will be recognized and invited to speak in an order as determined by the discretion of the chair.
- 4. What are the expectations for committee members?** All Board members are required to attend the meetings in-person unless their in-person attendance is infeasible. In such case, the Board member shall notify the Chair in advance. A quorum of members in-person is required to hold a

meeting. If the Chair cannot attend in-person, the Vice-Chair or other designated in-person Board member shall conduct the meeting.

5. Zoom-specific decision points:

- a. Do you need webinar functions?** No.
- b. Do you enable chat for your participants?** No.
- c. Will you use the waiting room feature?** Yes until the meeting begins at which time all virtual members will be admitted into the meeting and the waiting room feature will be turned off.
- d. Do you record the meeting for the purpose of creating meeting minutes?** No – the meeting will be recorded by ACMI.
- e. Will attendees be muted upon entry?** Yes. Participants will be required to unmute themselves in order to speak.

The Remote Participation Study Committee (RPSC) recognizes that hybrid meetings are more difficult to run than either fully remote or fully in-person meetings. The purpose of this hybrid participation pilot is to test both the technology and the protocol for different sizes and different types of meetings in order to learn how the Town can best support its many boards, committees, and commissions going forward.

Best Practices

1. **Communication.** We recommend that each board, committee, and commission clearly communicate its policies—both in its meeting agenda and at the start of each meeting—around its rules for public participation and what happens in the case of a technical failure and/or loss of connectivity. Send out any tips or links to technical support to remote attendees in advance in case they are not familiar with Zoom.
2. **Recording the Meeting.** We advise you to record your meetings for internal purposes; for example, to ensure accurate meeting minutes. Recordings will be stored in the Town’s Zoom accounts for a limited time as recording storage is limited. Note that these recordings may be subject to Public Records requests under Massachusetts Law. Finally, the Open Meeting Law requires you to note when any meeting is recorded. It should also be noted that members of the public may record meetings themselves.
3. **Meeting Chair.** The chair of any hybrid meeting must be in-person rather than remote. In cases where the usual chair is unable to participate in person for a particular meeting, we recommend that they designate an in-person member as a temporary chair.
4. **Technical Lead.** We recommend that meetings with significant membership or public participation split between in-person and remote should consider designating a co-host/technical lead who will monitor remote attendees as they join the meeting, identify raised hands during the public participation sections of the meeting, and monitor any comments submitted in the chat (if enabled). This person should have experience with Zoom, and know how to handle the physical hardware in the room (e.g., cameras, laptops, etc.). Ensure that the co-host and the chair are aligned on all expectations and individual responsibilities for how the meeting will run.
5. **Displays.** Hybrid meetings work better if both remote and in-person participants are able to see each other and any relevant visuals for the meeting. If possible, have a big screen in the front of the room with as many of the remote attendees showing on video as possible.

On the other side, make sure the remote participants are able to see the presenters along with the meeting visuals.

Decision Points

Each board, committee, and commission will need to set expectations around what hybrid participation looks like at their meetings. To that end there are a series of “decision points” that will need to be made before beginning the hybrid-participation pilot. We welcome any comments or recommendations you may have.

1. **Should you designate a co-host?** Monitoring in-person attendees and remote attendees in a hybrid meeting, as well as other remote meeting features such as chat (if enabled), can be challenging. The chair of the meeting is strongly encouraged to delegate a sufficiently trained person, whether another meeting member or staff support personnel, to manage the remote communications. The duties of this person may include allowing remote participants to enter the meeting, noting when people have their hand up to speak, monitoring remote feeds to prevent potential malicious disturbances (“Zoom bombing”), and communicating any questions that may come up in the chat function (if enabled).
2. **What happens in case of a technical failure?** Each committee is asked to create a contingency plan for what will happen in the case of a technical failure and/or loss of connectivity. Some possibilities include:
 - i) **adjourning** the meeting to a pre-determined date/time;
 - ii) **pausing** the meeting for a pre-determined period of time to allow travel time for any committee members and members of the public wishing to participate in order to attend the meeting in person;
 - iii) **continuing** with the meeting, so long as a quorum of board, commission, or committee members are present in person.

Your policy should be clearly communicated, both in the agenda and at the beginning of each meeting. You may wish to have different policies for different types of meetings and your policy may differ depending on whether all committee/board members are in person or some are remote. In any case, the goal is to clearly communicate the policy that is in effect for that meeting prior to its start.

- 3. How do you recognize members of the public who would like to speak?** Do you require remote and in-person participants to sign up beforehand so that a speaking order can be established? Or, do you ask people to raise their hands during the meeting (both remotely and in-person) to indicate that they would like to speak? If you allow a looser model of public participation do you take turns between remote and in person participants, or do you establish some other ordering?
- 4. What are the expectations for committee members?** Do you require that a quorum of committee members attend meetings in-person? And, if you do require a quorum of members in-person, do you have rules around how many in-person meetings committee members are required to attend?
- 5. Zoom-Specific Decision Points:**
- a. **Do you need webinar functions?** The town has a limited number of webinar licenses. If webinar features are required, please reach out to a Town staff member for assistance.
 - b. **Do you enable chat for your participants?** If chat is enabled, the chair or a designee should monitor the chat screen for contributions throughout the meeting. If you would prefer to disable chat, you should do so prior to setting up the meeting.
 - c. **Will you use the waiting room feature?** If the waiting room feature is enabled, the monitor of the remote participants will need to either disable the waiting room at the start of the meeting or regularly monitor and admit new attendees throughout the course of the meeting. If you do keep the waiting room feature on during the meeting, consider enabling the *chime announce feature* that creates a noise to alert the host that someone has entered the waiting room.
 - d. **Do you record the meeting for the purpose of creating meeting minutes?** If so, the chair should announce that the meeting is being recorded prior to starting the record feature.
 - e. **Will attendees be muted upon entry?** Consider automatically muting participants upon entry and requiring that they unmute themselves in order to speak.

Meeting Preparation

With the help of town staff, reserve a room with the right technology to hold your meeting. Prior to the start of your first meeting you should practice with the room technology to ensure that you know how to operate it.

Ask about audio:

- Can all participants clearly hear the main speaker(s)?
- Can all participants clearly hear in-person and online participants when they make comments or ask questions?
- Does the audio set-up avoid any unpleasant audio feedback or echo for either in-person or online participants?
- Will the main speaker(s) have practice time to get comfortable with the audio system?
- Can online participants experience music and videos that in-person participants do?

Ask about video:

- Can all participants see the main speaker(s)?
- Is the speaking area marked so the main speaker(s) are consistently in the camera view for online participants?
- Can all participants see in-person and online participants when they make comments or ask questions?
- Can all participants see slides, props, and other visuals?
- Is the camera positioned so the main speaker(s) can easily make eye contact with it?
- Will the main speaker(s) be trained to look directly into the camera to give online participants the experience of eye contact and direct communication?

Accessibility:

1. If your meeting is of significant interest to the general public, request CART (Computer Aided RealTime Translation) from the MCDHH (Massachusetts Commission for the Deaf and Hard of Hearing) and ASL/English Interpreters at least 2 weeks prior to your meeting.
2. Any print or electronic announcements of meetings must include a note stating that a request for ASL Interpretation must be made to the committee, commission, or board at least 2 weeks prior to the meeting. If ASL interpretation is requested by the public, contact the Massachusetts Commission for the Deaf and Hard of Hearing (mass.gov/mcdhh).

3. Regardless of whether there are any specific requests, automatic closed captions should be enabled for each meeting. If a video is being shown make sure closed captions are enabled.
4. If you are using slides or other visual material at your meeting please read them aloud and/or describe the visual information so that blind and/or visually impaired individuals can access the information.
5. Although hybrid meetings can be more accessible than fully in-person meetings, your physical meeting site must remain handicapped accessible with ramps, working elevators, any requested accommodations, etc.

Possible Introductory Meeting Paragraph

Tonight's Meeting of the _____ is being conducted using a hybrid model on the Zoom platform. On 7/16/22, Lt. Gov. Karyn Polito, as acting governor, signed legislation to extend key pandemic-era accommodations, including remote local government meeting authorization, through March 31, 2023 following the same guidelines that have been in place since the COVID public health emergency was first declared in March 2020.

Before we begin, permit me to offer a few notes:

1. Persons observing or participating in the meeting may follow an agenda posted on the Town/School Department's website. Instructions on how to join the meeting, including joining the meeting without registration can also be found with the meeting notice. You are not required to register to observe or participate, but you may have limited access to functions of the Zoom platform.
2. Persons wishing to address the body either remotely or in person are reminded that you will be asked to provide your full name and address in the interests of developing a record of the meeting;
3. All participants are advised that people may be listening remotely or in person who do not provide comment, and that those persons are not required to identify themselves;
4. In case of technical failure and/or loss of connection to the remote meeting function, the meeting will _____ (see Decision Points for possible choices)
5. Finally, in cases where some members of the board/committee/commission are participating remotely, all the votes for the duration of the meeting will be taken by roll call.

Additional Resources and Tips

Many organizations are working on improving the effectiveness of hybrid meetings. Here are some guides from a range of places:

Logistics and Set Up:

[MAPC: Shared Practices, Tools, and Policies for Hybrid Meeting](#)

[Considerations and Best Practices for Running a Hybrid Meeting](#)

[What it Takes to Run a Great Hybrid Meeting](#)

Facilitation Tips:

[LinkedIn's Facilitation Toolkit for Hybrid Meetings](#)

[Facilitation Tools for Hybrid Group Meetings](#)



Town of Arlington, Massachusetts

Meeting Minutes (10/3/22 and 10/17/22)

Summary:

9:40 p.m. The Board will review and vote to approve meeting minutes from 10/3/22 and 10/17/22

ATTACHMENTS:

Type	File Name	Description
▣ Reference Material	10032022_Draft_Minutes_Redevelopment_Board.pdf	10032022 Draft Minutes Redevelopment Board
▣ Reference Material	10172022_Draft_Minutes_Redevelopment_Board.pdf	10172022 Draft Minutes Redevelopment Board

Arlington Redevelopment Board
Monday, October 3, 2022, at 7:30 PM
Community Center, Main Hall
27 Maple Street, Arlington, MA 02476
Meeting Minutes

This meeting was recorded by ACMi.

PRESENT: Rachel Zsembery (Chair), Eugene Benson, Kin Lau, Melisa Tintocalis, Steve Revilak

STAFF: Claire Ricker, Director of the Department of Planning and Community Development, and Kelly Lynema, Assistant Director

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

The Chair introduced the first agenda item, Public Hearing for Docket #3712 80 Broadway, and explained that the applicant has requested a continuance to Monday, November 7, 2022. Mr. Benson asked if the applicant would submit a new application, Ms. Lynema confirmed a new application would be submitted by Thursday, October, 20th.

Mr. Lau moved to continue the hearing for Docket #3712 to Monday, November 7, 2022 as requested, Mr. Benson seconded, approved 5-0.

The Chair introduced the second agenda item, Affordable Housing Trust Action Plan. Karen Kelleher, Chair of the Affordable Housing Trust, presented the Action Plan. Ms. Kelleher explained the Trust's timeline for preparing the Draft Action Plan from reviewing the Housing Production Plan, to community engagement, through plans to present the Draft Action Plan to the Select Board for approval. Ms. Kelleher said that the Trust's first strategy is to identify actions to achieve their five-year goal of completing an Affordable Housing Preservation Plan. The second strategy is to create additional affordable housing by leveraging state and federal subsidies and by getting developers to pay for it. Ms. Ricker said that the Department of Housing and Community Development (DHCD) looks to assist with developments of 30 units or more that include affordable housing.

Mr. Lau said that Arlington does not have the land to build developments of that size so it is a challenge to get affordable housing assistance from the DHCD.

Ms. Tintocalis asked Ms. Kelleher if there is a State strategy regarding how DHCD funding is rolled out and if the town's location affects the subsidy amounts.

Ms. Kelleher said that there are many factors and variables that are considered. During outreach for the Action Plan, developers that responded to the Trust's questions said in order to create affordable housing in Arlington developers would like the Town to assist with identifying sites, identifying local financing early in the process, providing predictable permitting, and giving a clear indication of what the community wants. Ms. Kelleher said that the Trust's five-year goal is to create/permit 100+ affordable homes. Ms. Kelleher said that the third strategy is to build the financial strength of the Trust.

Mr. Lau asked if the Trust considered that with inclusionary zoning, the price of market rate units needs to increase to cover the cost of the affordable units, and whether this decreases diversity. The result is very expensive units and affordable units, but nothing in the middle. Ms. Kelleher said that she agrees that the Trust should look at the inclusionary zoning bylaw.

Mr. Lau suggested that with the move to electric vehicles, land currently used as gas stations should be considered as potential future areas of development. Mr. Lau said that he believes there is funding to clean up former gas station sites.

Mr. Benson said he thinks that the Action Plan is a wonderful plan. He said it would help if the Department of Planning and Community Development had a staff person to focus on affordable housing development in order to help the Town activate the Housing Trust's strategies.

Mr. Benson said that there is a balance between the need for new affordable housing in town and the need to retain and improve the industrial and commercial areas of town. Mr. Benson said he thinks that the Russell Common Parking lot

should be considered as a possible location for residential and commercial development. Mr. Benson said that the Town should consider supporting ongoing work on the home rule petition for a real estate transfer fee, and also support a home rule petition to establish fees for developers building single-family homes that are larger than starter homes. Fees from those policies should be paid to the Affordable Housing Trust.

Ms. Kelleher said that the Trust's consultant is looking at that possibility, that there is another community that approved a home rule petition for that use. The Chair said that this was also considered when the Board discussed the conversion of single-family to multi-family homes and whether there is potential for a linkage fee.

Mr. Benson said that he is not sure if the 100 new affordable units is a stretch goal or a realistic goal but the Town might as well go for it.

Ms. Tintocalis asked for clarification regarding the real estate transfer versus linkage. Ms. Kelleher explained that the real estate transfer fees would be a set percentage of the price of transfers of real estate over the state median purchase price. Ms. Kelleher said that after the Affordable Housing Trust Action Plan is approved the next step is to meet with real estate professionals to get their buy in. Ms. Kelleher said that this is not an annual tax but a tax that is only imposed when someone sells their house.

Ms. Tintocalis asked to review 40B versus 40R housing laws. Ms. Ricker said that her experience with 40R is from her work in gateway cities. The city receives a bonus for each affordable unit built and 40R works hand in hand with 40S which is a direct subsidy, based on construction of units with more than one bedroom and for multi-family units, which pays bonuses back to schools. Ms. Ricker said the 40S bonus offsets the impact of additional children in the school system and is very effective. Ms. Lynema said that 40R developments can be considered as another alternative to meeting the requirements for MBTA communities.

Mr. Revilak said that he knows of one case where the Town did use 40B proactively where the HCA asked for a waiver of the parking requirement for a planned project. Mr. Revilak said that he believes the goal of creating 100 affordable units in five years is achievable. Cambridge was able to build 350 units within the first year of creating their affordable housing overlay. Mr. Revilak said that the reason Arlington has such a small amount of commercial land is due to zoning changes in the past, that we should not be constrained by what is on the zoning map now.

The Chair said that without the home rule petition to fund the Affordable housing Trust, she is not sure how sustainable the other funding options are long-term. Ms. Kelleher said that some of the suggestions received were to create a percentage of Community Preservation Act (CPA) funding that goes towards affordable housing, the option of bonds, and other local strategies that are available like cell tower use. Ms. Kelleher said that we might have to get creative. Ms. Lynema said that the Affordable Housing Trust may be asking the Board for a letter of support to request for CPA funding for the next fiscal year.

The Chair introduced the third agenda item, ARB Rules and Regulations. Ms. Lynema reviewed the draft changes suggested during the Board's retreat including: potentially requiring applicants to submit a Sketch Up compatible model with their application packages, requiring solar energy system assessments, adding in family childcare as a use that is eligible for review under religious and educational uses based on the changes that were made during 2022 Special Town Meeting. Mr. Lau suggested tabling the solar energy assessment for the moment.

The Chair said that the Board will remove the references to the solar energy section until it has been approved by the Attorney General.

The Chair introduced the fourth agenda item, ARB 2023 Schedule, and Schedule Leading to 2023 Annual Town Meeting. Mr. Lau moved to approve the Board's review process and schedule leading to the 2023 Annual Town Meeting, Mr. Benson seconded, approved 5-0.

The Chair introduced the fifth agenda item, Meeting Minutes.

Mr. Lau moved to approve the 9/12/2022 meeting minutes as amended, Mr. Benson seconded, approved 4-1-0. (Ms. Tintocalis abstained as she was not in attendance for the 9/12/2022 meeting.)

The Chair reopened the fourth agenda item, to clarify the Board's 2023 meeting dates.

Mr. Benson said that the Board also has to determine the dates for review of the Board's proposed warrant articles for 2023 Annual Town Meeting.

The Chair introduced the Open Forum portion of the meeting. With no attendees wishing to speak, the Chair closed the open forum portion of the meeting.

The Chair said that she would like to add new business to the Board's meeting agendas after Open Forum.

Mr. Revilak said that he had New Business to share with the Board. Mr. Revilak said that Winchester is having a Special Town Meeting in November where they will vote on a proposed Accessory Dwelling Unit (ADU) bylaw. Winchester is organizing a public forum for residents and Mr. Revilak was asked to participate in creating Winchester's ADU manual.

Mr. Lau moved to adjourn, Mr. Benson seconded, approved 5-0.

Meeting adjourned.

DRAFT

Arlington Redevelopment Board
Monday, October 17, 2022, at 7:30 PM
Community Center, Main Hall
27 Maple Street, Arlington, MA 02476
Meeting Minutes

This meeting was recorded by ACMI.

PRESENT: Rachel Zsembery (Chair), Eugene Benson, Kin Lau, Melisa Tintocalis, Steve Revilak

STAFF: Claire Ricker, Director of the Department of Planning and Community Development, and Kelly Lynema, Assistant Director

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

The Chair introduced the first agenda item, discussion of potential zoning amendments to bring to Town Meeting or Special Town Meeting, including MBTA Communities. Ms. Ricker said that she would like to use the recommendations document that was reviewed at the Board's retreat to select the amendments that the Board would like to support, including MBTA Communities implementation. Ms. Ricker said that she would like to know what the Board's priorities are in order to get started. Ms. Ricker highlighted transfer of development rights and exploring options to create a 40R smart growth overlay, both of which relate back to MBTA Communities. Ms. Ricker said she would also like to discuss implementation of the Arlington Heights Action Plan recommendations, which includes consolidating business districts.

The Chair reviewed the list of zoning bylaw amendment recommendations that the Board discussed at their retreat, including: review open space requirements, setback requirements, setback and step back requirements on new construction with multiple frontages, clarify the 100% stormwater treatment on-site in the Industrial District requirements, reconsider the allowable use of self-storage in the Industrial District, review the discrepancy between the FAR definition in the Zoning Bylaw and the Building Department definitions, potentially modifying the FAR calculations in the R2 districts, look at a potential overlay district on Broadway, expand or review some uses for the Industrial District, move forward with a 40R district, the prohibition of one story buildings on Mass. Ave., and the transfer of oversight of the Board's properties to the Facilities Department.

Mr. Benson said that there are many zoning recommendations that the Board should pursue but which should be included as part of MBTA Communities Zoning, for example 40R. Mr. Benson pointed out that the Connect Arlington Plan, the Arlington Heights Neighborhood Action Plan, the Net Zero Action Plan, and the Fair Housing Action Plan never came to the Board for input or approval. Mr. Benson said that he has more concerns about those plans instead of the Master Plan and the Housing Implementation Plan where the Board had a lot of input. Mr. Benson said that he would like to focus on the following: no more single story buildings on Mass. Ave. and Broadway, open space in the Business Districts, development along Mass. Ave. and Broadway as mentioned in the Housing Production Plan, parking in front setbacks, reviewing inclusionary zoning, removing self-storage facilities as an allowed use in the Industrial District, evaluating if Environmental Design Review should include a criterion for climate adaptation and mitigation, allowing additional height for buildings constructed or rehabbed in flood zones. Mr. Benson listed the following items that need to be changed for clarification: what type of residential would be allowed in the Industrial District, updating the Industrial District zoning if the Attorney General's office approves the solar roof bylaw, providing specific details in the stormwater treatment and retention regulations for the Industrial District, updating Section 3.1B to meet the Attorney General's feedback, and correcting references to Section 0 in Section 5.3.21D, which should be updated to Section 5.5.2A.

Ms. Tintocalis and Mr. Lau agreed that they would like to organize the proposed changes into categories, such as MBTA

Communities, changes to mixed-use, residential housing, etc. and prioritize those categories.

Ms. Tintocalis asked about the process for Special Town Meeting for MBTA Communities. Ms. Lynema reviewed the draft timeline for the MBTA Communities planning process. Ms. Lynema said that the Department applied for technical assistance to draft the zoning overlay and technical aspects of the proposed amendment, and the Department, the Board, and perhaps a working group would create and implement a plan for community engagement and feedback. Exploring whether there are ways to incorporate recommendations from other plans into MBTA Communities zoning should also be considered, such as: meet additional Master Plan recommendations, advance other zoning recommendations, and tie in economic development and commercial revitalization goals. After a period of engagement and listening to the community, the working group would prepare an existing conditions report and engagement summary for a second public meeting. A technical assistance consultant would create three or more scenarios that meet compliance, which would be presented to the community at the end of May for additional community feedback. The final plan recommendations would be prepared over the summer and presented to the public before entering the Town Meeting process.

Ms. Tintocalis said that the zoning and policy recommendations include a lot of pieces that can be incorporated into accomplishing more than just the MBTA Communities compliance. Perhaps we could also incorporate a new zoning district with form based code that incorporates the housing and mixed-use pieces but with the design component, 40R, the Housing Production Plan, Connect Arlington, Net Zero, etc.

Mr. Revilak said he would like to work together with the Select Board so both Boards can agree on a direction. The Chair said that the Select Board has not chosen to take a position on zoning bylaw amendments in the past but the Board can ask again. Mr. Revilak said he would like to offer the Select Board the opportunity to give their opinion. Mr. Revilak said that for the MBTA Communities that the Select Board's involvement would be important, that the broader the buy in the better chance the Board has of succeeding. Mr. Revilak said that there are zoning amendments that can be considered as part of the MBTA Communities zoning and not brought to Town Meeting next spring. Mr. Revilak said that Board should consider height minimums in the business districts and Business Districts consolidation as recommended by the Arlington Heights Districts Plan for Spring Town Meeting.

Ms. Ricker said that she thinks that now is the time to build a coalition to get people onboard, especially if the recommendation for MBTA Communities zoning is to be more thoughtful and comprehensive than what is just required to achieve compliance in order to receive MassWorks funding. Ms. Ricker said that is why the Board and Department are looking at a longer planning process and schedule.

Ms. Ricker asked about the transfer of the Board's properties. Mr. Lau said that the Board would like to continue to oversee their properties, such as working with potential renters, but would like to transfer the maintenance and upkeep of the properties to the Facilities Department. Ms. Ricker said that she will have to have additional conversations with the Facilities Department.

Mr. Benson asked what goes into the Action Plan submission for MBTA Communities, which is due to Department of Housing and Community Development (DHCD) by January 2023, and what is the process to prepare that Action Plan. Ms. Lynema said that the submission is fairly simple and includes the Town's schedule and steps for creating the zoning recommendation for Special Town Meeting.

The Chair said that she agrees with Mr. Benson, that the Board should identify which zoning amendments should be included with MBTA Communities and which should be advanced to Annual Town Meeting in the spring. The Chair said that the following items would be included under clarifications: clarification around artist mixed-use rather than other

residential use in industrial districts, aligning Industrial District zoning with the solar bylaw if approved by the Attorney General, the stormwater retainage and treatment on-site, correcting the Section 3.1B provision that is in conflict with the Attorney General's letter, administratively correcting where the zoning bylaw references Section 0 instead of Section 5.5.2(A), and aligning the definition of FAR with the standard used by Inspectional Services.

The Chair said she categorized the issues into three sections.

- General uses: this includes items identified by Mr. Benson for the Industrial Zone
- Residential Housing: parking in front setbacks, FAR limits in the R2 district given that 0.35 did not make sense for 18-20 Belknap, studying the effectiveness of the inclusionary zoning bylaw and considering density bonuses
- Business Districts: creating an overlay district on Mass. Ave. and Broadway (potentially included with MBTA Communities), height minimums, consolidating the Arlington Heights Business Districts, reviewing open space in the business districts, reviewing set back and step-back requirements for buildings with multiple frontages.

Mr. Lau said that the Board should focus purely on housing for MBTA Communities.

Mr. Benson said he would like to include the business districts items for Town Meeting in April.

Ms. Tintocalis asked if the business district category items could be accomplished by the creation of a new zoning district. The Chair said that the Board could do that by prioritizing the consolidating of the Arlington Heights Business District. The Chair said that consolidating the Arlington Heights Business District could be handled as a pilot program, or while also working to rectify challenges in other business districts.

Mr. Benson said that he thinks that it is a lot more work to create new business districts and should not be done while working on MBTA Communities.

Ms. Tintocalis asked staff how mixed-use would be included in MBTA Communities and whether housing would be considered in a business district.

Ms. Ricker said that she is not sure why the Board would go through the exercise of a zoning map change only to revisit it when creating an MBTA Communities overlay. Ms. Ricker said an exception would be if similar zoning amendments would be expected as part of MBTA Communities.

Ms. Tintocalis said that the Board could telegraph a message to community by focusing on MBTA Communities and make meaningful changes to the zoning.

The Chair said a challenge is that historically when there has been a large change at one time nothing gets approved or moves forward. The Chair said that her preference is to work on things to unlock the potential of these sites to encourage development, since it is unknown how MBTA Communities will vet out.

Mr. Lau said taking incremental steps involving the public has been well received, as opposed to just presenting the public with a plan. Mr. Lau said that he would like the Board to have more input in the creation of the plan than in the past.

Ms. Ricker asked if the Board would like regular update meetings with a working group. The Chair said more communication and education is preferred.

Mr. Revilak said with three members of the Board also members of the working group, using the New Business portion of

Board meetings to review updates is a logical approach.

Mr. Benson said that he would like to have a discussion about appropriate uses in the industrial zone. The Chair said that discussion would be moved forward to another meeting with additional information from staff.

The Chair reviewed her list for business districts so the Board could rank the projects, which include: overlay district on Mass. Ave. and Broadway (also included with MBTA Communities), height minimums, consolidating the Arlington Heights Business Districts, reviewing open space in the business districts, and setback and step-back requirements for buildings with multiple frontages.

Mr. Benson said that he would like to look at the business districts town wide. Mr. Revilak said that the public process that was used for the Arlington Heights Neighborhood Action Plan is a useful starting point.

Mr. Benson said that the Board is not doing anything about affordable housing outside of MBTA Communities and that is a shame. The Chair said that 40R is one of the strategies identified as part of MBTA Communities if the Board takes a broader view.

The Chair introduced the second agenda item, the ARB's 2023 Schedule. The Chair suggested including a note stating that the May meeting dates are subject to Town Meeting schedule. Mr. Lau moved to approve the January through July 2023 meeting schedule as submitted, Ms. Tintocalis seconded, approved 5-0.

The Chair introduced the third agenda item, Open Forum and opened the floor to public comment.

John Worden said he is glad that meetings are in person again but it was difficult to hear without additional amplification in the room. Mr. Worden said that some of the worst ideas he has read are included on the Zoning Recommendations in Recent Plans document. Mr. Worden asked the Board to consider establishing an institutional zone in town which would include cemeteries, playgrounds, libraries, Town Hall, fire stations, police stations, churches, and so on in order to take these properties out of R1 zoning. Then the 1.5% General Land Area Minimum requirement in the town will be met. Mr. Worden said that in his opinion is that there is not a housing shortage but a shortage of housing that people can afford. Small houses in town could go to starting families or older people downsizing but they never make it to the market. There should be zoning to protect the smaller homes for ordinary people to purchase. Mr. Worden said that he thinks that mixed-use should require at least 20% commercial space so it is not an excuse to build a big apartment complex. Mr. Worden said that regarding MBTA Communities that we have the responsibility to not sell neighbors in East Arlington down the river in order to satisfy the whims of whomever proposed that stupid legislation.

Carl Wagner said it is so important that ACMi is here to record this meeting and he is glad to hear that there will soon be hybrid meetings, as there are only four members of the public in attendance this evening. Mr. Wagner welcomed Ms. Ricker, the Town's new Director of Planning and Community Development. Mr. Wagner agreed with Mr. Worden that it is difficult to hear the Board, that the audio in the room needs improvement for future meetings. Mr. Wagner said the MBTA density requirement of 15 units per acre is already achieved in Arlington. Mr. Wagner said it is frustrating that we in Massachusetts could not fix the MBTA overlay to acknowledge what Arlington has already done with building good density. Mr. Wagner said he hopes that we can consider if we need this Mass. Housing money or if we can fight as a group of communities in Massachusetts to acknowledge that Arlington is already dense. Mr. Wagner said that he would like to point out there are some very good things in the Zoning Recommendations in Recent Plans document for affordability and climate resiliency, but there are also some detestable options. Mr. Wagner asked if people realize that making single family housing could become something that you potentially need to get a special permit for or for making a building with only

one floor might be illegal. Mr. Wagner said he thinks that the Town Manager, and by extension the Director of Planning, work for the people who rent and own in Arlington, whether they are business owners or residents. Mr. Wagner said that all of us volunteers who come to meetings or are on commissions have to recognize that we don't work for Metro Boston organizations like MAPC or developers, but for the people who live and work in the town already. We know there is a housing crisis but it is not a quantity crisis but an affordability crisis. There is so much housing but it is not in Arlington, Arlington is the second most dense town in Massachusetts. We need to get affordability, climate resiliency, equity and inclusion, and diversity of people and homes and building structures. We have to work to, as Mr. Worden said, not to sell people down the river, like East Arlington, to have their neighborhoods suddenly destroyed by huge multi-family units that do not have any rules on them. Mr. Wagner said that we have to say single family homes are ok too.

The Chair asked Ms. Lynema to clarify whether Arlington does, or does not, currently meet the density requirements. Ms. Lynema said that the density calculation has not been completed yet, but Arlington does not allow any multifamily homes by right, which is a requirement for MBTA Communities. Ms. Lynema said that Arlington has to have a zoning district of reasonable size, at least 32 acres, which does not need to be connected to Alewife. That district has to allow at least three-family homes by right.

With no other members of the public wishing to speak the Chair closed the Open Forum portion of the meeting.

The Chair introduced the fourth agenda item, New Business. Ms. Ricker said that as part of the Board's goal to look at commercial design guidelines, Ms. Ricker is currently reviewing a draft RFQ. Ms. Ricker announced that the Town's Senior Transportation Planner is leaving the Town. Ms. Ricker said she and Ms. Lynema are reviewing applications for the Economic Coordinator position.

Mr. Lau asked if there are any upcoming Special Permit hearings for new projects. Ms. Lynema gave an update including the applications that the Department has received so far. Mr. Lau asked if it is possible that some applicants have been waiting for Attorney General approval of recent zoning amendments before submitting applications.

Mr. Benson said he wanted to mention that in the spring the MBTA started the Better Bus Project that is not good for Arlington. Mr. Benson said he is not sure if the Select Board commented on it, but other communities weighed in and reviewed the negative aspects for their communities. Mr. Benson said that the 67 bus would be eliminated, which is one of the major bus routes from Alewife, as would the 84 bus that goes from Alewife to Arlington Heights; the frequency of the 78 bus would be reduced. There are plans to create a 54 bus from Arlington center to Waltham, but not to the business centers in Waltham. Mr. Benson said that the T is having another Better Bus Project zoom meeting in November to review their plans. Mr. Benson said that this concerns him because the T would be eliminating a good number of public transportation routes, and routes to Alewife.

The Chair announced that there are a number of decision points for the next meeting and the Board needs to come up with a plan in order to begin hybrid meetings.

Mr. Lau moved to adjourn, Mr. Benson seconded, approved 5-0.
Meeting adjourned.