



Town of Arlington, MA Redevelopment Board

Agenda & Meeting Notice October 2, 2023

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, October 2, 2023, at 3:00 pm. The Board requests that correspondence that includes visual information should be provided by Friday, Friday, September 29, 2023, at 12:00 pm.

The Arlington Redevelopment Board will meet Monday, October 2, 2023 at 7:30 PM in the **Town Hall Auditorium, 730 Massachusetts Avenue, Arlington, MA 02476**

1. Review Meeting Minutes

7:30 pm Board will review and vote to approve meeting minutes for September 11, 2023, and September 18, 2023.

2. Public Hearing: Warrant Articles for Fall 2023 Special Town Meeting

7:35 pm The ARB will deliberate and vote on the proposed zoning amendments.

ARTICLE 12

ZONING BYLAW AMENDMENT / MBTA COMMUNITIES OVERLAY DISTRICT

To see if the Town will vote to amend the Zoning Bylaw to approve an MBTA COMMUNITIES OVERLAY DISTRICT or DISTRICTS of reasonable size where multi-family housing may be constructed as of right per the terms of MGL Chapter 40A Section 3A; or take any action related thereto.

ARTICLE 3

ZONING BYLAW AMENDMENT / ADMINISTRATIVE CORRECTION

To see if the Town will vote to amend the Zoning Bylaw to make the following administrative correction: Amend Section 5.9.2.C.(4), Accessory Dwelling Units Administration, to correct a reference it makes to a re-lettered subsection of Section 8.1.3; or take any action related thereto.

ARTICLE 4

ZONING BYLAW AMENDMENT/ REDUCED HEIGHT BUFFER AREA

To see if the Town will vote to amend the zoning bylaw to update Section 5.3.19 to define a "finding" by the Arlington Redevelopment Board and the Board of Appeals regarding reduced height buffer areas.

ARTICLE 5

ZONING BYLAW AMENDMENT/ OPEN SPACE IN BUSINESS DISTRICTS

To see if the Town will vote to amend the Zoning Bylaw to update Section 2 DEFINITIONS, Section 5.3.21 SUPPLEMENTAL REQUIREMENTS IN THE BUSINESS AND INDUSTRIAL DISTRICTS, Section 5.3.22 GROSS

FLOOR AREA, and Section 5.5.2 DIMENSIONAL AND DENSITY REQUIREMENTS to modify the requirements for landscaped and usable open space in the Business Zoning Districts; or take any action related thereto.

**ARTICLE 6
ZONING BYLAW AMENDMENT/ REAR YARD SETBACKS IN BUSINESS DISTRICTS**

To see if the Town will vote to amend the Zoning Bylaw to update Section 5.5.2. DIMENSIONAL AND DENSITY REQUIREMENTS to reduce the rear yard setback or to allow for a variable rear yard setback and establish the criteria for such requirements for any use in the Business Districts; or take any action related thereto.

**ARTICLE 7
ZONING BYLAW AMENDMENT/ STEP BACK REQUIREMENTS IN BUSINESS DISTRICTS**

To see if the Town will vote to amend the Zoning Bylaw to update Section 2 DEFINITIONS and Section 5 DISTRICT REGULATIONS to clarify and adjust the upper-story building step back to begin at a higher story, clarify the measurement shall be from the principal property line, specify the applicable façades of a building for which the step back is required, and allow for an exemption for smaller parcels for buildings subject to Environmental Design Review with certain exceptions; or take any action related thereto.

**ARTICLE 8
ZONING BYLAW AMENDMENT / HEIGHT AND STORY MINIMUMS IN BUSINESS DISTRICTS**

To see if the Town will vote to amend Section 5.5.2 DIMENSIONAL AND DENSITY REGULATIONS to add a requirement for a minimum height and number of stories in all Business Districts with exceptions; or take any action related thereto.

**ARTICLE 9
ZONING BYLAW AMENDMENT/CORNER LOT REQUIREMENTS**

To see if the Town will vote to amend Section 5.3.8 CORNER LOTS AND THROUGH LOTS to amend the requirement for corner lots in all Business Districts which requires the minimum street yard to be equal to the required front yard depth; or take any action related thereto.

**ARTICLE 10
ZONING BYLAW AMENDMENT / STREET TREES**

To see if the Town will vote to amend the zoning bylaw to require a street tree to be planted for every 25 feet of street frontage for all developments; or take any action related thereto.

**ARTICLE 11
ZONING BYLAW AMENDMENT / RESIDENTIAL USES IN BUSINESS DISTRICTS**

To see if the Town will vote to amend the zoning bylaw to alter the use categories of a residential single-family home, duplex, or two-family home in any of the Business Districts; or take any action related thereto.

3. Review Meeting Schedule

10:20 pm The Board will discuss whether they need to meet on Monday, October 23, 2023.

4. Adjourn

10:30 pm Estimated

5. Correspondence



Town of Arlington, Massachusetts

Review Meeting Minutes

Summary:

7:30 pm Board will review and vote to approve meeting minutes for September 11, 2023, and September 18, 2023.

ATTACHMENTS:

Type	File Name	Description
▢ Reference Material	09112023_DRAFT_AMENDED_Minutes_Redevelopment_Board.pdf	09112023 DRAFT AMENDED Minutes Redevelopment Board
▢ Reference Material	09182023_DRAFT_AMENDED_Minutes_Redevelopment_Board.pdf	09182023 DRAFT AMENDED Minutes Redevelopment Board

Arlington Redevelopment Board
Monday, September 11, 2023, at 7:30 PM
Town Hall Auditorium
730 Massachusetts Avenue, Arlington, MA 02476
Meeting Minutes

This meeting was recorded by ACMi.

PRESENT: Rachel Zsembery (Chair), Eugene Benson, Kin Lau, Stephen Revilak

STAFF: Claire Ricker, Director, Planning and Community Development; Marisa Lau, Senior Planner, Planning and Community Development

GUESTS: Sanjay Newton, Chair, MBTA Communities Working Group; Matthew Littell, Utile, Urban Planning Consultants

The Chair called the meeting of the Board to order. She called for a moment of silence in observance of the victims of the September 11 attacks in 2001.

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

August 28, 2023 – The Board had no comments on the minutes. The Chair requested a motion to approve the August 28 minutes. Mr. Lau so moved, Mr. Benson seconded, and the Board voted unanimously in favor.

The Chair moved to **Agenda Item 2 – Public Hearing: Docket #3766, 315 Broadway.**

Ms. Ricker stated this docket is a request from Thai Moon for signage for their new location. She said that the applicant has requested a continuance of the hearing until Monday, September 18, 2023. The Chair asked for a motion to approve the request for continuance. Mr. Lau so moved, Mr. Benson seconded, and the Board voted unanimously in favor.

The Chair moved to **Agenda Item 3 – Public Hearing: Warrant Articles for Fall 2023 Special Town Meeting.**

The Chair stated that this meeting would be the first of three nights of hearings for a total of 10 warrant articles that will be in front of the Redevelopment Board. The Board will hear from members of the public wishing to speak on any of these articles as they are scheduled. One article is scheduled for this evening. The Board will pose any questions they have to members of the Working Group. The Board will reserve deliberation and voting on each article until the last night of hearings on October 2, 2023. The subject matter for the hearing this evening as posted on the agenda is the MBTA Communities zoning article. Anyone who wishes to address the Board needs to sign one of the sign-in sheets in the entryway. Speakers should preface their comments with their first and last name and Arlington street address. Anyone addressing the Board will have up to two minutes for their remarks. The Board will try to get through as many speakers as possible, but they may not get to every speaker this evening. Anyone who wishes to speak but is unable to do so is welcome to submit written comments to the Redevelopment Board. All comments are reviewed, and anything received before 3:00 pm today has been added to tonight's agenda under the Correspondence tab. The Chair reminded the audience that at a public hearing, attendees may not applaud or otherwise express approval or disapproval for any statement or action that takes place at the hearing. She also asked that people refrain from interrupting other speakers, and that everyone conducts themselves in a civil and courteous manner to all speakers this evening. Anyone who repeatedly fails to adhere to this requirement will be asked to remove themselves from the hearing. All questions should be addressed through the Chair. Speakers should not attempt to engage in a debate with the Redevelopment Board, Working Group members, or any of the other hearing participants. The Board will catalog questions posed to the Board and will address those at the appropriate time.

Ms. Ricker introduced herself and Mr. Newton, and they began a slide show to share the background and process of the work on the MBTA Communities zone and to present two alternatives to the Board for an MBTA Communities zone that is compliant with the state's guidelines. She thanked the Board for their support and guidance over the past ten months while the Working Group has developed two alternatives for consideration, in preparation for a vote of Town Meeting on a warrant article to establish an MBTA Communities zone. Since the Board voted to create the Working Group on

November 7, 2022, the Working Group has engaged in a tremendous amount of community outreach and iterative mapping resulting in these two alternatives. She thanked the members of the Working Group for their hard work and dedication and commitment to the process. She also thanked the Department of Planning and Community Development (DPCD) staff and other Town employees who have pitched in to make the public outreach and public meetings so successful.

Ms. Ricker explained that under MBTA Communities law, Mass General Law Chapter 40A, Section 3, 177 communities in Eastern Massachusetts are subject to this law. The state has categorized Arlington as an adjacent community, meaning that Arlington does not have rail transit within its town limits but is adjacent to communities with rail transit. All 177 communities must provide at least one zoning district where multi-family housing (three or more dwelling units) is allowed by right, housing is permitted with at least 15 units per acre, housing cannot be age-restricted, and housing must be suitable for families with children. The capacity calculation is a calculation method used by the state to determine if a zone is of reasonable size. It is not a calculation of how many units will be constructed. This model includes assumptions that do not reflect market reality or challenges on the ground. It is unreasonable to think that every unit of housing built under this zone will be 1,000 square feet, or minus parking, or even get built at all. That is why the measure of capacity is a variable and not a constant. Whatever the capacity number is, it will not include whatever housing is there already. It is a measurement as if all housing that already exists within the zone were no longer there and as if every lot was rebuilt to the maximum.

Ms. Ricker shared a slide with different examples of types of multi-family housing, which result in different dwelling densities. She shared an image of several developments in Arlington and their dwelling densities, including 438 Mass Ave, which is 134 units at 49 units per acre.

Most of Arlington's zoning today was drawn in 1975, and it reflects the use and massing of whatever was there in 1975. Today, a building that is three-family or more cannot be built without a special permit. Multi-family housing is located in pockets around town and mostly exists where multi-family housing existed 50 years ago.

For Arlington, the reasonable size requirement in the MBTA Communities legislation means a minimum of 32 acres where multi-family housing is allowed to be built without a special permit, with a minimum capacity of 2,046 units. The benefits to the Town are huge. Compliance enables Arlington to remain eligible for MassWorks and other grant funding, including grants that the Town regularly applies for, often successfully, that will allow us to continue our work on behalf of the community.

Mr. Newton said that the Redevelopment Board voted in November 2022 to establish a Working Group to determine the location of Arlington's MBTA Communities zoning district, using community outreach, stakeholder engagement, and iterative mapping. DPCD held a first public meeting in November 2022 and solicited interest in the Working Group. Since January 2023, the Working Group has met regularly to strategize outreach to community members and develop the MBTA Communities district iteratively and in response to public comments collected via survey, stakeholder meetings, and public meetings. Hearing from and speaking to the community requires multiple forms of engagement. The Working Group partnered with Teresa Marzili, the Town's Community Outreach and Engagement Coordinator, to craft additional outreach opportunities. The Working Group also analyzed a number of existing Town planning documents. The establishment of new housing districts and development of new housing is supported in several of Arlington's planning documents, including the Master Plan, the Fair Housing Plan, the Net Zero Action Plan, the Community Equity Audit, and the Housing Production Plan. The Working Group's analysis and outreach led them to the following principles:

- Encourage more housing in a variety of sizes and price points.
- Encourage housing located near public transit.
- Encourage housing to provide a customer base in support of local businesses.
- Encourage multi-family housing spread across Arlington.
- Ensure compliance with the MBTA Communities Act.

Due to the limited time available at the meeting, Mr. Newton said that he would not go into detail about all the information contained on the next several slides in the presentation, and he encouraged people to go to the Town website, where this presentation would be posted on Wednesday, September 12, 2023, and where the Working Group's

Final Report is already posted. The Report contains a great deal of detail about these principles and about the entire proposal. He then briefly discussed each of the principles:

- Encourage more housing in a variety of sizes and price points – This principle benefits many members of our community, from seniors looking to downsize, municipal workers who would like to live in the community they serve, and people who need accessibility features. Mr. Newton noted that approximately 2,100 homes currently exist in the proposed zone. If that area were zoned for the bare minimum requirement of 2,046 units, it would result in no new housing.
- Encourage housing located near public transit – This principle was supported by the Working Group’s community survey and by the Town’s Net Zero Action Plan and the Connect Arlington Sustainable Transportation Plan. Allowing more housing near transit and adjacent to mixed-use areas is an important part of meeting Arlington’s climate goals.
- Encourage housing to provide a customer base in support of local business – Locating housing near local businesses creates the potential for commercial vitality. The consultant Utile provided a rough estimate that it takes one household to support 30 square feet of retail space.
- Encourage multi-family housing spread across Arlington – The Working Group has received suggestions to locate the zone in almost every neighborhood in town. The Working Group also heard from community members and the school district that it was important not to cluster the district in the catchment area of just one or a small number of elementary schools.
- Ensure compliance with the MBTA Communities Act – the guidelines for creating a compliant district are complex. The Working Group has worked in partnership with the staff of DPCD and with their consultant Utile. DPCD has submitted the proposed map and zoning language to the Executive Office of Housing and Livable Communities (EOHLC) for pre-adoption review, and we expect to have results of that review before Town Meeting discusses the proposal. The guidelines from EOHLC were revised on August 17, 2023. The new guidelines allowed limited options to require ground-floor commercial space. The Working Group believed that the new provisions did not offer an improvement over their current strategies of incentivizing ground floor commercial and placing the district outside of areas currently zoned for commercial use.

Ms. Ricker shared that the Working Group has developed an overlay zone consisting of three sub-districts. Each sub-district has dimensional requirements specific to that sub-district, including set-back and height requirements. The incentive programs for each sub-district are also different to better reflect the design differences of each area. For example, in the Neighborhood sub-district, the overall height is shorter, and the setbacks are larger. The Working Group contemplated height and setback requirements very thoughtfully. They decided that in order to support the desire of older residents to age in place, allowing four stories, which requires an elevator, would lead to development that is accessible and appropriate for seniors and others. The Working Group is also recommending a parking maximum of one space per unit rather than a parking minimum, a recommendation supported by published Town plans. We are waiting to hear back from EOHLC about whether implementation of a parking maximum is allowable in the district.

The Working Group is proposing a series of development bonuses in order to incentivize the type of development supported by our public outreach but that could not otherwise be achieved by right within the framework of the MBTA Communities Act, including bonuses for mixed-use development, for provision of affordable housing above the current inclusionary zoning requirement, and for provision of open space within the project. The bonuses are available only in the Mass Ave and Broadway sub-districts and are not applicable to the Neighborhood sub-district, which has a cap of four stories. The Working Group is recommending a two-floor bonus on Mass Ave and a one-floor bonus on Broadway for inclusion of non-residential square footage on the first floor. In addition to the bonus floors, property owners would be allowed to bring the first four floors of the building frontage to the front lot line if the first floor is for commercial purposes. The affordable housing bonus was developed by the affordable housing professionals in the Working Group to promote development of affordable housing units beyond the current inclusionary zoning requirements. A developer may decide to apply the bonus to building both more regular and more affordable units. In order to support provision of additional environmental assets for a project, the Working Group recommends a bonus of one floor for a project that is certifiably GOLD, equaling 100 points under the US Green Building Council’s SITES program.

Ms. Ricker shared the map of Alternative 1 of the MBTA Communities district. The map shows the zone along Mass Ave and Broadway all the way from East Arlington into the Heights. It includes 5 contiguous acres, as required by the state,

and the zone is disbursed among several neighborhoods. The Working Group avoided parcels zoned commercial or industrial and prioritized areas already zoned residential. The height is concentrated on Mass Ave, with shorter buildings allowed on Broadway, and shorter still in the Neighborhood Multi-Family sub-district. Alternative 1 includes neighborhood housing along Paul Revere Road, to the south side of Mass Ave. She then shared the Model Outputs for Alternative 1: 109 acres, 7,200 units (2,100 units already exist in this area), with a gross district density of 67 units per acre.

Ms. Ricker then shared the map of Alternative 2. Alternative 2 shifts the part of the zone located along Paul Revere Rd to the south of Mass Ave to an area north of Mass Ave along Grove and Forest Streets. The Model Outputs for Alternative 2 are: 115 acres, 7,400 units, 65 units per acre.

Both alternatives meet the targets for compliance, and both are currently being evaluated by the state.

The Chair thanked the Working Group and the staff of DPCD for their comprehensive process, including a wide array of public engagement, which has heavily informed many of these recommendations. The design process is not always linear; it requires that participants broadly imagine possibilities and potential before narrowing their focus and possible outcomes as informed by stakeholder engagement, evaluating the relative merits, and testing against existing constraints. It requires that everyone involved be comfortable imagining “what” before evaluating “how.” For some people, that process is unfamiliar and uncomfortable. She appreciates the many members of the community who have answered surveys, attended workshops, provided written feedback, and attended open office hours, to share their perspectives and learn about how and why Arlington has put so much time and thought into crafting its proposal. She appreciates that the Working Group distributed the zone across the three main business areas of town, along our primary transportation corridors, in all our elementary school communities, while maintaining the required contiguous acreage. While the final recommendations and details are still to be reviewed and defined by the Redevelopment Board and through public comment, as a whole, they are a net positive for Arlington homeowners and renters and our widely supported sustainability goals as a town. Arlington is not a town that accepts the bare minimum or aspires to the lowest common denominator. We are a progressive town that leads the region when it comes to adopting policies that are rooted in equity and social, economic, and environmental justice.

The Chair asked if we are asking the state for guidance about the issue of parking maximums versus minimums, and Ms. Ricker said that we are. The Chair said that there seems to be a conflict between section C1 and C4. Section C1 says that parking can be waived down to zero, but Section C4 refers to the section in the existing zoning bylaw that allows us to provide fewer parking spaces. That portion of Section C4 may need to be eliminated.

The Chair asked about the mixed-use bonus, with 60% of ground floor space used for commercial. The Board generally looks to maximize the commercial space, and she wants to understand the context of the recommendation of 60%. Mr. Newton replied that the recommendation of 60% came out of conversations with Utile. The ground floor needs space to make the residential units functional, including lobbies, elevators, mailrooms, loading docks, etc. Mr. Littell also replied that the requirement included that the frontage be occupied by the commercial space in order to provide vibrancy and activity on the street.

The Chair asked if we have asked for clarification from the EOHLC about whether the requirements around listing on the subsidized housing inventory and rounding up are more restrictive than our current code. Ms. Ricker said that because the affordable housing provision is a bonus and is not included in the base zoning, EOHLC will not evaluate the proposal based on the feasibility of including affordable housing.

The Chair asked if the Working Group considered the situation in which someone might want to develop a project on a parcel in the overlay district and another that is not in the district that are combined. Ms. Ricker said that they did discuss the possibility of a development including one parcel in the Mass Ave or Broadway sub-districts and one parcel behind it in the Neighborhood Multi-Family sub-district, but they did not discuss the possibility of one parcel in and another not in the district at all. She said that she would get an answer to the question.

The Chair asked about why certain dimensional controls were eliminated, including traffic visibility, upper story building step-backs, the height buffer area, and the elimination of corner lots and through lots. Mr. Revilak said that the provision about traffic visibility around corner lots applies to residential lots. The Working Group was trying to incentivize mixed-use development with ground-floor businesses. In an ordinary business district, the traffic visibility

rule does not apply, so they wanted to mirror that to make the inclusion of commercial space more appealing. The inclusion of step-backs on stories above the fourth floor was intended to allow full development of the four stories allowed by right, and only have step-backs take effect on the bonus floors.

The Chair said that at one point, the Board discussed not including all the parcels that touch Mass Ave east of Orvis Road for a future rezoning of that business district. She asked why the Working Group continued to include that area, along with the elimination of the neighborhood parcels behind those areas. Mr. Revilak said that based on public comment, the Working Group decided that the map had become too heavy in East Arlington, so they opted to remove some of the East Arlington neighborhood parcels and relocated them to Arlington Heights. The Working Group discussed the issue of eliminating the parcels along Mass Ave, and they decided to leave that decision to the Redevelopment Board.

The Chair said that after public comment, the Board would need to discuss the parcels along Mass Ave east of Orvis Road, whether the neighborhood height maximum should be four stories (as proposed) or three, and the solar bylaw section, which is currently limited to projects requiring Environmental Design Review, so would not apply to the MBTA Communities overlay district.

The Chair asked whether SITES is the preferred rating system for environmental impact, and whether Certifiable rather than actually Certified is the right threshold for a bonus of a full story.

Mr. Benson asked how the minimum open space percentages of the Alternative 1 Model outputs were derived. Mr. Littell said that the open space is not part of the formal written zoning, but it is included in the model as a substitute for the space created by the required set-backs. He also clarified that for the purposes of the model, open space includes all areas of a parcel other than the building, so it would include paved parking areas as well as landscaped open space. Mr. Benson said that after public comment, he would like the Board to discuss the proposed elimination of requirements for landscaped open space, because this proposal does not necessarily include any green space. Mr. Revilak clarified that the model doesn't handle open space well, and it assumed much more capacity based on parcel size than the Working Group intended. Utile calibrated the parcel size and open space numbers to get a more accurate capacity estimate.

Mr. Benson noted that without the affordable housing bonus, the language of the proposal says that any affordable housing must be eligible for inclusion in the Subsidized Housing Inventory. Since we don't have that requirement in the underlying zone, what's the purpose of including it in the MBTA Communities zone? Can we include it here, since it appears to be more restrictive than the underlying zone? Mr. Newton said that the Working Group intended that the 15% inclusionary zoning in the proposal match the existing inclusionary zoning bylaw covering multi-family housing in the rest of Arlington. If that is not what it says in the proposal, that may be a drafting error to be corrected. Mr. Benson also noted that the state might not allow Arlington to require 15% inclusionary zoning, since the state has only set a requirement of 10%. If the state does not allow more than 10%, we would have to set the threshold at 80% of AMI (area median income), but Arlington's base zoning sets it at 70% of AMI. He thinks that this paragraph will need to be completely rewritten to meet the Working Group's intention.

The Chair opened the floor to public comment. She said that she would call names from those who had signed up to speak. She noted that the Board will not answer questions as they are asked; she will keep a list of questions, which will be answered at the end so as to include as many speakers as possible. If the Board feels clarifications are warranted, they will stop and make those clarifications. She asked speakers to come to the chair in the front with the microphone and introduce themselves with first and last names and their Arlington street address. Each speaker will have up to two minutes to address the Board.

- Jean Fitzmaurice, 231 Mass Ave – She wants to address the low income tax credit affordability program. The rent in this program is below market but is still relatively high. The rent increases based on a formula based on the increase of the AMI of the greater Boston area. From 2022 to 2023, the increase was 5.8%. She also noted that the affordability program requires a maximum of 60% of AMI, meaning that there is a gap between those who earn little enough to have access to the program and those who earn enough to afford rent without the program.
- Linda Atlas, East Arlington – She asked how many people live in a household with no car, and one person responded. She noted that the three groups listed on one of the slides as those who would benefit from greater density are seniors, families with children, and people with accessibility issues. Those are all groups of people

with particular need for a car. We may not know exactly what will be built, but if we do the math, we could end up with streets with way more density than we really want.

- Lygia Grigoris, 370 Park Ave – She is disturbed by the whole process. Everyone she has spoken to in person knows nothing about the process. She asked why the Working Group decided to over-comply. Arlington already has diverse housing options. This plan will lead to high-end expensive units which will have no benefit except to developers. The result will be demolishing and rebuilding throughout the zone, which is inequitable, elitist, and unjust.
- Eugenia Grigoris, 11 Bates Road – She is also disturbed by this process, because most people haven't heard of it. The state is asking for 100% compliance, which is what the Working Group was mandated to do. She doesn't think the Working Group has a mandate for an extravagant plan for 7,000 units. We should comply with what the state is asking. The proposed plan will transform Arlington into something unrecognizable.
- Alex Bagnall, Wyman Street – He shared a quote from Matthew Desmond, a former Arlington resident, now a sociology professor at Princeton and the principal investigator of the Eviction Lab: “How can we at last end our embrace of segregation? The most important thing we can do is to replace exclusionary zoning policies with inclusionary ordinances, tearing down our walls and using the rubble to build bridges. There are two parts to this. The first is to get rid of all the devious legal minutia we've developed to keep low income families out of high opportunity communities, rules that make it illegal to build multi-family apartment complexes or smaller, more affordable homes. We cannot in good faith claim that our communities are anti-racist or anti-poverty if they continue to uphold exclusionary zoning, our politer, quieter means of promoting segregation.” Housing is not a zero-sum game. Providing for the needs of our families does not mean denying those possibilities to others. He hopes the Board will support the recommendations of the Working Group.
- Colin Bunnell, 153 Medford Street – He urged the Board to support the Working Group's proposal. This region is in a housing affordability crisis, caused by decades of restrictive zoning practices in local communities, including Arlington, causing construction to lag behind demand. The world is confronting the crisis of climate change, caused by the car culture created by suburban single-family housing. More and denser housing addresses both these crises, and this proposal is a great step in that direction. Denser housing supports commercial development, fosters walking communities, and is essential in reducing carbon emissions. More housing begins to address the radical imbalance that currently exists between housing supply and demand. Declaring “not in our backyard” is irresponsible and selfish and unworthy of a progressive community like ours.
- Nicole Gustas, 89 Marathon Street – She was hoping that Arlington would zone for more, as Lexington has done. She understands that a lot of residents want to do the bare minimum. This is a 50-year plan; it's not going to happen tomorrow or next year. People have asked where the mandate comes from – it's from the Master Plan, the Fair Housing Plan, the Net Zero Access Plan, the Community Equity Audit, the Housing Production Plan, the Sustainable Transit Plan. If we are going to stop housing cost inflation, we need more housing units. In 1970, we had over 7,000 more residents than we have now, so we know that Arlington has the infrastructure. We know that building more housing works to moderate housing costs because two places have done it. Auckland, New Zealand dropped rental prices by 22-35% as a comparison to Wellington, NZ, which did not allow building. Minneapolis dropped housing prices and inflation by building more housing. People were arguing against building there using the same arguments we're hearing in Arlington, but building more housing works and can work here.
- Mike Rainey, 89 Marathon Street – He keeps hearing the narrative that developers are going to come in and obliterate and rebuild Arlington overnight. That isn't the case. This plan isn't a steep climb up a vertical wall; it's a ramp that we need to get on now in order to not fall further behind. Bare minimum compliance results in no net gain of units. If we wait another year, then the ramp will either need to be steeper or longer to get to the same place.
- Nili Pearlmutter, 79 Harlow Street – Her block is impacted on this plan. She's speaking on behalf of Mothers Out Front Arlington. They have drafted a statement in support of the MBTA Communities plan. Massachusetts is experiencing a housing affordability crisis and a climate crisis. For these reasons, Mothers Out Front Arlington supports changes in zoning by-laws that allow greater density in housing near public transit. Mothers Out Front is supportive of the passage of a meaningful MBTA Communities Act that encourages the development of more

multi-family housing and a greater diversity of home types in Arlington. A revised zoning by-law to allow for more multi-family housing will reduce pressure to build single family homes on undeveloped land elsewhere in Massachusetts. This safeguards undisturbed ecosystems and provides real alternatives to automotive commutes in the region, reducing both congestion and fossil fuel emissions. In addition, passing this by-law will allow Arlington to participate in the Massachusetts pilot for communities to build fossil-free homes, thus ensuring that new construction in Arlington supports our net-zero climate goals. Mothers Out Front Arlington respects the public engagement activities that inform the Working Group's MBTA Communities Act proposal. We appreciate that the Working Group is working with the Town to identify opportunities for developer incentives to encourage public open spaces, mitigate heat islands, and increase the tree canopy. Similarly, the Town's commitment to maintaining current (and incentivizing higher) zoning requirements for affordable housing also is important to our group. For these reasons, Mothers Out Front Arlington strongly urges the Arlington Redevelopment Board to accept the MBTA Communities Act plan as proposed by the Working Group.

- Timur Yontar, 58 Bates Rd, Precinct 7 – He supports an increase to housing in Arlington, but he has concerns about the specific proposal because of the impact on schools. The Working Group's FAQ states Arlington Public Schools recommended "spreading the MBTA Communities District over a wide area of the Town." But the map shows that the district is highly concentrated along two narrow corridors – Mass Ave and Broadway. He worries that this will lead to overcrowding at a few elementary schools, particularly Thompson, which is already the largest and most crowded elementary school. He would like to know if the APS superintendent has reviewed and approved the current plan.
- Laurel Kayne, 79 Westmoreland Ave – She wants to know if a more stepped approach was considered by the Working Group so that development would happen in stages, which would allow for built-in feedback mechanisms to learn about the impacts and outcomes. Any big development effort can have unintended consequences, and it may not achieve the desired objectives. She would like to ask that greater consideration be given to a stronger environmental component, especially given the Town's Climate Action Plan. Incentives are built into the plan, but no mandates for things like passive housing or fully electrified buildings. This seems like an opportunity to take greater strides in that direction.
- Allan Tosti, 1 Watermill Place – He's a long-serving member of Town Meeting. He said that if only this proposal goes before Town Meeting with the implication that they have to pass it or be out of compliance with the state, the Board is not giving Town Meeting a choice. He urged the Board to allow for a couple of alternatives to go before Town Meeting. Obviously, many residents would like to see a plan that only meets the minimum. It would be difficult for a Town Meeting Member to add an amendment or propose an alternative warrant article, because this is such a complex issue. He urged the Board to respect Town Meeting's decision-making process and give them real alternatives.
- Josephine Babiarz, 59 Edgehill Road, Town Meeting Member, Precinct 15 – She understands and supports that we need more housing, and she understands that the changes aren't happening immediately. When we look at affordability, we have to understand the impact on the town. Cambridge has an extraordinary record with affordability, but most of their developers won't go over 13% affordability without subsidies. Cambridge has a great deal of commercial and industrial property, so real estate taxes account for more than 65% of the entire revenue, so they can buy down all the affordable housing. In Arlington, affordable housing will primarily be rental property, which will reduce the amount of property taxes owed on those properties.
- Joanne Cullinane, 69 Newland Road – Very few people in town know about the plan. She thinks that thousands of people would like to be at this meeting but didn't know about it. She has concerns about the fact that the plan is overly compliant. It will bring environmental destruction to Arlington; we will lose trees and green space. Having zero setbacks as a bonus for a small increase in affordable units is unacceptable for Arlington because it will create concrete canyons that are not pedestrian-friendly. She has concerns about the fiscal disfunction that this will exacerbate. The imbalance of real estate taxes that the Town takes in will not cover the increased burden on services. Tax rates will go up. It will exacerbate gentrification because most development will be at the highest end of what is in Arlington right now.
- Rebecca Peterson, 31 Florence Ave – This proposal will allow many projects like the massive buildings next to and across from the high school, buildings that are scorned and despised for their ugliness, their lack of green

space, and their size totally out of scale with our downtown corridor. Future setbacks should be as large as possible for shade trees. We've heard about the working group's outreach, but for a change of this magnitude, 1,000 survey responses is not representative of 46,000 people. Deceptive questions hid the true scale of the density. The Working Group appears to operate within an echo chamber, since most members are pro-density design, build, and construction professionals. Where are those who care about the schools, the traffic, the parking, the air quality, the tree canopy, fire response times, and other quality of life concerns? No studies assess the impact to residents and town services. Concerns about the plan's size and scale have been brushed off in order to meet an unrelated, and totally artificial deadline – entry into the state's fossil fuel ban pilot program. If half or more of the 2,046 state-required units have children, we'll add enough kids to fill another high school. This proposal is too dense, too high, too much. When you consider that 176 other towns will be adding housing at the same time, there is no need for this massive overcompliance. We should approve what the state requires and nothing more.

- Matthew Owen, 164 Forest Street – He thanked the members of the Working Group and Town employees who spent so much time putting together the plan. He is in full support of the plan as currently proposed. He would encourage the ARB to pass the plan to Town Meeting. He thinks that four-story is preferable to three-story for the Neighborhood sub-district, for two reasons – one is that the requirement for elevators with a four-story building would increase the likelihood of getting accessible units, and the other is that developments would meet the minimum size needed to come under the inclusionary zoning law and create affordable units. He agrees with the zero parking minimum. Looking at national trends in urban areas, there is a growing realization that parking minimums cause harmful effects and limit opportunities. Space in Arlington is incredibly precious, and taking it up with unnecessary parking spaces would be a shame.
- Beth Melofchik, 20 Russell Street, Town Meeting Member – She agreed with Rebecca Peterson. The plan is too dense and too high, and too little attention to the fact that we're in a climate breakdown, and that we're a Battle Road Scenic Byways community. Arlington will become little more than a speed bump on the way to Concord and Lexington if we don't preserve the historic streetscape and buildings that we have. Three stories is enough in the neighborhood sub-district. The Town asked people to get solar panels – will the Town be compensating people whose solar panels will be blocked by larger buildings? She appreciates the concern about SITES versus LEED. She will vote against this overcompliance because Town Meeting is a deliberative body and should have a choice.
- Carol Band, Bartlett Avenue, Town Meeting Member, Precinct 8 – Town Meeting deserves more choices than this big plan. She loves density, but it should be kept to the public transportation corridors of Mass Ave and Broadway and keep it out of the neighborhoods, unless they plan to let all the residents of the neighborhood vote on the proposal.
- Juliette Avots, 73 Columbia Road – She would like to know if they have conducted or are planning to conduct an impact study. We need more information about how this will affect the community, in terms of density, commercial, the schools, the environment, and we need an outsider to evaluate that instead of guessing.
- James Moore, 69 Columbia Road – He also wants to know about the impact to services, especially police and fire. Our roads are already in bad shape. He understands the need for more housing but is concerned about how the impact will be managed.
- Steve Makowka, 17 Russell Street, Chair of Arlington Historic Districts Commission – He acknowledged the hard work the Working Group has put in, trying to balance a lot of different things. He thinks that's made the process a bit rushed. He wants to make sure we avoid unintended consequences. He's tried to inject consideration about historic and cultural resources into the process. The Working Group has avoided local historic districts, which he appreciates, but other significant historic and cultural resources in town need to be considered.
- Roy Goldstein, 91 Westminster Ave – He thinks we should be closer to compliance rather than going above it. He is concerned about the impact, particularly on schools. We seem to always be playing catch-up with the needs of the schools and other services. We should get the school system taken care of first. This plan will throw a lot of things out of balance. He's also concerned about the environmental impacts. Much of the corridor to be developed is part of the drainage system where a lot of the water ends up from the hills on either side of Mass Ave and Broadway. The more we pave, the less drainage we allow, which could have a big impact.

- Carolyn White, 276 Mass Ave – She grew up in Arlington, has lived in Cambridge and Somerville and worked in Boston and Cambridge. She has commuted by subway and bicycle. She is in the gap of people who make too much money to qualify for affordable housing and too little to be able to afford market rents. She lives in a 670-square foot rental apartment. She enjoys living in a building with 75 units. The building has tenants with Section 8, low income, single parents, children. She likes the idea of additional housing including buildings that are four or five stories on the south side of Mass Ave, because the shade goes toward Mass Ave and not the houses behind them. She is concerned that the proposal contains so many incentives, but no mandates for accessibility, affordability, climate change mitigation.
- Adam Lane, 77 Grafton – He commends everyone present for their passion. Everyone is here because they love Arlington, and we are lucky to live here. We have been given this community by the people here before us, and it is our responsibility to see that we pass on to future residents a town that is just as good. Change can be scary, but towns change. A resident of Menotomy would not recognize West Cambridge or the Arlington of today. We'll all be gone in 50 years. This is for the future Arlingtonians. Capacity is not destiny. We are giving the Board the flexibility to make wise choices about growth, if the area has more capacity and gives us more options. He hopes that this version and future versions of the Board would manage growth sensibly. He is reminded of the passions that surrounded the Mass Ave redo project 10 years ago, when some people got so upset that they left town when things didn't go their way. Mass Ave was redesigned, and it's lovely, and the town works, and the predicted traffic did not materialize. Let us take the temperature down a little and listen to each other.
- Jennifer Susse, 45 Teele St – We are all people of goodwill who care passionately about Arlington. We have different opinions. 50 years ago, Arlington, along with many other suburban communities, shut down multi-family housing production. We are where we are today, with the housing affordability crisis, because of what happened back then. This is going to be a long process. We can't solve the problem overnight, but we do need to begin to make meaningful, small, incremental changes, like the Working Group's plan, to address the problems, so that we don't have an even worse problem 50 years from now. The state did not ask us to do the bare minimum. They proposed what they thought could pass, not because they didn't want towns to step up and do more. Doing the bare minimum wouldn't produce much housing. It wouldn't address the housing affordability crisis. She encourages the Board to keep the big picture in mind.
- Austin Brown, 10 Belknap St – He is concerned about this plan. It will be a feeding frenzy for developers. The financial incentives right now are such that buildings go up very quickly. Around East Arlington at least one new building has been built, and they usually sell for over a million dollars a unit. On his street, two four-unit townhomes built in the past two or three years. One of those is at half capacity because the front is being held up by two-by-fours. The other is unoccupied, because the builders finished about two-thirds of the work when someone realized that it was built out of compliance with the zoning bylaws and building code. He is concerned that if we give so many incentives to developers, more poor building will happen. If we want to allow a plan like this, we need a much larger Building Department to oversee these large projects. We should put the brakes on this a little bit; we don't need to rush to get it approved now. If we do approve it, the result will be a feeding frenzy leading to shoddy construction.
- Nora Mann, 45 Wollaston Ave, Town Meeting Member, Precinct 20 – She appreciates the work of the Working Group. She supports the Working Group proposal. If we are to continue to live our values of equity and inclusion, we need to tear down the remnants of segregation and exclusion. We need to use a broad range of solutions and many ways that communities can grow in a positive and constructive and inclusive manner. We might consider this an opportunity to address more specifically requirements that would be focused on mitigating environmental impacts. We need to consider the political realities of getting this passed at Town Meeting. Her fellow Town Meeting Members will want to hear options.
- Stephen Weil, 35 Bailey Rd – He is a long-term resident of Arlington living in a historic home. If we give the ability to developers to just buy up properties that go up for sale, the developers will be more concerned about profit than anything else. He has made many changes to a home that was built before the Revolutionary War. Every time that happens, someone is monitoring the work, and he has to present plans to the Historic Board before he can do any work. That won't happen with the development resulting from this plan. Nothing in this proposal speaks to the idea of historical representation for the Town of Arlington. Recent developments only

care about square footage and getting people in, and they sell for over a million dollars. He suggests that the Board get the Historical Commission involved deeply in this process.

- Myles Rush, 255 Mass Ave, Apt 1 – A lot of people in the area have felt the disastrous effects of so many decades of restrictive zoning, which is overdue for a change. He read the full proposal, and he found it to be thoughtful and respectful of the neighborhoods. He also commends the use of modern parking reform, which is showing promising results in areas it's being implemented now. The reason the Working Group did all the outreach work is that many of the community members that plans like this are designed to benefit don't always make it to these meetings and this process; please don't forget about them.
- Grant Cooke, 16 Wollaston – He hopes the Board will support the plan proposed by the Working Group. We have more than the burden imposed by the state. We have the burden of correcting a misstep made 50 years ago, a temporary measure nurtured into the status quo, that made apartments hard to create. Many communities did this, amplifying the problem. It's clear that the outcome was exclusionary. He's heard people describe the current plan as "socially elitist." But the initial banning of building apartments didn't spring from exuberance to strike a blow for the common man, and no amount of time can rehabilitate the original intent or the long-term avoidance of breaking from the path we took. If we had let multi-family housing grow along a natural path, we'd probably have this zone in existence today. Creating an appreciable amount of new housing is the spirit of the law. The governor and legislature don't speak of this as a problem where a few tweaks or half-measures are enough. Some people responded to the initial law by saying to do nothing; now people are asking to do the absolute minimum, to delay for some never-attainable level of analysis, as though we can put a number on how much exclusion is enough, how many children we can wall off. We are ignoring the facts right in front of us of housing scarcity and costs. We are asked to defer to future Boards to act further, ignoring the many years we have chosen to do nothing. We are asked to accept these goals as virtuous and wise, but they are neither. They should be seen as the ghosts of the '70s. I hope the town will act in the spirit of the town as described in decades even further back, where Arlington was described as a growing and welcoming community.
- Peter Fiore, 58 Mott St, Town Meeting Member, Precinct 2 – His concern with the plan is the potential volume of debris sent into the waste stream. 2,000 units of housing could be demolished over the next 50 years. On his street, nine two-family homes have been demolished and replaced by duplex condominiums over the last ten years. Not once did he see anything salvaged or recycled by any of the demolitions. In order to support the plan, he would need a guarantee that these developers would have to dismantle and deconstruct all these buildings, brick by brick and board by board, so that the material is recycled.
- Paul Selker, 24 Central St – He is in full support of the plan. Supply and demand require that for costs to go down, new units must be created. Gradual upzoning, which this plan represents, is a win-win-win. It makes the town more financially sustainable. It's also an exciting opportunity for property owners to add units to their own properties and increase their own wealth. He shares the concern that developers will profit from this plan, and incentives are not always perfect. It is a challenge with no easy answers. He would like to see the Board look at best practices for inducing owners to retain ownership and benefit from the options afforded them by this plan. But the perfect cannot be the enemy of the good. This plan is good, and we should get it done.
- Mark Kaepplein, 11 Palmer – His street is between Broadway and Mass Ave. Tall buildings will not make Mass Ave or Broadway more attractive to walk along. He will be voting against this plan. He said that there are non-profits in favor of higher density and higher population, and half of the Working Group belongs to one of them. A statewide non-profit that is working to push this plan through. The goal is to increase the population in order to preserve congressional house seats in Massachusetts. They'll be voting Democratic. In the 2030 and 2040 censuses and redistricting, Massachusetts will lose seats, unless we can keep up with the population growth of red states. Their success from good policies and low taxes makes them attractive places to live. He values quality of living in Arlington; if he wanted density, he would have moved to Boston or Cambridge or Somerville.
- Adam Auster, 112 Park Ave – Change is hard, especially when it's nearby. But it's been 10 years since the Board recommended to Town Meeting that we adopt a Master Plan that does exactly what this plan does. The idea was that we would build housing along the corridors, which would engender interesting retail districts. The neighborhoods would be left intact, and some pressure would be taken off of them for tear-downs and new housing. It was the product of an extensive public process, and it strikes the right balance. We need to do this,

not only to satisfy the law, but also to satisfy ourselves. He hopes the Board will find some way to tell people who think that density and urban streetscape are bad things that they are exactly the point.

- Marina Popova, 255 Ridge St – Arlington is so dense that it already complies with the MBTA Communities legislation. She doesn't understand why this is even called an MBTA Communities Compliance proposal. It is just a very drastic increase in housing density. The proposal is not about affordability whatsoever. She doesn't understand people saying density is good for climate change, because developers will eliminate as many trees as they can. People buying the new luxury homes will bring their cars, which will increase traffic and CO2 emissions. The community input in this plan was minimal. The survey was replied to by less than 10% of the population. Many others have no idea what's going on. The Board should let the whole population of Arlington vote on the plan.
- Judith Garber, 130 Mass Ave, #2 – She lives in a multi-family house and would not be able to live in Arlington if there were not multi-family homes. She supports the plan. She thinks that the reduced neighborhood district on Mass Ave in East Arlington should be kept as the larger district. That area has the 77 bus and a quick walk to Alewife, so more people should be able to live there. In terms of the question of three- versus four-stories in the neighborhood district, we should consider the impact on accessibility, since the fourth story is the cut-off for when developments have to be made accessible. She wasn't sure if all the affordable units were set at 80% AMI or if some are lower. She asked if the Working Group considered incentives for a lower AMI level, not just more affordable units. She also asked what the Board's commercial zoning study area in the Heights is, and when will Town Meeting know what it is.
- Rachel Curtis, 9 Trowbridge St – She has several concerns about the plan. She is supportive of increasing the units of affordable housing in Arlington, but she is less enthusiastic about what looks like a six-to-one ratio of million-dollar condos to affordable units. It's not clear how this approach will support young, middle-income individuals and families finding reasonably priced housing in Arlington. She is also concerned about the idea that the plan will encourage people to use public transportation and own fewer cars. That's much more likely in a truly high density environment like the one being developed by Alewife. Based on the overnight parking pilot underway, she anticipates that elimination of the overnight parking ban will be the town's response to the lack of parking provided by developers. This means that the side streets of Mass Ave and Broadway will be filled with the cars not only of employees and customers of businesses, as is the current situation, but also new residents who have no off-street parking options. Currently, cars are parked on both sides of her street all day, making it hard to drive down the street, especially for emergency vehicles. This will get much worse. Developers need to share a greater share of the burden of parking demands. The fact that Arlington is both hurrying this process to meet the deadline of the fossil fuel ban pilot program and submitting a plan that vastly over-complies with the state requirement should concern us all. Any decision to go far beyond the state's mandate should be accompanied by a more rigorous inquiry and deliberate process.
- Daniel Scarnecchia, 73 Water St – He is in support of this proposal. If Town Meeting needs alternatives, he would urge the Board to go further. Greater density has a quarter of the emissions of lower density housing. He's heard concerns about the schools, climate, and traffic, but consider what happens over the long term if towns don't build new housing. Being in compliance with the bare minimum doesn't add housing. Younger folks are not going to be able to afford to stay. They'll need to move further out, which means they'll need buy second cars to commute to their jobs. The community will gray as a result. Over the short term, property values will increase, but over the long term, as the community grays and the tax base shrinks, the schools will have fewer children and start falling apart because there won't be enough people to pay the taxes to support them. He urged the Board to think about the benefits of increased density. It will mean that younger people can stay, pay taxes, and support businesses. It means that the children and grandchildren of residents can stay and buy in and be here over the longer term, instead of having the community dwindle and perhaps become a shell of its former self.
- Andrew Greenspon, 89 Palmer St – He is in full support of the plan and wishes it were even bolder. He has two friends who have a toddler, who is one of the Arlingtonians who will hopefully be here in 50 years, if they can find a unit to live in. They do not live in or own a single family home, which is what most of Arlington is zoned for. They also don't live in a duplex, which is the next largest zoning category. They live in a two-bedroom unit in one of the few multi-family apartment buildings in town, close to the 77 bus and commercial center. They love

Arlington and are hoping to buy a property, but there's not enough regional housing stock, especially smaller units that would exist in multi-family zones and be cheaper than most homes in the single-family and duplex zones. This proposal begins a process that will help people like them. It won't be tomorrow, but it's a start. They didn't know about this proposal either, but when they read it, they thought it made complete sense. Arlington has many community members who live in multi-family housing, ranging from triple-deckers to four-story and even eight-story buildings on Mass Ave that existed before the 1970s exclusionary zoning. The residents in those types of homes have every right to be here and contribute as much to the community as anyone who lives in a single-family house. He would love to have more such people be able to live here to make Arlington more diverse. From his understanding, compared to every zoning amendment in recent history in Arlington, this process has been one of the longest, most transparent, with the most outreach to community members that has happened. It's been over eight months with multiple drafts posted every week on the town website. This doesn't mean that everyone knows about it, but it means a large sample of residents have given perspectives to inform this proposal. When he runs into people who haven't heard of it and explains it, many of them broadly state their support. He hopes the Working Group and Board can answer many of people's questions and address their concerns in the coming weeks.

- Aram Hollman, 12 Whittemore St, Town Meeting Member, Precinct 6 – He said that he can explain why the Working Group decided on a rezoning that created three and a half times the housing capacity that the state required. That requires stating the guidelines that really apply to the Working Group, not the ones they told us. The guidelines are: 1) build housing that is as expensive as possible, 2) provide a politically necessary façade of affordability, 3) do not touch the R1 district. The reason to build expensive housing is that Arlington is competing with other towns for high-income individuals, who will pay without complaint the rapidly rising taxes that apply to Arlington housing. As a corollary, that will drive out lower income individuals. Arlington prides itself on being progressive, diverse, and liberal. A token degree of affordability is necessary to preserve Arlington's desired self-image. The R1 district is not to be touched because it is wealthier and more politically powerful. Hence the decision to rezone only what are the densest portions of town, which are less affluent and politically powerful. The Working Group discussed the fact that by upzoning denser areas, the net increase in capacity would be considerably less and could even be negative. Despite that, they continued to decide to do that. The results of this rezoning will be perverse, the opposite of what is intended. It will be high-end, high-cost housing, uniformity instead of diversity, and green instead of green space.
- Nicholas Kriketos, 80 Orvis Rd – He is concerned with the proposed plan, but he's more concerned with the communication about it. He has not received any communications; he did receive the one postcard. He understands that we need to meet the obligations of equity and of the state, but we've gone beyond what's allowed and what's expected of us. It doesn't make sense to compare ourselves to other towns with different tax systems. The cost of this plan will be on the backs of its current taxpayers in the highly dense residential system we have. He is also concerned about the services Arlington offers. There are already troubles keeping up with the school system, with the Department of Public Works, allowing them to do their jobs effectively. The property across from the high school that was recently redesigned has no green space to speak of, and no curb appeal. He appreciates the work that the Working Group has done, but he encourages them to go back to the drawing board.
- Kristin Anderson, 12 Upland Rd, Town Meeting Member – She runs a business in the industrial zone in the Heights. She has attended every Working Group meeting since May, and she can attest that the Planning Department, the consultant Utile, and the Working Group have expended a significant effort in creating the housing plan for the town. Arlington needs zoning for new housing. The current iteration of the new plan achieves that, and it has many good ideas that are worth supporting. However, this has been a planning effort without input from Arlington's Director of Economic Development, as that position has remained unfilled throughout the process. The Director of Economic Development is a crucial seat at Town Hall, especially at a time when changes are being proposed that will affect the future of our town. The plan requires two key improvements: protection for all the town's businesses and allowance for future commercial growth. Arlington needs commercial space for services important to our residents. Businesses provide local jobs and make Arlington a town worth living in; they make our neighborhoods more walkable and reduce reliance on cars. She asks that all existing businesses be protected in this plan and that all parcels where Arlington's businesses exist be removed from the plan. This is important for existing businesses and future commercial growth.

- John Worden, Jason St – This plan has too many problems to address in two minutes. Calling it the MBTA Communities plan is ironic because MBTA service has been cut to an all-time low. Most people in Arlington can't even get to Alewife station, yet we're being punished for having it here. If implemented, the plan would basically destroy Arlington as we know it. It would create waste and heat islands. We should require that all new buildings not be heated by fossil fuels. We should require green space. He's been a Town Meeting member for 53 years, and if these articles come to Town Meeting, it will be the worst thing that he has encountered in his tenure at Town Meeting.
- Kiernan Matthews, 13 Highland Ave – He lives in a two-family home in the Neighborhood sub-district. He has read the full proposal and attended the July 25 public meeting, and he supports the proposal. He asks that the ARB and viewers not let this room mislead them into believing that the majority of Arlington residents are represented in this room. For many families likely to support this plan, coming to three-hour Monday night meeting is a hardship or a nonstarter. As he looks around the room, he does not see the many faces that he and his fellow volunteers deliver groceries to for Arlington EATS. This room is not representative of all of Arlington. No one has put more thought into this than the Working Group. No one talking about this with their friends has consulted more stakeholders and heard more diverse voices than the Working Group. This has been a remarkably inclusive process. For Town Meeting, he'd like the maps to include the entire bounds of the Town of Arlington in order to represent an actual visual proportion of the proposed changes. This is an incremental change, and it is much smaller than the original proposal, and it is a compromise. Perhaps the alternative to Town Meeting could show what an R1 zoning for multi-family would look like. He encourages the Working Group or the Board to note the most misleading and alarmist statements shared tonight and to supply all Town Meeting Members with a plain-spoken Q&A that addresses such misunderstandings for the red herrings that they are.
- Gordon Jamieson, 163 Scituate, Town Meeting Member, Precinct 12, Chair of the Board of Assessors – He thanked everyone for their hard work. He attended the July 25 session and heard similar comments on both sides of the issue. He's read the whole proposal and thinks it's an excellent final compromise. It reflects the smart growth reflected in the Master Plan that he voted for 10 or 12 years ago. He prefers Alternative 1 in the Heights and wants to remind the Board that four stories requires an elevator. At the last meeting, there was a lot of discussion about 10-foot vs 15-foot setbacks. Attendees were told that 15 feet was required for street trees, but not by the Tree Warden, and the Working Group adopted a 15-foot setback. He wants clarification about what a 15-foot setback means. The business district has a zero setback, but buildings are not at the curb. Is it 15 feet from the curb or the from the sidewalk? If it's from the sidewalk, then there's an additional 6 or so feet to the curb, meaning a 15-foot setback is really over 20 feet from the curb. Since a tree only needs 15 feet, he would encourage the Board to reconsider the 10-foot setback originally proposed by the Working Group.
- Matthew Weigang, 276 Mass Ave, Apt 132 – Walk down any street, and you'll find endless rows of homes, each with a family that likely raised kids. Children don't stay that way for long, and there haven't been commensurate homes built for these children for when they become adults. When economic supply and demand curves intersect, it sets the price of a good. The decision of Arlington residents to raise families without a commensurate expansion in the supply of housing that will be demanded by the adult children of those families establishes the price of housing to be exorbitantly high. For many goods, consumers can simply elect not to purchase something expensive. But for housing, the adult children of these families have no choice except to pay whatever price the supply and demand curves intersect act. This cost can be pervasive in destroying a person's ability to live out a reasonable life. He arrived in Arlington in 2015, working for Armstrong Ambulance as an EMT for \$13.20 an hour. He was performing a vital service for the town's welfare and safety, and his rent for a mediocre for a one-bedroom basement apartment in East Arlington was \$1,320. Even when he was working over 40 hours a week, over half of his take-home pay was going to some of the most modest single person housing he could find. It is unconscionable for this situation to have been allowed to develop. He lost all social mobility because it took all his time and money just to buy the next week of his life. His entire contribution to society has been utterly curtailed from what it could have been because of housing costs. He urges the Board to go as big as they can, with as much new construction as they can get people to build.
- Bob Radochio, 45 Winter St, Town Meeting Member – He's lived in town for 83 years. He's been trying to read the details of this plan, but he finds it very confusing and self-contradictory. He thinks it would be easier to read

War and Peace than to go through this. He asked what the default or backup plan is if Town Meeting should reject this.

The Chair closed public comment at 10:00 pm. She paused the meeting while asking a police officer to come remove people who were causing a disturbance.

The Chair re-opened the meeting.

Mr. Lau said he heard a lot of thoughtful and heartfelt comments. He said that the Board would try to address the issues raised as much as they can by putting all the questions in a matrix along with the Board's responses, which they would make public.

Mr. Benson also said that he appreciates all the comments, and all the many emails and letters that they've received. He's read every one that the Board received before 5:00 today. He encouraged those who weren't able to speak tonight to email.

Mr. Benson heard some of the comments as people wishing that we could do more on climate or green buildings. He wishes that too, but the Board is constrained by the state law. However, the Town passed the Stretch Code at the Spring 2023 Town Meeting, so all buildings built in town will be built to very high environmental and climate standards. Many people also made comments about affordable housing. Our current bylaws require one affordable unit at 60% of AMI for each six units that are built in a project. The Town is going to have to convince the state that this is economically feasible, because the state affordable housing requirement has only been 10%, while Arlington has had a higher requirement for a long time. He does hope that more affordable units will be built because of this plan. He appreciates all the work that the Working Group did. He thinks that stretching out the districts along Mass Ave and Broadway creates something environmentally friendly and walkable, which he thinks is in keeping with the spirit of many of the plans of the Town and trying to make the Town as environmentally sustainable as possible.

Mr. Revilak responded to the question of what happens if Town Meeting doesn't pass it. The reason for the current schedule is that in 2020, Town Meeting adopted a warrant article that authorized the filing of a home rule petition that would enable Arlington to ban fossil fuel hookups in new development. Ten cities and towns passed similar things, and rather than granting each of the petitions individually, the state created a pilot program, in which 10 communities would have the opportunity to enact such a ban. In order to qualify to be one of those 10 communities, towns and cities have to qualify in one of two ways: they must have 10% of their housing on the Subsidized Housing Inventory, which Arlington is not even close to, or they must adopt a multi-family district in compliance with the MBTA Communities Act before the fossil fuel ban pilot program. Given the time constraints, the Working Group discussed whether they could do a good enough job to get something adopted in time. They decided that since Town Meeting had created a mandate to move toward a fossil fuel ban, they had a responsibility to Town Meeting to bring something forward in time to qualify for the deadline. He thinks that because Town Meeting made the decision that led to the timeline of this project, Town Meeting should be the ones to decide to delay the project if they choose. Arlington is not required to comply with the MBTA Communities Act until the end of 2024. If Town Meeting feels that this plan is not ready, they can take no action or vote it down and have another year to work on it.

Mr. Benson said that the current Working Group proposal affects 109.1 acres of the town, which has a total of 3,517.5 acres. That's about 0.3% of the town being affected by the plan. It will be a transformation along Mass Ave and Broadway and just off those corridors. At the Board's request, the Working Group did not put any commercially zoned parcels into the plan, in order to preserve the commercially zoned parcels. In addition, the plan allows developers to build mixed-use buildings on Mass Ave and Broadway, with commercial space or offices on the ground floor. So not only are they protecting all the areas currently zoned commercial or industrial, but they are also incentivizing the creation of new, hopefully more modern commercial spaces on those corridors.

The Chair noted that DPCD and MBTA Communities would be present at Town Day (September 23) with information about the plan. Town Day is before the Board will deliberate and vote on October 2.

The Chair listed items that need to be discussed by the Board, some of which may need more research or information:

- Evaluate the SITES rating standard and whether Certifiable or Certified is what they feel is appropriate for a bonus.
- Further discuss parking and whether the inclusion of a parking maximum rather than our existing parking minimums is a new standard that the Board would like to introduce.
- Discuss affordable housing, specifically the Subsidized Housing Inventory requirements, the rounding up on any percentage, and the recommended percentage increases for the two bonus floors to 22.5% and 25%.
- Ensure that the plan includes language regarding the combination of lots, so the Board can preemptively address situations where one parcel is in the overlay district and one is not.
- Review the Site Plan Review requirements. It may be missing information around the number of representatives needed to vote in favor to approve.
- Discuss the list of dimensional controls that were identified for elimination.
- Arlington's zoning bylaw does not currently have a definition of multi-family housing. It is defined in Mass General Law. Since the warrant article references multi-family housing, so it needs to be added to the definitions section of the zoning bylaw.
- Discuss whether to exclude the parcels east of Orvis on Mass Ave for a business district rezoning, as they have excluded similar parcels in Arlington Heights, which will be discussed in the spring as part of the Arlington Heights Business District review. The Board's original intent was to begin with Arlington Heights and then address East Arlington soon thereafter.
- Discuss the neighborhood sub-district, specifically whether the Board recommends a three- or four-story maximum.
- Ensure that the solar bylaw section required under EDR is referenced in this overlay district so that it applies to the buildings in the overlay. The Board also needs to decide whether that applies just to Mass Ave and Broadway or also the neighborhood sub-districts.
- Decide how the setbacks on corner lots should work.
- Review the map to decide whether to exclude properties that are on the list of historic properties in the town of Arlington, and whether to exclude churches.
- Decide between Alternative 1 and Alternative 2.

Mr. Revilak said that the Working Group's rationale for not having parking minimums is that developers will provide some parking, because they need that to get funding, but the Working Group didn't want to over-require parking.

The Chair noted that much of this will be discussed in deliberation on October 2, but this evening, she would like to identify if the Board wants to request any information from the Working Group, DPCD, or Utile, so that the Board is fully prepared for deliberation on October 2.

Mr. Revilak identified three pieces of information needed:

- What is the change in capacity if the parcels on Mass Ave east of Orvis Road are removed?
- What is the change in capacity if the neighborhood sub-district height limit is reduced from four to three stories?
- What is the change in capacity if the minimum parking requirement is one space per dwelling unit versus none?

The Chair noted that if the parcels on Mass Ave east of Orvis are removed, parcels behind those would need to be added in order to keep the district contiguous.

Mr. Littell said that he would provide the answers to those three questions.

Mr. Benson has some wording concerns that are not substantive, and he will share them later. The Chair said that if any Board members have edits or changes to the language of the warrant article, they should send them to both her and Ms. Ricker, who will make sure they are tracked so that a copy with the proposed changes can be reviewed at the October 2 meeting.

The Chair said that she would write up all the questions asked during public comment and share them with the Board, Working Group, and DPCD to compile answers.

Mr. Lau proposed a meeting with the Working Group to address the questions raised in public comment.

Mr. Benson said that they have too many things to discuss to fit them all into the deliberation on October 2, and he thinks the Board will need another meeting between now and October 2. The Chair said that another date is not available. She asked if he would like to start any of the discussion this evening but noted that they need the new capacity calculations for some of the discussions.

Mr. Benson said that they could discuss some of the issues that would result in capacity changes, and their decision would determine what specific capacity numbers they needed. Mr. Lau said that he would like to see the capacity numbers before discussing those issues, because the plan is so carefully balanced right now that making one small change could change the whole map. He'd like to know what that effect is first.

The Chair asked for a motion to continue the public hearing for the warrant articles for Fall 2023 Special Town Meeting to Monday, September 18, 2023. Mr. Lau so moved, and Mr. Benson seconded. The board voted and approved unanimously.

The Chair said that the Board needs to add a meeting between October 2 and the start of Town Meeting on October 17, at which the Board can review and approve the Redevelopment Board's Report to Town Meeting. She proposed Tuesday, October 10. The Board members said they could attend on that day, and the Chair asked to have the final decision about that meeting placed on the September 18 agenda.

The Chair asked for a motion to adjourn. Mr. Lau so moved, and Mr. Benson seconded. The board voted and approved unanimously.

Meeting **Adjourned** at 10:38 pm.

DRAFT

Arlington Redevelopment Board
Monday, September 18, 2023, 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, Stephen Revilak

STAFF: Claire Ricker, Director, Planning and Community Development

The Chair called the meeting of the Board to order.

The Chair opened with **Agenda Item 1 – Public Hearing: Docket #3766, 315 Broadway.**

The Chair invited the applicant to provide an introductory presentation. Stuart Pitchel, owner of SRP Sign Corporation, introduced himself. Thai Moon is a restaurant that's been in Arlington for some time. They had a fire in their old location and moved to their current location at 315 Broadway. The property is owned by ACS Development. His understanding is that the sign requires a Special Permit because it is internally illuminated. The sign consists of reverse channel letters; the letters are opaque and fabricated from aluminum. There is secondary lighting inside the sign which shines against the building, creating a halo. The background of the sign is proposed to be 10 feet long by 2 feet high and will attach to the existing structure. No power source or hardware will be visible.

Ms. Ricker said that the applicant is seeking relief to exceed the maximum width for signage, both for the wall sign and the awning. In addition, internally illuminated signs are under the jurisdiction of the Board.

Mr. Lau noted that plenty of the signs in that area are internally lit, so he doesn't see a problem with Thai Moon's sign being internally lit. He thinks that the design fits in with the area. He has no issues with the awning or internal illumination. He's undecided about requiring the applicant to reduce the size or allowing the proposed size.

Mr. Benson asked for further clarification about how the wall sign will be lit. Mr. Pitchel explained that the structure has existing rails, to which the sign will be attached. They will fabricate a backer, which will be a solid color. The letters will be fabricated separately of aluminum. The front of the letters will be opaque, and they will be mounted an inch and a half off the background. The back of the letters will be clear, with white LED lights inside the letters. The light will shine against the backer and create a halo effect. Because the lights are inside the letters, they will not be visible.

Mr. Revilak noted that the wall placement standards for wall sign require that each side of the sign have 20% of the total width of the space or 12 inches, whichever is less. This is a 13-foot-wide storefront, so the maximum allowed width of the sign would be 132 inches, and the applicant is proposing a sign width of 139 inches. The applicant noted that the other signs in the area are all the same size as the storefront; no one is leaving 12 inches or 20% on either side. The Chair said that they may be existing non-conforming signs, but that the plan of the Board is to bring things into compliance when they can.

The Chair noted that on the photo of the existing storefront, there are gooseneck lights above the sign. She asked if they would be removed. The applicant said that he thinks the property owner is planning to remove them, but it would not be within his scope to do so. The owner's electrician would have to do it. The Chair said that she would like to impose the condition of having the gooseneck lights removed and the cornice patched and repaired.

The Chair opened the floor for public comment on this application.

- Michael Ruderman, 9 Alton Street – He lives right around the corner from 315 Broadway. He likes the design and the fact that it will be internally lit. He thinks there's no possibility of broad light spillage over the plaza or around the corner. He would like to see the cornice cleaned up by removing the non-functioning lights and restoring a clean and finished look. He's happy that Thai Moon has found a new location and is glad that the

storefront is going to use. He has a question about traffic patterns in and out of the Broadway plaza area, which has been of concern to the neighbors. The Chair said that the Board is only taking up the issue of the signage as part of this hearing.

- Carl Wagner, Edgehill Road, Town Meeting Member, Precinct 15 – He thinks it’s great to see Thai Moon coming back. He’s only sorry for the paltry showing of people who could offer their support. He said that the Board should give Arlington hybrid meetings. The Chair said that they are only accepting comment on this particular application. He is glad to see the words “Thai” and “Moon” with the crescent moon shape, and he thinks Arlington deserves to be able to comment to the Board and see what they’re doing on this proposal and on the other things that they will address this evening. Many other Boards have already gone to hybrid meetings. The Chair said that he was out of scope and asked if he had any further comment on this particular proposal. He said that he hopes people will insist that the Board go to hybrid meetings.

Mr. Benson said that he is in favor of the proposal. He thinks it meets the criteria for the Board to allow a larger sign because of the architecture and location of the building relative to the street. If the sign were smaller, the letters would be more difficult to see. The standard for lighting is that internally illuminated signs are allowed unless there’s a directly exposed light source, which this proposal does not have. He agrees with the Chair that the gooseneck lamps should be removed.

Mr. Revilak said that he is also in favor. The relief sought is a relatively small number of inches. He noted that the awning size also requires relief, but they’re taking up half the area that they could, so he is okay with that. The Chair clarified the amount of relief requested. The sign width on the awning is allowed to be 60% of the width of the awning as the maximum length of the sign. In addition, the wall sign is allowed to be no more than 60% of the height of the sign board as well as the 60% of the width. Mr. Revilak noted that they are allowed one square foot of sign per linear foot of awning. The awning is 13 feet long, so the awning sign could be up to 13 square feet, and the proposed awning sign is not quite 5 square feet.

Mr. Lau said that he is fine with the application as proposed.

The Chair asked for a motion to approve Docket #3766 for 315 Broadway, with the condition that the applicant must remove existing exterior lights and associated conduit and patch and repair the façade after the removal. Mr. Lau so moved, and Mr. Benson seconded. Mr. Benson said that the Board should make a finding that they are approving the application under Section 6.2.2.C.(1), for a Special Sign Permit. The Board voted and approved unanimously.

The Chair moved to **Agenda Item 2 – Public Hearing: Warrant Articles for Fall 2023 Special Town Meeting.**

The Chair said that this is the second of three nights of hearings for a total of ten warrant articles. The Board will hear public comment only on the nine articles scheduled on tonight’s agenda. The Board will pose questions tonight but will reserve deliberation and voting on recommended action on each article until the last night of hearings, which is October 2, 2023. Anyone wishing to address the Board will signify that they wish to speak by raising their hand when the Chair announces that the public comment period is open for each of the articles. Each speaker must preface their comments by giving their first and last name and Arlington street address. Remarks will be limited to three minutes. Anyone with additional comments for the Board about matters not on tonight’s agenda is asked to submit comments in writing. Comments will be accepted up until Special Town Meeting, but they are particularly useful as the Board approaches its October 2, 2023, meeting. Attendees shall not applaud or otherwise express approval or disapproval of any statements made or actions taking place, and shall refrain from interrupting speakers. Everyone should conduct themselves in a civil and courteous manner. If an individual repeatedly fails to adhere to this requirement, they will be asked to remove themselves from the public hearing. Speakers should not attempt to engage in debate or dialogue with Board members or other hearing participants. Questions will be saved until the end of the hearing and addressed then. If the Board determines that a clarification is required, the Chair will call upon the appropriate person to provide clarification.

ARTICLE B (tentatively scheduled, subject to change)

ZONING BYLAW AMENDMENT/ OPEN SPACE IN BUSINESS DISTRICTS

To see if the Town will vote to amend the Zoning Bylaw to update Section 2 DEFINITIONS, Section 5.3.21

SUPPLEMENTAL REQUIREMENTS IN THE BUSINESS AND INDUSTRIAL DISTRICTS, Section 5.3.22 GROSS FLOOR AREA,

and Section 5.5.2 DIMENSIONAL AND DENSITY REQUIREMENTS to modify the requirements for landscaped and usable open space in the Business Zoning Districts; or take any action related thereto.

Presentation of Article:

Mr. Benson presented this amendment. In the current zoning bylaws, one can have landscaped open space on a balcony or a roof, as long as it is not more than ten feet above the level of the lowest stories for dwelling purposes. The Board discussed this issue in the spring and decided that it made no sense to determine where on the building the landscaped open space could be. This amendment would allow the opportunity to have landscaped open space on a balcony or roof anywhere on a building. The amendment also proposes to eliminate the requirement that open space is deemed usable only if at least 75% of the area has a grade of less than 8%. In the posted warrant article language, Mr. Benson accidentally deleted Section 5.3.22.C. That should not be deleted; instead it should say, "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 in all districts except the Business Districts. In the Business Districts, see Section 5.5.2.B." At the end of Section 5.5.2.B, the proposed amendment adds, "In the Business Districts, the district dimensional requirements for Landscaped Open Space and Usable Open Space are calculated based on the lot area." This amendment would encourage green space on balconies and roofs and would delete the requirement for usable open space for some parts of the business districts because usable open space doesn't have to be green space.

The Chair opened the floor to public comment.

- Laurel Kane, 79 Westmoreland Ave – Someone who, like her, is not well versed in these issues, would understand open space to be not a balcony or roof. She wonders what is at the root of this. It feels like a way of allowing businesses to reduce actual open space by implementing a roof or balcony garden. Those are good things, but they shouldn't be implemented at the expense of open space on the ground.
- Carl Wagner, Edgehill Road, Town Meeting Member, Precinct 15 – He feels that the format of the meeting is suppressing public comment. Article B is one of the 2019 density articles. The 2019 density articles, despite six months of public input and public meetings, were determined by Town Meeting to be inappropriate for Arlington and not properly prepared. Town Meeting specifically said that articles like this that remove open space in the business district and define balconies and roofs as open space are ridiculous. Town Meeting told the Redevelopment Board that they would not support this. Andrew Bunnell, the chair of the Board at the time, made a speech in which he apologized and said that the Board would not bring articles like this to Town Meeting unless it has the community's buy-in. The Board has held no public meetings for Articles B through J. They are being rushed through on a rainy night with just a few people hearing them. In 2019, when Town Meeting said no to this, there were three to six months of meetings. We should not be defining balconies and roofs as open space when we have a climate crisis, and we need to save our permeable spaces and open spaces. This article would affect many uses beyond business, such as mixed-use. These articles deserve to be publicly heard by the people and Town Meeting. He asks the Board to reject them until the Director of the Department of Planning and Community Development offers adequate hearing to the people of Arlington and Town Meeting.
- Elizabeth Carr-Jones, 1 Lehigh Street – She is concerned about this article. Does the elimination of the open space requirement for certain properties in the business district mean that that space would be built upon and not used for something that would be of more use to the community, like outdoor seating for cafes or restaurants? She understands that it is not a requirement that open space be green, but if it's going to be built on, that's to the detriment of the town in terms of the overall open space that we have available as a community.
- Chris Loretto, 56 Adams Street – The changes to the definition go beyond the scope of the article in that they also apply to non-business districts. This article is supposed to be focused specifically on business districts, but a changed definition will also apply to residential districts. That will allow usable open space on the roof of multi-story buildings and on lot areas that are very steep. He can see people in residential districts trying to claim that their roofs are usable open space simply because they have access to them. Apartment

buildings and condos should not be exempt from the open space requirements merely because they were built in a B district rather than an R district. By making these changes, the Board has provided an explanation that usable open space for the business districts is based on the lot area, but now there's no explanation of what it's based on for residential districts. He hopes the Board will reject this article.

- Joanne Cullinane, 69 Newland Road – This amendment seems like a reduction of green space for the town as a whole. It seems like they're trying to pave over every square inch, and she opposes it.
- Radnakar Venkati, 21 Adams Street – He supports this article. We need to move along with the times. This is how LEED and SITES certify projects. They consider roofs open space. As long as a space is open to the public, it is an open space. We live in a three-dimensional world. People have done vertical farming; if we can do that, why can't we consider roof terraces? Let's use the third dimension of this planet as well and consider it open space.
- Matt Miller, 42 Columbia Road – A rooftop is not accessible to everyone. Accessible green space is what the public can access. If everything is on the roof, then how much green space is there for the public? He questions that that is appropriate use of the land and thinks that it should be open for discussion with the people in the town. He moved to Arlington because it is not Somerville; we do not have sidewalks everywhere. Arlington also has better schools; if a lot of people move into Arlington, what will we do about the high school? We planned ahead for a bigger high school, and if we overfill it already, that's not an appropriate use of the town resources.
- Kristin Anderson, 12 Upland Rd West – She asks the Board to be cognizant of the fact that since the pandemic, people have been congregating outdoors more. It would be great if we had more outdoor restaurant seating. It's not as pleasant to sit in the street as it would be on a nice terrace, especially under a tree. She would like the Board to find ways to encourage more outdoor seating.

Board Discussion:

The Chair clarified that usable open space does not necessarily mean that it is open to the public. There is no requirement that easements are provided by the property owner. It could be only for the use of those working or living within that building.

Mr. Benson clarified that the bylaw now allows landscaped open space to be on a balcony or a roof, it just limits the height. This amendment eliminates the height limit, so the whole building could have green space. There is no public right for use of open space; whether it's landscaped or usable open space, it belongs to the property owner, who can decide whether the public is allowed on and if so, under what circumstances.

Mr. Benson said that he would like to discuss whether the Board wants to maintain the requirement that open space is deemed usable only if at least 75% of the area has a grade of less than 8%. Mr. Revilak said that eliminating that requirement would eliminate a lot of nonconformities, given the number of homes on hills. But given the scope of the article focusing on business districts, he would prefer to keep that language. Mr. Benson proposed revising the two changes of definitions so that they only apply to the business districts, to make them more consistent with the scope of the article. Mr. Lau asked how that language would affect a property owner whose property is on a hill. If the slope behind a building is greater than 8%, could it not be counted as open space? The Chair clarified that it couldn't be counted as usable open space, but it could be landscaped open space. Mr. Lau pointed out that the current language means an area on a hill with a terraced walking path and sitting areas wouldn't count as usable open space. He thinks keeping that language limits business growth in hilly areas, so he thinks it should be eliminated. The Chair noted that because this language is in the definition of usable open space, they would have to be clear that they were only striking it for the business districts. Mr. Revilak pointed out that this actually doesn't apply to the business districts, because the usable open space requirement is being eliminated for the business districts. The Chair said that the definition still applies both to business and residential districts, so to keep it specific to business, they would need to keep the language in and not eliminate it.

ARTICLE C (tentatively scheduled, subject to change)

ZONING BYLAW AMENDMENT/ REAR YARD SETBACKS IN BUSINESS DISTRICTS

To see if the Town will vote to amend the Zoning Bylaw to update Section 5.5.2. DIMENSIONAL AND DENSITY REQUIREMENTS to reduce the rear yard setback or to allow for a variable rear yard setback and establish the criteria for such requirements for any use in the Business Districts; or take any action related thereto.

Presentation of Article:

Mr. Benson said that he included a variable setback, rather than zero or fixed setbacks. He also added apartment buildings so that it was consistent for buildings of a consistent size. The proposal is not to get rid of rear yard setbacks, but making them variable depending on what's in back of the building and the size of the building.

Mr. Revilak agrees with the choice of making the rear setbacks variable, because that makes the requirement sensitive to what is around the building and takes context into account.

The Chair opened the floor to public comment.

- Carl Wagner, Edgehill Rd – He is concerned that Article C, like Article B, is being presented with zero public chance for comment and changes. This is another of the 2019 density articles that the Redevelopment Board was forced to pull their support for because Town Meeting felt that it was not properly presented and the town of Arlington did not have proper input. It looks like the changes are a drastic limitation in the commercial districts, which can include mixed-use. He would ask the Board to reject this and push it to a spring Town Meeting, after the Director of DPCD institutes proper public input meetings and open forums.
- Aram Hollman, 12 Whittemore St – He agrees with Mr. Wagner. There has not been an opportunity for public comment. This is very last-minute, which is antithetical to the spirit of consideration and debate that is typical of Arlington. This is the kind of discretion that the Board is trying to give itself which has rendered it unaccountable and has given people the impression that it's highly arbitrary. He doesn't think the Board should have that kind of discretion.
- Chris Loretto, 56 Adams St – Some people say that Town officials want to turn Arlington into Somerville. In looking at this particular article, when the Planning Department reviewed the regulations for various other towns, they picked the one that was the least restrictive, and that was Somerville. So what is being proposed here is to adopt Somerville's zoning regulations for rear yard setbacks for business uses. A mixed-use development would have a zero setback for something like the bike path, because the bike path is next to a right-of-way. If the right-of-way happens to be a street, then the rear yard setbacks shouldn't apply, because it's another front yard. The way the amendment is worded is confusing. It talks about having a 30-foot setback if a building is above a certain number of stories. Is that another step-back requirement, or does the entire building have to be set back 30 feet? He also thinks that rather than being based on the zoning district of the abutting lot, it should be based on the use. Because Arlington allows residential uses in business districts, it's more appropriate to look at how the adjoining lot is actually being used. He thinks the Board should not approve this amendment right now.
- Elizabeth Carr-Jones, 1 Lehigh St – It looks to her like the only properties that would be protected after this change would be single-family homes. It looks like everything else is crossed off. She thinks that R2 districts should be protected as well.

Board Discussion:

Mr. Benson clarified that this amendment would only apply to certain buildings in the business district. If a building abuts any residential district, they have to meet the setback requirements.

Mr. Benson replied to the comment that the Board is giving itself too much discretion, saying that this amendment takes away any discretion. It just changes what the setback requirements are to better reflect the size of the building and what's behind the building. The Board is trying to put it in a better context than the context is now.

Mr. Revilak said that he does not believe that this amendment was proposed in 2019. Mr. Benson agreed. The Chair said that all these amendments were originally discussed at several Redevelopment Board meetings in the winter, ending up on the original Spring Town Meeting agenda. It was then requested that they be moved to the fall because of the numerous other articles were already on the Spring Town Meeting agenda which were not Redevelopment Board articles.

ARTICLE D (tentatively scheduled, subject to change)

ZONING BYLAW AMENDMENT/ STEP BACK REQUIREMENTS IN BUSINESS DISTRICTS

To see if the Town will vote to amend the Zoning Bylaw to update Section 2 DEFINITIONS and Section 5 DISTRICT REGULATIONS to clarify and adjust the upper-story building step back to begin at a higher story, clarify the measurement shall be from the principal property line, specify the applicable façades of a building for which the step back is required, and allow for an exemption for smaller parcels for buildings subject to Environmental Design Review with certain exceptions; or take any action related thereto.

Presentation of Article:

Mr. Benson said that this amendment captures what the Board has talked about more than once at public meetings:

- 1) The step-back would be along the principal façade of the building and not along numerous sides of the building.
- 2) The Board has not come to agreement and needs to discuss whether the step-back should be on the 4th or 5th floor. Right now it's on the 4th floor. As written, this amendment proposes to move it to the 5th floor.
- 3) For a building with street frontage on Mass Ave or Broadway, the principal façade and principal property line are presumed to be facing Mass Ave or Broadway, even if it's on a corner lot facing another street as well.
- 4) The current bylaw says that the step-back must be measured from the principal property line. The Board has interpreted that in different ways.
- 5) The step-back requirements are located in two parts of the zoning bylaw, so he deleted the second one, which was 5.3.21C (renumbering D and E as C and D), because it was the same as in 5.3.17.

Mr. Lau said that he thinks the step-back should be measured from the property line. The 5th floor step-back should be at least 7.5 feet from the property line, regardless of what's happening on the lower floors. The top floor is the one that casts a shadow on to the street. He also thinks that the step-backs should start on the 5th floor.

Mr. Revilak asked about the removal of the sentence, "This requirement shall not apply to the buildings in the Industrial District." Mr. Benson said that the Industrial District has its own set of requirements in the bylaws. Mr. Revilak said that the industrial districts have their own set of performance standards, which doesn't require step-backs, and he thinks that that sentence should be restored. He would prefer to have the step-back start from the yard set-back, but in these cases the yard set-back is zero, so it's okay to say that the step-back is measured from the property line. He is undecided as to whether the step-back should apply to the 4th or 5th floor.

The Chair would prefer to keep the step-back requirement at the 4th floor, as it is currently. It provides an opportunity for a more dynamic façade in terms of the height that is currently permitted. Mr. Benson would also prefer to keep the step-back on the 4th floor.

The Chair opened the floor to public comment.

- Aram Hollman, Edgehill Rd – He also thinks this amendment is a not a good idea. The current bylaw says that the step-back shall be provided along all building elevations, but the amendment limits the step-back to only one side of the building. He thinks that's poor treatment of people on the side streets.

- Laurel Kane, 79 Westmoreland Ave – This stuff is really hard to understand. She respects that the Board has the hearing and is opening it up to public comment, but she doesn't feel able to make an informed comment. She would like to see a mechanism by which the complex work they do could be translated or illustrated in a way that makes it more accessible to people.
- Chris Loretto, 56 Adams St – The step-backs were originally sold to Town Meeting as a way of ameliorating the higher building heights that were being allowed under other zoning changes. The express intent was to have the step-backs on all street frontages and to start them at the 4th floor. Most residents don't even want 5-story buildings on Mass Ave and Broadway, and the Master Planning process showed that. It's arbitrary to define the principal façade as being on Mass Ave and Broadway. For many of these buildings, the longest street frontage is on the side streets, which are narrower than Mass Ave or Broadway, so those streets need the step-backs more than the major thoroughfares. He thinks that this bylaw change should not be made at all.

Board Discussion:

Mr. Benson clarified that although the amendment says that the principal property line is presumed to be on Mass Ave or Broadway, that can be changed. If a building is only a little bit on Mass Ave or Broadway and a lot on a side street, the Board can make the determination that the side street is a more appropriate place for the step-back.

Mr. Revilak said that he would join the Chair and Mr. Benson in preferring to keep the step-back at 4 stories, rather than increasing it to 5 stories.

ARTICLE E (tentatively scheduled, subject to change)

ZONING BYLAW AMENDMENT/ REDUCED HEIGHT BUFFER AREA

To see if the Town will vote to amend the zoning bylaw to update Section 5.3.19 to define a "finding" by the Arlington Redevelopment Board and the Board of Appeals regarding reduced height buffer areas.

Presentation of Article:

Mr. Benson does not think that the lower height numbers make sense, and he doesn't think that it's in the scope of the Board. The Chair agreed with Mr. Benson. She thinks that the Board should discuss it further and perhaps come back in the spring with a modified article. The Chair proposed voting no action and not moving it forward.

Mr. Revilak said that the height buffer distances were in the 1975 version of this bylaw, in which Planned Unit Development District allowed 200-foot-high buildings, and the R7 and B5 Districts allowed 110-foot-high buildings. Each of those districts was down-zoned later, but no one ever updated the height buffer. In the geometry of the triangle, we've changed the height but not the base, and he thinks that it's worth changing the base to get back to where it was. The Chair said she thinks that was the original intent of this amendment. She thinks that additional study would be beneficial in order to determine the exact numbers.

The Chair opened the floor to public comment.

- Carl Wagner, Edgehill Rd – This is another of the 2019 density articles which were given extensive chance for the public to hear about. He said that the amendment is proposing to reduce the height buffers by three-quarters. People who live in single- or two-family homes that back up against these buildings are going to have enormous buildings as proposed by other articles – the MBTA Communities density overlay – much closer to them. He said that none of these amendments were open to the town prior to the Spring Town Meeting. We are seeing them for the first time. He asks that the Board vote no action on all these amendments, and push them to Spring Town Meeting and ask the Planning Director to give presentations where people can give proper input.
- Aram Hollman, 12 Whittemore St – He agrees with Mr. Wagner. He does not think that the Redevelopment Board should have this kind of discretion. It is highly technical and difficult to understand, and pictures would help. Delaying until Spring Town Meeting will allow time to put together visuals which clarify what

this is. If this passes, it will add to the popular perception that the Redevelopment Board is a body that is simply responsive to developers, but not to the citizens who pay for it.

- Chris Loretto, 56 Adams St – The way the bylaw language change is put in is way outside the scope of the article, which deals with rear yard setbacks. What’s proposed completely eviscerates the height buffer. The reference to not being detrimental based upon criteria established in Sections 3.3.3 and 3.3.4 is completely meaningless, because those Sections have nothing to do with the height of the building or with relevant criteria of things like solar access. If the Redevelopment Board wants to get rid of height buffers, they ought to put that before Town Meeting and be honest about it. But the Board already has the power on a case by case basis if they can find that the abutting properties are not adversely affected, so this amendment is unnecessary.

Board Discussion:

Mr. Benson clarified that in a few places in the Zoning Bylaw, buildings can be two different heights. If there are two different height options, the lower height option must be used if the building is within a certain number of feet from a residential district, unless the Redevelopment Board finds that it’s not detrimental. This amendment changes the wording and the heights involved.

The Board feels that this amendment is not ready and will not bring it to Town Meeting at this time.

ARTICLE F (tentatively scheduled, subject to change) ZONING BYLAW AMENDMENT/CORNER LOT REQUIREMENTS

To see if the Town will vote to amend Section 5.3.8 CORNER LOTS AND THROUGH LOTS to amend the requirement for corner lots in all Business Districts which requires the minimum street yard to be equal to the required front yard depth; or take any action related thereto.

Presentation of Article:

Mr. Benson explained the purpose of the amendment. In the current zoning bylaws, a building on a corner lot in the business district is subject to different setback requirements on the two street-facing sides. The amendment says that in a business district, buildings will be subject to the setbacks required in the business districts on both street-facing sides. The setback on the façade facing the side street will not be subject to the setbacks required of the neighboring lots on the side street in the residential district. This has come up numerous times, and the Board has had to waive the requirement that the side yard be subject to the setbacks required of neighboring residential lots, either because the building was already there, or because it didn’t make sense not to allow the development to go to the property line. The Board felt that it made sense to amend the bylaws to allow by right what the Board regularly allows by waiving the requirements.

Mr. Lau said that for corner lots, the bylaws consider both street-facing sides of the property to be front yards, and the two other sides to be side yards, with no rear yards. He asked if this amendment would change that. Mr. Benson said that it would not.

Mr. Revilak said that he is in favor of this amendment.

The Chair opened the floor to public comment.

- Elizabeth Carr-Jones, 1 Lehigh St – She asked about roadway visibility issues around corners that are built to the property line. She understands that the bylaws restricts anything being built such that it obstructs the roadway visibility. She asked if this amendment would effectively get rid of that bylaw.
- Chris Loretto, 56 Adams St – He finds this amendment unacceptable. It’s important for people to understand that residential properties abutting businesses could be faced with a large mixed-use development going up next to them that has zero front or side yard setbacks. The Mystic One development that the Redevelopment Board approved on Broadway isn’t very far along in its construction, but if it were farther along, people could see what sort of damage this type of change allows. He asked the Board why, if they

think they have the power to waive the requirement, they feel the need for a zoning change. He said that the Board does not really have that power, and they will soon not have a Town Counsel who thinks they have that power. He thinks that the Board should scrap this amendment because it is potentially very damaging to people who live in homes on lots next to Mass Ave or Broadway, and even homes that are interspersed with business lots on those roads as well.

- Matt Miller, 42 Columbia Rd – He asked what would happen in terms of snow removal. He also said that there are already buildings on Broadway that are a concern because you can't see around them when you're making a right turn. He would like the Board to consider the impact on traffic.
- **Radnakar Venkati**, 21 Adams St – He is in favor of this amendment. In 1970, this town had 17% more population than what it has today. Arlington has supported far more people, vehicles, and density than it has today, so we don't need to be concerned about traffic.

Board Discussion:

Mr. Revilak clarified that the requirements for corner lot visibility only apply in the residential districts, so this change will not affect those requirements. The Chair explained that the reason for that distinction is because of the narrower roads and sidewalks in the residential districts.

Mr. Revilak noted that in Section 5.3.16 of the bylaw, it says that during Environmental Design Review, the Redevelopment Board has the authority to make adjustments to yard setbacks. So this proposal codifies what the Board has been doing so that it's clearer to people.

Mr. Benson said that in many areas in Arlington, the older homes don't meet the current standards for setbacks. Even though the current residential setback requirement is 15 feet, many streets have mostly 10-foot setbacks. It doesn't make sense to requiring a new building on the corner of such a street and Mass Ave to implement the 15-foot setback required in the bylaw when most of the neighboring residential buildings don't have setbacks that large.

ARTICLE G (tentatively scheduled, subject to change)

ZONING BYLAW AMENDMENT / HEIGHT AND STORY MINIMUMS IN BUSINESS DISTRICTS

To see if the Town will vote to amend Section 5.5.2 DIMENSIONAL AND DENSITY REGULATIONS to add a requirement for a minimum height and number of stories in all Business Districts with exceptions; or take any action related thereto.

Presentation of Article:

Mr. Benson explained that the Board thinks it no longer makes sense to build one-story buildings on Mass Ave and Broadway, and this amendment requires new developments to have a minimum of two stories and 26 feet in height on those corridors. It does not apply to single-family residential buildings. The Board can waive or modify the requirement if it's not feasible; for example a new gas station would not be required to have two stories. Mr. Benson asked if the rest of the Board thought 26 feet was an appropriate height.

The Chair noted that Article I covers the some of the same issues.

Mr. Lau said that he thinks 26 feet is an appropriate height minimum.

The Chair said that 13 feet per floor is a standard that has been used in other sections of the bylaw, so 26 feet as a two-story minimum makes sense.

The Chair opened the floor to public comment.

- Elizabeth Carr-Jones, 1 Lehigh St – She noted that the Board has often talked about not wanting to restrict the flexibility of businesses and development opportunities in town. A business owner who wanted to open a greenhouse business would not be able to. She thinks this amendment would restrict some types of businesses that might want to open in Arlington.

- Carl Wagner, Edgehill Rd – The problem with these articles, and this one particularly, is that the business owners and business renters don't know that the Director of Planning and Community Development is doing this and the Board is forced to review it. This may be an okay proposal, but the Board is instituting a restriction on business owners, and the result will probably be that business properties will be sold and the town will lose more and more of its struggling businesses. The people of Arlington, the businesses and residents, deserve to have this discussed over a period of meetings, not in one rainy session, in a rush job before a Special Town Meeting. He asks the Board to push it to Spring Town Meeting and vote no comment.
- Aram Hollman, 12 Whittemore St, Town Meeting Member, Precinct 6 – Giving the Redevelopment Board this kind of discretion allows for the public perception that the Board can be swayed by developers and lawyers, but not ordinary residents. He urges the Board to vote no.

Board Discussion:

Mr. Benson addressed the issue of the restriction of flexibility. He says that the amendment allows the Board to waive or modify height and story requirements, so they would be able to allow a business like a greenhouse. He noted that zoning is always a balancing act between the question of the extent to which people can do what they want with their land and the extent to which we should have limits for the sake of the town and what we want the town to be. The Board has felt that having no height and story minimums in the business districts, allowing one-story buildings where there could have been more, was a mistake. This amendment is an opportunity to require new buildings to be at least two stories. This does not require current one-story buildings to be torn down or a second story to be built. They'll all be considered non-conforming and can continue to exist in their current state.

Mr. Revilak said that one of the motivations for this amendment is to encourage, as sites are redeveloped, higher value buildings that result in new growth and ideally would result in fewer overrides or smaller overrides. Minimum heights is something new for Arlington, but it is a small step in the right direction.

Mr. Lau echoes Mr. Revilak's comments.

**ARTICLE H (tentatively scheduled, subject to change)
ZONING BYLAW AMENDMENT / ADMINISTRATIVE CORRECTION**

To see if the Town will vote to amend the Zoning Bylaw to make the following administrative correction: Amend Section 5.9.2.C.(4), Accessory Dwelling Units Administration, to correct a reference it makes to a re-lettered subsection of Section 8.1.3; or take any action related thereto.

Presentation of Article:

Mr. Benson said that this amendment is an administrative correction. Last year Town Meeting deleted a paragraph from Section 8.1.3, and it re-lettered the other paragraphs accordingly. Section 5.9.2.C.(4) refers to 8.1.3.E, but it now should refer to Section 8.1.3.D. This amendment will make that correction.

The Chair opened the floor to public comment. No one in attendance wished to speak.

Board Discussion:

The Board had no further comments.

**ARTICLE I (tentatively scheduled, subject to change)
ZONING BYLAW AMENDMENT / RESIDENTIAL USES IN BUSINESS DISTRICTS**

To see if the Town will vote to amend the zoning bylaw to alter the use categories of a residential single family home, duplex, or two family home in any of the Business Districts; or take any action related thereto.

Presentation of Article:

Mr. Benson explained that in the current bylaw, single- and two-family homes are allowed to be built in the business districts by right. The Board thinks that it doesn't make sense to allow new small residential buildings in

the business districts. They would like the business districts to be for business, not for small one- and two-family homes. This amendment removes the right to build new one- and two-family homes in those districts. Existing homes in those districts do not need to be removed or altered.

Mr. Benson said the bylaws have a lot of tables for the business districts for heights, setbacks, and dimensions. He initially went through all of them and crossed out the words “single-family, two-family, and duplex.” But he then thought that those requirements should remain in the bylaw in order to apply to the existing one- and two-family homes, so he decided to change only the use tables. He thinks that the Board should discuss whether to leave the dimensional restrictions in for one- or two-family homes.

Mr. Lau and Mr. Revilak both said that they agree with Mr. Benson about leaving the wording about one- and two-family homes in the dimensional requirement tables.

The Chair opened the floor to public comment.

- Carl Wagner, Edgehill Rd – The public are not aware of what exactly this is. It sounds like it is not properly presented or researched. He is part-owner of a single-family home in the business district. The people of Arlington should know this amendment would prevent people from building a single- or two-family in the business district, but large developers would not be prevented from building mixed-use buildings. Changes like this may not be wrong, but the town is a democracy, and people deserve to have a debate and discussion about this, which is not being provided.
- Matt Miller, 42 Columbia Rd – He agrees with Mr. Wagner. There should be a reason for such a change in the regulation. There might be a good reason, but he hasn’t heard one. This could prevent potential future business owners from building a house. There are businesses that used to be private homes.
- Chris Loretto, Adams St – He would describe this article is ahistorical. Section 5.5.1 on Districts and Purposes is describing the zoning districts as they are, not how you would like them to be. So when it says the B1 district is predominantly one- or two-family houses that may be used as homes, offices, or a combination of the two, that’s because they were constructed as homes years ago. They sometimes change from one to the other. He doesn’t see a need to ban those homes and make them non-conforming. He would question how often new one- or two-family homes are built in the business districts. This would burden all the people who already own those homes. If there’s a business in one of those homes, that house could not be converted back to residential use by right. Single-family homes could not be converted to two-family homes by right. He asked if the Board notified all the property owners who own single- and two-family homes in the business districts about this change and the fact that their homes might become non-conforming. He also asked how many one- and two-family new homes have been constructed in the business districts in the past five years. He thinks that this article seems more driven by ideology than by history or by the way development is occurring in Arlington today.
- Aram Hollman, 12 Whittemore St, Town Meeting Member, Precinct 6 – He agrees with the previous commenters. He thinks this will incentivize owners of one- and two-family homes in the business districts, as their houses age, to build something much larger, which will be comparable to the ugly sardine can built between the high school and Stop and Shop which the Board approved. Those buildings that are now there were protected because the lots were relatively small. They cannot support the kind of sardine can model which the board has approved. There is no need for this article. People are perfectly capable of tearing these houses down and building larger edifices without the burden of being made non-conforming. He says that this article should not pass, and it should have considerably more public discussion and debate.

Board Discussion:

Mr. Benson clarified that Section 5.5.1 is Districts and Purposes. If the Board did not amend 5.5.1 to get rid of one- and two-family houses in that Section, they would be criticized for having left it as a purpose. This does not require or incentivize anyone to tear down a house. The small lots will still be unlikely to have mixed-use buildings built on them. All it does is say that we have enough one- and two-family houses, and we need more business properties. It will enable more growth in town to help with our tax base.

Mr. Revilak said that the Board wants to ensure that properties used as businesses continue to be used as businesses. As properties turn over and are redeveloped, they would like to encourage developments that are higher value and more tax-generating.

The Chair said that the place where a debate about whether or not to pass these articles is Town Meeting. Town Meeting is the body that votes and decides on these articles. That does not happen solely through the recommendation of the Redevelopment Board. There have been some pointed comments that these articles have been driven by the Director of the Department Planning and Community Development. These articles have been brought about through the discussion with the public and with the members of the Redevelopment Board in concert with the staff of DPCD. It has been a joint effort that supports Arlington's Master Plan and many of the other documents that Town Meeting has adopted through much public debate.

Mr. Revilak noted that many of these articles predate the current Director of DPCD.

**ARTICLE J (tentatively scheduled, subject to change)
ZONING BYLAW AMENDMENT / STREET TREES**

To see if the Town will vote to amend the zoning bylaw to require a street tree to be planted for every 25 feet of street frontage for all developments; or take any action related thereto.

Presentation of Article:

Mr. Benson said that a couple of years ago, Town Meeting adopted a zoning bylaw amendment requiring street trees in the business districts for redevelopment at least every 25 linear feet of lot frontage. This year, based on comments from Green Streets Arlington about the need for more street trees and tree canopy cover, particularly if MBTA Communities passes, this amendment proposes applying the current bylaw to residential districts as well as business districts. In addition, this amendment expands the bylaw to expand the authority to waive this requirement to the Zoning Board as well as the Redevelopment Board. For developments that are not in the jurisdiction of either Board, DPCD can make the decision. The criteria for the decision-making about when a tree is not required would not be changed; when there's no suitable location, the developer can make a payment to the Tree Fund instead.

Mr. Lau appreciated the addition of other options where it is not feasible to add more trees.

The Chair opened the floor to public comment.

- Elizabeth Carr-Jones, 1 Lehigh St – She would like to thank the Board for bringing this forward, because it's something that Green Streets Arlington put before DPCD, and they are glad to see this happen, especially with the MBTA Communities proposal.
- Kristin Anderson, 12 Upland Rd West – She is in full support of this amendment. Having trees, especially along Mass Ave, will make it far more walkable for people to get businesses and therefore encourage business use.
- Carl Wagner, Edgehill Rd – He thinks this amendment is laudable, but it should be pointed out that the proposed MBTA Communities overlay would get rid of all open space.

Board Discussion:

Mr. Benson clarified that the MBTA Communities draft proposal has a similar requirement. If the MBTA Communities proposal is passed, this amendment is needed, because the requirements in the MBTA Communities zone can't be stricter than the requirements of the underlying zoning. Adding this amendment will mesh the underlying zoning with the MBTA Communities overlay zoning, and together they will lead to more tree canopy over the decades.

Mr. Revilak said that he is usually concerned about adding requirements to new developments that weren't applicable to previous developments. In this case, he thinks that the long term benefits warrant adding this

requirement. As properties are redeveloped, including in residential neighborhoods, he hopes to see this help to build up the town's tree canopy over time.

The Chair closed the discussion of the Warrant Articles for Special Fall Town Meeting. On October 2, 2023, the Board will meet again to deliberate and vote on each of the articles heard this evening, as well as the MBTA Communities article. Anyone with additional comments may submit them in writing by sending them to any member of the Board or to Ms. Ricker before October 2.

The Chair moved to **Agenda Item 3 – Upcoming Meeting Schedule.**

The Chair said that the Board has discussed tentatively adding a meeting to the Board's schedule on Tuesday, October 10, 2023, in order to review and approve the Board's Report to Town Meeting, which needs to be prepared after the October 2 meeting.

Ms. Ricker said that the proposed October 10 meeting is out of the regular sequence of Board meetings, because Monday, October 9, is a holiday. She said that DPCD can be prepared for that meeting and be ready to present the Report to the Board for discussion. The Chair noted that the agenda and draft of the Report would need to be posted on Thursday, October 5.

The Chair asked for a motion to schedule a meeting of the Board on Tuesday, October 10, 2023. Mr. Lau so motioned, Mr. Benson seconded, and the Board voted and approved unanimously.

The Chair noted that the Board has a meeting scheduled on October 16, the night before Fall Town Meeting starts. Nothing is currently scheduled for that meeting's agenda. At the October 2 meeting, she would like to decide whether to cancel the October 16 meeting. A meeting is also tentatively scheduled for October 23. Town Meeting will also be held that evening, so the Board could meet at 7:00 pm before Town Meeting. The Board will decide later whether that meeting date is needed.

Mr. Revilak proposed an earlier start time for the October 2 meeting because they have a lot to discuss. Mr. Lau said that he would have a difficult time getting to the meeting at an earlier time, so the Board agreed to keep the regular 7:30 pm start time. The Chair said that she would work with the Director of DPCD to see if anything else needs to be on the agenda for that evening; they will make sure that the majority of the meeting will be devoted to deliberation and voting on the warrant articles.

The Chair said that a citizen zoning article also needs to be heard with prior public notice, and she is working with Town Counsel to determine whether that article can be heard on October 2, or if it will need to be heard at the October 10 meeting. If they cannot hear the article until after the report is written, the Board will present a preliminary Report to Town Meeting, and then later present an amended Report including the citizen article heard by the Board on October 16.

The Chair asked for a motion to adjourn. Mr. Lau so moved, and Mr. Revilak seconded. The board voted and approved unanimously.

Meeting **Adjourned** at 9:36 pm.



Town of Arlington, Massachusetts

Public Hearing: Warrant Articles for Fall 2023 Special Town Meeting

Summary:

7:35 pm

The ARB will deliberate and vote on the proposed zoning amendments.

ARTICLE 12

ZONING BYLAW AMENDMENT / MBTA COMMUNITIES OVERLAY DISTRICT

To see if the Town will vote to amend the Zoning Bylaw to approve an MBTA COMMUNITIES OVERLAY DISTRICT or DISTRICTS of reasonable size where multi-family housing may be constructed as of right per the terms of MGL Chapter 40A Section 3A; or take any action related thereto.

ARTICLE 3

ZONING BYLAW AMENDMENT / ADMINISTRATIVE CORRECTION

To see if the Town will vote to amend the Zoning Bylaw to make the following administrative correction: Amend Section 5.9.2.C.(4), Accessory Dwelling Units Administration, to correct a reference it makes to a re-lettered subsection of Section 8.1.3; or take any action related thereto.

ARTICLE 4

ZONING BYLAW AMENDMENT/ REDUCED HEIGHT BUFFER AREA

To see if the Town will vote to amend the zoning bylaw to update Section 5.3.19 to define a "finding" by the Arlington Redevelopment Board and the Board of Appeals regarding reduced height buffer areas.

ARTICLE 5

ZONING BYLAW AMENDMENT/ OPEN SPACE IN BUSINESS DISTRICTS

To see if the Town will vote to amend the Zoning Bylaw to update Section 2 DEFINITIONS, Section 5.3.21 SUPPLEMENTAL REQUIREMENTS IN THE BUSINESS AND INDUSTRIAL DISTRICTS, Section 5.3.22 GROSS FLOOR AREA, and Section 5.5.2 DIMENSIONAL AND DENSITY REQUIREMENTS to modify the requirements for landscaped and usable open space in the Business Zoning Districts; or take any action related thereto.

ARTICLE 6

ZONING BYLAW AMENDMENT/ REAR YARD SETBACKS IN BUSINESS DISTRICTS

To see if the Town will vote to amend the Zoning Bylaw to update Section 5.5.2. DIMENSIONAL AND DENSITY REQUIREMENTS to reduce the rear yard setback or to allow for a variable rear yard setback and establish the criteria for such requirements for any use in the Business Districts; or take any action related thereto.

ARTICLE 7

ZONING BYLAW AMENDMENT/ STEP BACK REQUIREMENTS IN BUSINESS DISTRICTS

To see if the Town will vote to amend the Zoning Bylaw to update Section 2 DEFINITIONS and Section 5 DISTRICT REGULATIONS to clarify and adjust the upper-story building step back to begin at a higher story, clarify the measurement shall be from the principal property line, specify the applicable façades of a building for which the step back is required, and allow for an exemption for smaller parcels for buildings subject to Environmental Design Review with certain exceptions; or take any action related thereto.

ARTICLE 8

ZONING BYLAW AMENDMENT / HEIGHT AND STORY MINIMUMS IN BUSINESS DISTRICTS

To see if the Town will vote to amend Section 5.5.2 DIMENSIONAL AND DENSITY REGULATIONS to add a requirement for a minimum height and number of stories in all Business Districts with exceptions; or take any action related thereto.

ARTICLE 9

ZONING BYLAW AMENDMENT/CORNER LOT REQUIREMENTS

To see if the Town will vote to amend Section 5.3.8 CORNER LOTS AND THROUGH LOTS to amend the requirement for corner lots in all Business Districts which requires the minimum street yard to be equal to the required front yard depth; or take any action related thereto.

ARTICLE 10

ZONING BYLAW AMENDMENT / STREET TREES

To see if the Town will vote to amend the zoning bylaw to require a street tree to be planted for every 25 feet of street frontage for all developments; or take any action related thereto.

ARTICLE 11

ZONING BYLAW AMENDMENT / RESIDENTIAL USES IN BUSINESS DISTRICTS

To see if the Town will vote to amend the zoning bylaw to alter the use categories of a residential single-family home, duplex, or two-family home in any of the Business Districts; or take any action related thereto.

ATTACHMENTS:

	Type	File Name	Description
▢	Reference Material	20230926_MBTA_Communities_zoning_article.pdf	20230926 MBTA Communities zoning article
▢	Reference Material	20230925_2023_Fall_TM_zoning_amendments_-_RENUMBERED.pdf	20230925 2023 Fall TM zoning amendments

MBTA COMMUNITIES OVERLAY DISTRICT

WARRANT ARTICLE

ARTICLE 12

ZONING BYLAW AMENDMENT/MBTA COMMUNITIES OVERLAY DISTRICT

To see if the Town will vote to amend the Zoning Bylaw to adopt an MBTA COMMUNITIES OVERLAY DISTRICT or DISTRICTS of reasonable size where multi-family housing may be constructed as of right per the terms of MGL Chapter 40A Section 3A.; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

DRAFT AMENDMENTS

Proposed additions are underlined. Proposed deletions are in ~~strikeout~~.

Section 2: Definitions

Add the following definition:

As of Right Development: A development that may proceed under this Bylaw without the need for a special permit, variance, zoning amendment, waiver, or other discretionary zoning approval. It may, however, be subject to site plan review.

Add the following definition to the Definitions Associated with Dwelling:

Multi-family Housing: A building with three or more residential dwelling units or two or more buildings on the same lot with more than one residential dwelling unit in each building, excluding Accessory Dwelling Units.

Add the following definition:

Overlay District: A zoning district that is applied over one or more previously established zoning districts. An Overlay District may establish additional or alternative requirements for properties in the Overlay District that are different than the requirements in the underlying zoning district.

Add the following definition:

Site Plan Review: A process established by this Bylaw by which the Arlington Redevelopment Board reviews and potentially imposes conditions on an As of Right Development that may include, but not be limited to, matters such as vehicle access and circulation on a site, architectural design of a building, and screening of adjacent properties, prior to the issuance of a building permit.

Section 5: District Regulations

Renumber Section 5.9 as Section 5.10 and add a new Section 5.9 as follows:

Section 5.9 Multi-Family Housing Overlay Districts Established Under Massachusetts General Laws Chapter 40, Section 3A

5.9.1. Multi-Family Housing Overlay Districts

- A. The Multi-Family Housing Overlay Districts consist of two districts: the Massachusetts Avenue/Broadway Multi-Family (MBMF) Overlay District and the Neighborhood Multi-Family (NMF) Overlay District.
- B. The MBMF and NMF Overlay Districts do not replace existing underlying zoning districts but are superimposed over them. The provisions of Section 5.9 of this Bylaw apply to developments on parcels located within the MBMF and NMF Overlay Districts when the property owner has elected to comply with the requirements of the MBMF Overlay or NMF Overlay District, as applicable, rather than comply with those of the existing underlying zoning district. In other words, a development may comply with either the existing underlying zoning or the zoning within the applicable Overlay District, but not both on the same parcel or parcels.
- C. If a proposed development is located on a parcel or parcels within both the MBMF and the NMF Overlay Districts, the provisions of the MBMF District shall apply. If a proposed development is located on a parcel or parcels only partially within the MBMF or MNF Overlay Districts, the provisions of the existing underlying zoning shall apply and not of the Overlay Districts.

5.9.2. Purposes

The purposes of the Multi-Family Housing Overlay Districts are:

- A. To respond to the local and regional need for housing by enabling development of a variety of housing types,
- B. To promote multi-family housing near retail services, offices, civic, and personal service uses,
- C. To reduce dependency on automobiles by providing opportunities for upper-story and multi-family housing near public transportation,
- D. To ensure pedestrian-friendly development by permitting higher density housing in areas that are walkable to public transportation, shopping, and local services,
- E. To respond to the local and regional need for affordable housing by allowing for a variety of housing types with affordable housing requirements,
- F. To encourage economic investment in the redevelopment of properties,
- G. To encourage residential uses to provide a customer base for local businesses, and
- H. To ensure compliance with MGL c. 40A § 3A.

5.9.3 Site Plan Review

Development under Section 5.9 of this Bylaw requires Site Plan Review by the Arlington Redevelopment Board (ARB). The ARB shall provide site plan review for projects using the Environmental Design Review standards set forth in Section 3.4.4. of this Bylaw, the Residential Design Guidelines, and other Guidelines that may be adopted. Site plan review may include, but not be limited to, site layout, including lighting, landscaping and buffers, architectural style, outdoor amenities, and open spaces. All site plan reviews applicable to developments under this section shall be consistent with the purposes of this section and MGL c.40A § 3A, and any Compliance Guidelines issued thereunder, as amended.

5.9.4. Development Standards

- A. Development meeting the requirements of Section 5.9 of this Bylaw is As of Right Development.
- B. Development under Section 5.9 of this Bylaw shall be only Multi-family Housing except for the mixed-use bonus option in Section 5.9.4.E.(1) of this Bylaw.
- C. Accessory uses for residential uses are permitted to the same extent they would be permitted in the underlying district.
- D. Dimensional controls. The dimensional requirements of this Bylaw are modified as follows for developments under Section 5.9 of this Bylaw:
 - 1) Section 5.3.1 Lot Area Per Dwelling Unit does not apply.
 - 2) Section 5.3.3 Spacing of Residential and Other Buildings on One Lot does not apply.
 - 3) Section 5.3.8 Corner Lots and Through Lots does not apply.
 - 4) Section 5.3.11 Dimensional Requirements for Courts does not apply.
 - 5) Section 5.3.12(A) Traffic Visibility Across Street Corners does not apply in the MBMF district.
 - 6) Section 5.3.14 Townhouse Structures does not apply.
 - 7) Section 5.3.1.7 Upper-Story Building Step Backs are required on all street frontages. Step Backs shall be 7.5' from the property line, starting on the fifth floor.
 - 8) Section 5.3.19 Height Buffer Area shall not apply.
 - 9) There are no requirements for minimum lot size, lot area per dwelling unit, lot frontage, landscaped or usable open space, Floor Area Ratio, or lot coverage.
 - 10) The minimum required front setback is 15 feet, except that in the MBMF district where the ground floor façade facing the public way is occupied by nonresidential uses, no front setback is required. Minimum required front setback areas shall be available for uses such as trees, landscaping, benches, tables, chairs, play areas, public art, or similar features. Parking spaces are not permitted in the minimum required front setback.
 - 11) § 5.3.10, Average Setback Exception to Minimum Front Yard: All R Districts, shall be applied in the NMF District.

12) Except as noted below, in *Section E. Bonuses*, the dimensional regulations are as follows:

District	MBMF – Mass. Ave	MBMF – Broadway	NMF
Max. Height in Stories	<u>4</u>	<u>4</u>	<u>4</u>
Max. Height in Feet	<u>52'</u>	<u>52'</u>	<u>46'</u>
Front Setback	<u>15'</u>	<u>15'</u>	<u>15'</u>
Side Setback	<u>5'</u>	<u>5'</u>	<u>10'</u>
Rear Setback	<u>20'</u>	<u>20'</u>	<u>20'</u>

E. Bonuses

- 1) In the MBMF District, for properties abutting Massachusetts Avenue, where the ground floor at street level is at least 60% occupied by business uses, and the frontage is at least 80% occupied by business uses, the maximum height is 6 stories and 78 feet, and the front yard setback requirement is reduced to 0 feet. In the MBMF District, for properties abutting Broadway, where the ground floor at street level is at least 60% occupied by business uses, and the frontage is at least 80% occupied by business uses, the maximum height is 5 stories and 65 feet, and the front yard setback requirement is reduced to 0 feet.
- 2) In the MBMF District, one additional story may be added if the total percentage of affordable units exceeds the requirements in Section 8.2.3 Requirements for a total of at least 22.5% of all units. In the MBMF District for properties facing Massachusetts Avenue, a second additional may be added if the total percentage of affordable units exceeds the requirements in Section 8.2.3 Requirements for a total of at least 25% of all units.
- 3) In the MBMF District, one additional story is allowed for projects that are SITES certifiable, which encourages high quality design, construction and maintenance of outdoor spaces.
- 4) The height with all bonuses shall not exceed 6 stories, 78 feet in the MBMF District on Massachusetts Avenue, 5 stories, 65 feet in the MBMF District on Broadway, and 4 stories, 46 feet in the NMF District.

F. Off-Street Parking and Bicycle Parking

- 1) The minimum parking requirement for dwelling and rooming units is 0 parking spaces per unit, and the maximum parking allowed is one parking space per dwelling or rooming unit. For business uses, no off-street parking is required for the non-residential space.
- 2) Up to 50% of parking spaces may be sized for compact cars (as described in Section 6.1.11. Parking and Loading Space Standards)
- 3) Bicycle parking requirements as set forth in Section 6.1.12 shall apply.
- 4) Developments under this section may provide fewer parking spaces under the provisions of Section 6.1.5 Parking Reduction in Business, Industrial, and Multi-Family Residential Zones.
- 5) All other parking provisions in Section 6.1 OFF STREET PARKING shall apply.

G. Affordable Housing

Section 8.2 Affordable Housing Requirements of this Bylaw shall apply to any development under Section 5.9 of this Bylaw containing six or more dwelling units. Until the Massachusetts Executive Office of Housing and Livable Communities (EOHLC) approves using the requirements of Section 8.2 for housing built under Section 5.9 of this Bylaw, the affordability requirements are that ten percent of the dwelling units shall be affordable, and the cap on the income of families or individuals who are eligible to occupy the affordable units is not less than 80 percent of area median income or such other guideline as EOHLC shall issue.

Need to include the proposed overlay zoning map and parcels list here.



TOWN OF ARLINGTON
DEPARTMENT OF PLANNING and
COMMUNITY DEVELOPMENT

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

MEMORANDUM

To: Arlington Redevelopment Board
From: Claire V. Ricker, AICP Director of Planning and Community Development
Date: September 14, 2023; Revised September 25, 2023
RE: ARB Draft Amendments for Fall 2023 Special Town Meeting

The ARB has proposed a number of adjustments in the Business Districts to encourage economic development by limiting or eliminating barriers to redevelopment, and by requiring new development to meet certain minimum requirements. The following warrant articles and draft amendments are proposed for the Fall 2023 Special Town Meeting. For discussion purposes, the proposed warrant articles are listed in this table:

Article	Zoning Bylaw Amendment	Page
Article 3	Administrative Correction	2
Article 4	Reduced Height Buffer Area	3
Article 5	Open Space in Business Districts	4
Article 6	Rear Yard Setbacks in Business Districts	8
Article 7	Step Back Requirements in Business Districts	10
Article 8	Height and Story Minimums in Business Districts	11
Article 9	Corner Lot Requirements	12
Article 10	Street Trees	13
Article 11	Residential Uses in Business Districts	15

(Proposed additions are underlined. Proposed deletions are in ~~strikeout~~.)

ADMINISTRATIVE CORRECTION

WARRANT ARTICLE

ARTICLE 3 ZONING BYLAW AMENDMENT / ADMINISTRATIVE CORRECTION

To see if the Town will vote to amend the Zoning Bylaw to make the following administrative correction:
Amend Section 5.9.2.C.(4), Accessory Dwelling Units Administration, to correct a reference it makes to a re-lettered subsection of Section 8.1.3; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

DRAFT AMENDMENT

Amend Section 5.9.2.C.(4) as follows:

(4) In the event of any conflict or inconsistency between the provisions of this Section 5.9.2 or Section ~~8.1.3.E~~, 8.1.3.D, on the one hand, and any other provisions of this Bylaw, the provisions of this Section 5.9.2 and Section ~~8.1.3.E~~ 8.1.3.D shall govern and control.

REDUCED HEIGHT BUFFER AREA

WARRANT ARTICLE

ARTICLE 4 ZONING BYLAW AMENDMENT/REDUCED HEIGHT BUFFER AREA

To see if the Town will vote to amend the zoning bylaw to update Section 5.3.19 to define a “finding” by the Arlington Redevelopment Board and the Board of Appeals regarding reduced height buffer areas; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

DRAFT AMENDMENT

Section 5.3.19: Reduced Height Buffer Area

- A. When two different maximum height limits are specified for the same zoning district in any Table of Dimensional and Density Regulations in this Section 5, the lower limit shall apply to any lot or part of a lot located in a height buffer area unless a finding of the Board of Appeals or the Arlington Redevelopment Board, as applicable, determines that the location, based on site-specific factors, or if the Applicant demonstrates to the satisfaction of the Board of Appeals or the Arlington Redevelopment Board, as applicable, that proximity to it is determined as a specific finding of a special permit that the properties in the adjacent R0, R1, R2, or OS district would not be adversely affected due to existing use or topographic condition will not be detrimental based upon criteria established in Section 3.3.3 and Section 3.3.4. A height buffer area is defined as a lot or part of a lot which is located at a lesser distance from any land, not within a public way, in an R0, R1, R2 or OS district than the following:

Land in R0, R1, R2, OS is located	Lower height shall apply
Between northwest and northeast	Within 200 <u>50</u> feet
Easterly, between northeast and southeast, or westerly between northwest and southwest	Within 450 <u>35</u> feet
Southerly, between southeast and southwest	Within 400 <u>25</u> feet

OPEN SPACE IN BUSINESS DISTRICTS

WARRANT ARTICLE

ARTICLE 5 ZONING BYLAW AMENDMENT/ OPEN SPACE IN BUSINESS DISTRICTS

To see if the Town will vote to amend the Zoning Bylaw to update Section 2 DEFINITIONS, Section 5.3.21 SUPPLEMENTAL REQUIREMENTS IN THE BUSINESS AND INDUSTRIAL DISTRICTS, Section 5.3.22 GROSS FLOOR AREA, and Section 5.5.2 DIMENSIONAL AND DENSITY REQUIREMENTS to modify the requirements for landscaped and usable open space in the Business Zoning Districts; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

DRAFT AMENDMENT

Section 2: Definitions

Open Space, Landscaped: Open space designed and developed for pleasant appearances in trees, shrubs, ground covers and grass, including other landscaped elements such as natural features of the site, walks and terraces, and also including open areas accessible to and developed for the use of the occupants of the building located upon a roof not more than 10 feet above the level of the lowest story used for dwelling purposes – except in the Business Districts where open space areas accessible to and developed for the use of occupants of the building may be located upon a roof, balcony, or balconies at any level of the building. Refer to Section 5.3.22.C. for how to calculate landscaped open space.

Open Space, Usable: 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. Such space may include open area accessible to and developed for the use of the occupants of the building and located upon a roof not more than 10 feet above the level of the lowest story used for dwelling purposes – except in the Business Districts where open space areas accessible to and developed for the use of occupants of the building may be located upon a roof, balcony, or balconies at any level of the building. Open space shall be deemed usable only if at least 75% of the area has a grade of less than 8% and no horizontal dimension is less than 25 feet. For newly constructed single-, two-family, and duplex dwellings with surface parking, no horizontal dimension shall be less than 20 feet. Refer to Section 5.3.22.C for how to calculate usable open space.

Section 5.3.21: Supplemental Requirements in the Business and Industrial Districts (paragraph d)

A. Screening and Buffers: Industrial and Business Districts and Parking Lots

- (1) Screening and space buffers shall be required in any Industrial (I) or Business (B) district that abuts certain buildable residential lots. The minimum width of the buffer shall be as follows:

I or B District	Abutting R District	Minimum Buffer
I, B5	R0 through R5	25 ft.
B3, B2A, B4	R0 through R5	15 ft.
I	R6 through R7	10 ft.
B1, B2	R0 through R5	10 ft.

The strip shall contain a screen of plantings of vertical habit not less than three feet in width and six feet in height at the time of occupancy of such lot. Individual shrubs or

trees shall be planted not more than 20 feet on center, and shall thereafter be maintained by the owner or occupants to maintain a dense screen year-round. At least 50% of the plantings shall consist of evergreens and they shall be evenly spaced. A solid wall or solid wooden fence, five to six feet in height, complemented by suitable plantings, may be substituted for one-half the required width of such landscaped buffer strip; however, provisions of this section shall not supersede the minimum setbacks for parking lots per Section 6.1 nor the minimum yard requirements of Sections 5.5 and 5.6. No screen shall be closer than 10 feet to a public or private way. Where deemed appropriate by the property owner and immediate abutters, and as approved by the building inspector, another wall or fence height or fence type, including but not limited to coated chain link or "wrought iron" types may be substituted for the required wall or fence. See Section 5.3.7 for screening and buffer requirements for Business districts, Industrial districts, and parking lots.

- (2) For any area used for the parking of more than five vehicles, the screening provisions of Section 6.1, Off-Street Parking, shall apply.
- B. Accessory Structures. Accessory structures must comply with the minimum yard, maximum height, and minimum open space requirements of the district in which they are located.
- C. Upper-Story Setbacks. In any district where the maximum building height exceeds three stories, upper-story building setbacks shall be required. See Section 5.3.17 for Upper Story Step Back requirements.
- D. ~~For mixed uses and any permitted residential use not specifically identified in the tables in Section 5.5.2(A), the minimum open space requirements (computed from the residential floor area only) shall be 10% landscaped and 20% usable in the B1, B2, B2A, B3, and B4 districts, and 15 percent usable in the B5 district.~~

Section 5.3.22: Gross Floor Area

- A. For the purposes of this bylaw, the following areas of buildings are to be included in the calculation of Gross Floor Area:
 - (1) Elevator shafts and stairwells on each floor;
 - (2) Attic areas with headroom, measured from subfloor to the bottom of the roof structure, of seven feet, except as excluded in (4) below;
 - (3) Interior mezzanines;
 - (4) Penthouses;
 - (5) Basement areas except as excluded in (2) below;
 - (6) Cellars in residential uses;
 - (7) All-weather habitable porches and balconies; and
 - (8) Parking garages except as excluded in (1) below.
- B. For the purposes of this bylaw, the following areas of buildings are to be excluded from the calculation of Gross Floor Area:
 - (1) Areas used for accessory parking, or off-street loading purposes;
 - (2) Basement areas devoted exclusively to mechanical uses accessory to the operation of the building;
 - (3) Open or lattice enclosed exterior fire escapes;

- (4) Attic and other areas used for elevator machinery or mechanical equipment accessory to the operation of the building; and
 - (5) Unenclosed porches, balconies, and decks.
- C. For the purposes of this bylaw, the district dimensional requirements for Usable Open Space and Landscaped Open Space in all districts except the Business Districts are calculated based on Gross Floor Area. For calculating Usable Open Space and Landscaped Open Space in the Business Districts, see the note at the end of the B District Open Space and Lot Coverage table in Section 5.5.2.A., Tables of Dimensional and Density Regulations, in this Bylaw.

Section 5.5.2: Dimensional and Density Regulations

A. Tables of Dimensional and Density Regulations

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% 15%	Sec. 5.3.21 -----	-----
Any other permitted use	10% 15%	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.	----- 15%	Sec. 5.3.21 -----	-----
Mixed-use >20,000 sq. ft.	40% 15%		-----
Any other permitted use	20% 40% 15%	Sec. 5.3.21 -----	-----
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.	----- 15%	Sec. 5.3.21 -----	-----
Mixed-use >20,000 sq. ft.	40% 15%		-----
Any other permitted use	20% 15%	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.	----- 15%	Sec. 5.3.21 -----	-----
Mixed-use >20,000 sq. ft.	40% 15%		-----
Any other permitted use		Sec. 5.3.21 -----	-----

B5	Minimum/Maximum Requirement		
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.	----- 15%	Sec. 5.3.21 -----	-----
Mixed-use > 20,000 sq. ft.	10% 15%		
Any other permitted use	10% 15%	(20% for residential use)	-----
On a lot >= 40,000 sq. ft.	10% 15%	Sec. 5.3.21	-----
On a lot >= 80,000 sq. ft.	10% 15%	Sec. 5.3.21	-----

Note: In the Business Districts, the district dimensional requirements for Landscaped Open Space and Usable Open Space and are calculated based on the lot area.

REAR YARD SETBACKS IN BUSINESS DISTRICTS

WARRANT ARTICLE

ARTICLE 6 ZONING BYLAW AMENDMENT/ REAR YARD SETBACKS IN BUSINESS DISTRICTS

To see if the Town will vote to amend the Zoning Bylaw to update Section 5.5.2. DIMENSIONAL AND DENSITY REQUIREMENTS to reduce the rear yard setback or to allow for a variable rear yard setback and establish the criteria for such requirements for any use in the Business Districts; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

DRAFT AMENDMENT

Section 5.5.2: Dimensional and Density Regulations

A. Tables of Dimensional and Density Regulations

B District Yard and Open Space Requirements

District Use	Minimum Requirement		
	Front Yard (ft.)	Side Yard (ft.)	Rear Yard (ft.)
B1			
Single-family detached dwelling, two-family dwelling, duplex dwelling, three-family dwelling	20	10	20
Mixed-use	20	10	20 *
Any other permitted use	20	10	20 *
B2			
Single-family detached dwelling, two-family dwelling, duplex dwelling, three-family dwelling	20	10	20
Townhouse or apartment building	20	10	20 *
Mixed-use <=20,000 sq. ft.			10+(L/10) *
Mixed-use >20,000 sq. ft.	0	0	10+(L/10) *
Any other permitted use	-----	-----	10+(L/10) *
B2A			
Single-family detached dwelling, two-family dwelling, duplex dwelling, three-family dwelling	20	10	20
Apartments on street w/ ROW <=50 ft.	15	10+(L/10)	30 *
Apartments on street w/ ROW >50 ft.	15+(H/10)	(H+L)/6	
Mixed-use <=20,000 sq. ft.	0	0	10+(L/10) *
Mixed-use >20,000 sq. ft.	0	0	10+(L/10) *
Any other permitted use	-----	-----	10+(L/10) *
B3			
Single-family detached dwelling, two-family dwelling, duplex dwelling, three-family dwelling	20	10	20
Townhouse or apartment building	15+(H/10)	(H+L)/6	(H=L)/6 *
Mixed-use <=20,000 sq. ft.	0	0	(H=L)/6 *
Mixed-use >20,000 sq. ft.	0	0	(H=L)/6 *
Any other permitted use <20,000 sq. ft.			(H=L)/6 *
Any other permitted use >20,000 sq. ft.	-----	-----	(H=L)/6 *

District Use	Minimum Requirement		
	Front Yard (ft.)	Side Yard (ft.)	Rear Yard (ft.)
B4			
Single-family detached dwelling, two-family dwelling, duplex dwelling, three-family dwelling	20	10	20
Apartments on street w/ ROW ≤50 ft.	15	10+(L/10)	30 *
Apartments on street w/ ROW >50 ft.	15+(H/10)	(H+L)/6	(H-L)/6 (at least 30 ft.) *
Mixed-use ≤20,000 sq. ft.	0	0	10+(L/10) *
Mixed-use >20,000 sq. ft.	0	0	10+(L/10) *
Any other permitted use	-----	-----	10+(L/10) *
B5			
Single-family detached dwelling, two-family dwelling, duplex dwelling, three-family dwelling	20	10	20
Townhouse or apartment building	15+(H/10)	(H+L)/6 (at least 20 ft.)	(H+L)/6 (at least 20 ft.) *
Mixed-use ≤20,000 sq. ft.	0	0	10+(L/10) *
Mixed-use >20,000 sq. ft.	0	0	10+(L/10) *
Any other permitted use			(H-L)/6 *
On a lot ≥40,000 sq. ft.	-----	-----	(H-L)/6 *
On a lot ≥80,000 sq. ft.	-----	-----	(H-L)/6 *

Note: L is the length of a wall parallel (or within 45 degrees of parallel) to lot line, measured parallel to lot line, subject to the provisions of Section 5.3.15 for buildings of uneven alignment or height. H is the height of that part of the building for which the setback or yard is to be calculated.

* 0 feet when abutting an alley or rear right-of-way of at least 10 feet of width

* 10 feet when abutting a non-residential district

* 20 feet for three or fewer stories when abutting a residential district

* 30 feet for four and more stories when abutting a residential district

* If the rear yard abuts both a residential and non-residential district, the minimum requirement for the residential district shall apply.

STEP BACK REQUIREMENTS IN BUSINESS DISTRICTS

WARRANT ARTICLE

ARTICLE 7 ZONING BYLAW AMENDMENT/ STEP BACK REQUIREMENTS IN BUSINESS DISTRICTS

To see if the Town will vote to amend the Zoning Bylaw to update Section 2 DEFINITIONS and Section 5 DISTRICT REGULATIONS to clarify and adjust the upper-story building step back to begin at a higher story, clarify the measurement shall be from the principal property line, specify the applicable façades of a building for which the step back is required, and allow for an exemption for smaller parcels for buildings subject to Environmental Design Review with certain exceptions; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

DRAFT AMENDMENT

Amend Section 2, Definitions, as follows:

Building Step Back: ~~An upper~~ Upper story building setback provided along ~~all building elevations the entire principal façade of a building with street frontage, excluding alleys.~~

Amend Section 5.3.17, Upper-Story Building Step Backs, as follows:

For buildings in excess of three (3) stories in height, ~~an additional~~ a seven and one-half (7.5) foot step back (upper story building setback) shall be provided beginning at the fourth (4th) story on the entire principal façade of the building. For a building with street frontage on Massachusetts Avenue or Broadway, the principal façade and principal property line are presumed to be facing Massachusetts Avenue or Broadway, respectively, unless the Arlington Redevelopment Board determines otherwise. ~~The upper story step back shall be provided along all building elevations with street frontage, excluding alleys. This requirement~~ Step back requirements shall not apply to buildings in the Industrial District.

The upper-story step back shall be measured from the principal property line for the building and may be on the fourth story or may be a combination of various story setbacks so that the fourth story is setback the required amount from the principal property line.

Amend Sections 5.3.21.C., D., and E, Supplemental Requirements in the Business and Industrial Districts, as follows:

~~C. Upper Story Setbacks. In any district where the maximum building height exceeds three stories, upper-story building setbacks shall be required. See 5.3.17 for Upper Story Step Back requirements.~~

~~D. C.~~ For mixed uses and any permitted residential use not specifically identified in the tables in Section 5.5.2(A), the minimum open space requirements (computed from the residential floor area only) shall be 10% landscaped and 20% usable in the B1, B2, B2A, B3, and B4 districts, and 15 percent usable in the B5 district.

~~E. D.~~ Minimum side and rear yards in Industrial Districts and minimum front, side, and rear yard are not required when abutting railroad track or railroad right-of-way if railroad is utilized for loading or unloading.

HEIGHT AND STORY MINIMUMS IN BUSINESS DISTRICTS

WARRANT ARTICLE

ARTICLE 8 ZONING BYLAW AMENDMENT/ HEIGHT AND STORY MINIMUMS IN BUSINESS DISTRICTS

To see if the Town will vote to amend Section 5.5.2 DIMENSIONAL AND DENSITY REGULATIONS to add a requirement for a minimum height and number of stories in all Business Districts with exceptions; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

DRAFT AMENDMENT

Amend Section 5.5.2 by adding Section 5.5.2.C. Minimum Height and Story Requirements for the Business Districts

C. Minimum Height and Story Requirements for the Business Districts

In the Business Districts, buildings shall be a minimum of two stories and twenty-six feet in height. Both stories shall be usable. The requirement shall not apply to single family residential buildings. The Arlington Redevelopment Board may waive or modify the minimum height and story requirement if it finds that the requirement is infeasible for the property or project.

CORNER LOT REQUIREMENTS

WARRANT ARTICLE

ARTICLE 9

ZONING BYLAW AMENDMENT/CORNER LOT REQUIREMENTS

To see if the Town will vote to amend Section 5.3.8 CORNER LOTS AND THROUGH LOTS to amend the requirement for corner lots in all Business Districts which requires the minimum street yard to be equal to the required front yard depth; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

DRAFT AMENDMENT

Section 5.3.8: Corner Lots and Through Lots

Amend Section 5.3.8.A. as follows:

- A. A corner lot shall have minimum street yards with depths which shall be the same as the required front yard depths for the adjoining lots, except in the Business Districts a corner lot shall have the minimum street yards with depth for its front and side yard as required by the front and side yard setback requirements, as applicable, for the district in which it is located.

STREET TREES

WARRANT ARTICLE

ARTICLE 10

ZONING BYLAW AMENDMENT / STREET TREES

To see if the Town will vote to amend the zoning bylaw to require a street tree to be planted for every 25 feet of street frontage for all developments; or take any action related thereto.

(Inserted at the Request of the Redevelopment Board)

DRAFT AMENDMENT

Amend Sections 6.3.2, 6.3.3, and 6.3.4 as follows:

6.3.2. Applicability

In the Business and Residential Districts, new construction, additions over 50% of the existing footprint, or redevelopment subject to review by the Arlington Redevelopment Board or Zoning Board of Appeals shall provide one public shade tree every 25 linear feet of lot frontage along the public way where there is not already a public shade tree.

6.3.3. Administration

A. This Section 6.3 shall be administered subject to Sections 3.3, Special Permits, ~~and~~ 3.4, Environmental Design Review, and Section 9.x by the Arlington Redevelopment Board. It shall be administered by the Zoning Board of Appeal for projects under its review. It shall be administered by the Department of Planning and Community Development if the project is not subject to review by the Arlington Redevelopment Board or Zoning Board of Appeals.

B. ~~After the effective date of this Bylaw,~~ Public shade trees shall be provided for any applicable use above ~~and subject to Section 3.4, Environmental Design Review,~~ and in accordance with the Standards established in this Section 6.3.

6.3.4. Standards

A. Street trees shall be planted within existing and proposed planting strips, and in sidewalk tree wells on streets without planting strips.

B. Trees shall be selected from the approved tree list set forth by the Tree Committee and approved by the Tree Warden.

C. When planted, trees must be a minimum height of ten (10) feet or two (2) inches in caliper.

D. All new trees shall be maintained in accordance with American Standard for Nursery Stock standards for a period of no less than 36 months from the date of planting, or other standards the Arlington Redevelopment Board may designate. Properties in which there are preexisting public shade trees at the required spacing along the public way are exempt.

E. Where there is no other suitable location within the public way, shade trees may be proposed in locations within the lot, or in exceptional circumstances the Arlington Redevelopment Board or Zoning Board of Appeals, as applicable, may allow the owner to make a financial contribution to the Arlington

Tree Fund. The Department of Planning and Community Development may make such allowance for projects not subject to review by the Arlington Redevelopment Board or Zoning Board of Appeals.

The Arlington Redevelopment Board or Zoning Board of Appeals, as applicable, may grant an increase in spacing between plantings where a new planting would conflict with existing trees, retaining walls, utilities, and similar physical barriers, or other curbside uses. The Department of Planning and Community Development may grant such increase for projects not subject to review by the Arlington Redevelopment Board or Zoning Board of Appeals.

RESIDENTIAL USES IN BUSINESS DISTRICTS

WARRANT ARTICLE

ARTICLE 11 ZONING BYLAW AMENDMENT / RESIDENTIAL USES IN BUSINESS DISTRICTS

To see if the Town will vote to amend the zoning bylaw to alter the use categories of a residential single-family home, duplex, or two family home in any of the Business Districts; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

DRAFT AMENDMENT

Amend Sections 5.5.1. and 5.5.3. as follows:

Section 5.5.1. Districts and Purposes

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

Section 5.5.3. Use Regulations for Business Districts

	B1	B2	B2A	B3	B4	B5
Class of Use						
Residential						
Single-family detached dwelling	¥	¥	¥	¥	¥	¥
Two-family dwelling, duplex dwelling	¥	¥	¥	¥	¥	¥



Town of Arlington, Massachusetts

Correspondence

ATTACHMENTS:

Type	File Name	Description
Reference Material	Correspondence_Barry_09182023.pdf	Correspondence - Barry - 09182023
Reference Material	Correspondence_Block__Pockrose_10022023.pdf	Correspondence - Block & Pockrose - 10022023
Reference Material	Correspondence_Boeninger_10022023.pdf	Correspondence - Boeninger - 10022023
Reference Material	Correspondence_Brodman_10022023.pdf	Correspondence - Brodman - 10022023
Reference Material	Correspondence_Cahill_10022023.pdf	Correspondence - Cahill - 10022023
Reference Material	Correspondence_Ch_ng_09202023.pdf	Correspondence - Ch'ng - 09202023
Reference Material	Correspondence_Ellinger_10022023.pdf	Correspondence - Ellinger - 10022023
Reference Material	Correspondence_Fiore_10022023.pdf	Correspondence - Fiore - 10022023
Reference Material	Correspondence_Forney_10022023.pdf	Correspondence - Forney - 10022023
Reference Material	Correspondence_Fudala_10022023.pdf	Correspondence - Fudala - 10022023
Reference Material	Correspondence_Goldstein_09262023.pdf	Correspondence - Goldstein - 09262023
Reference Material	Correspondence_Gutchess_10022023.pdf	Correspondence - Gutchess - 10022023
Reference Material	Correspondence_Heigham_09282023.pdf	Correspondence - Heigham - 09282023
Reference Material	Correspondence_Heraty_10022023.pdf	Correspondence - Heraty - 10022023
Reference Material	Correspondence_Hota_09212023.pdf	Correspondence - Hota - 09212023
Reference Material	Correspondence_Jones_09181023.pdf	Correspondence - Jones - 09181023
Reference Material	Correspondence_Lau_10022023.pdf	Correspondence - Lau - 10022023
Reference Material	Correspondence_Litowski_10012023.pdf	Correspondence - Litowski - 10012023
Reference Material	Correspondence_Marchesini_10022023.pdf	Correspondence - Marchesini - 10022023
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▢ Reference Material	Correspondence_Nathan_10012023.pdf	Correspondence - Nathan - 10012023
▢ Reference Material	Correspondence_Peterson_10022023.pdf	Correspondence - Peterson - 10022023
▢ Reference Material	Correspondence_Pyle_09302023.pdf	Correspondence - Pyle - 09302023
▢ Reference Material	Correspondence_Rapetov_09242023.pdf	Correspondence - Rapetov - 09242023
▢ Reference Material	Correspondence_Revilak_09292023.pdf	Correspondence - Revilak - 09292023
▢ Reference Material	Correspondence_Schneider__Buske_10022023.pdf	Correspondence - Schneider & Buske - 10022023
▢ Reference Material	Correspondence_Wagner_10022023.pdf	Correspondence - Wagner - 10022023
▢ Reference Material	Correspondence_Webster_10022023.pdf	Correspondence - Webster - 10022023
▢ Reference Material	Correspondence_Weinstein_10022023.pdf	Correspondence - Weinstein - 10022023
▢ Reference Material	Correspondence_White_09282023.pdf	Correspondence - White - 09282023
▢ Reference Material	Correspondence_Worden_09202023.pdf	Correspondence - Worden - 09202023

From: Michael Barry

Sent: Monday, September 18, 2023 4:17 PM

To: Eugene Benson; Stephen Revilak; Claire Ricker; MBTA Communities; Rachel Zsebery

Subject: Support for Zoning Overlay - MBTA Comm. Act

Good afternoon,

I just wanted to say first thanks for your service to the town, and thanks very much for working on a plan to take a big step toward allowing construction of more multi-family housing in Arlington. I know this will be controversial, and it will change somewhat the character of the areas with more portion of multi-family housing. But we have to do something. The cost of entry to Arlington shouldn't be \$1M and the days of a family of 6-8 with maybe some uncles or grandparents in a single-family home are past. Most households are smaller now and we need more units to house the same number of people.

I looked at the map on-line and it looks pretty modest to me; it seems to focus on Mass Ave, Broadway and Paul Revere road. I live in little Scotland and would support a bit more denser development than the several new duplexes that have been built in my neighborhood; I don't think these detract from the neighborhood at all and we can now house twice the people on these lots. Prior I've lived in neighborhoods with mixed single family homes, double/triple deckers and multiple family housing in Cambridge and Oslo, Norway and it was quite nice and charming and promoted a more diverse and vibrant neighborhood.

Thanks again for your foresight and hard work and I hope the zoning overlay passes, I will be writing my TM reps.

Thank you,

Mike

Michael Barry

32 Kilsythe Rd

Arlington, MA 02476

mikebarry657@icloud.com

Mobile +1.617.257.2251

mikebarry657@gmail.com

(Backup email)

From: Betsy B

Sent: Monday, October 2, 2023 8:25 AM

To: Claire Ricker; Jim Feeney; Rachel Zsembery; Eugene Benson; Kin Lau; Stephen Revilak; Ashley Maher; MBTA Communities; Eric Helmuth; Stephen DeCoursey; Len Diggins; John Hurd; Diane Mahon

Cc: Andrew Pockrose

Subject: tonight's meeting about extreme housing density proposal!!!

As residents of Plymouth Street, we urge and ask you to please, please slow this process down, and hear what most Arlington residents want! This process, from a resident's standpoint, has been shrouded in mystery, unclear, confusing and overwhelming. This is not how Arlington should work. This is not how we do things here. Please slow down and address these many, many important and critical concerns before moving forward. This (confusing, unpublicized) plan does not have our support or the support of anyone we know! Please address all of these critical points before moving forward.

Many thanks,

Betsy Block and Andrew Pockrose, Plymouth Street

1. Groups that should be included in the planning process for this largest change in our zoning in our lifetimes - !!!!! -- include: affordable housing, open and green spaces, historic districts and preservation, business and retail stores, Arlington public schools, Arlington finance committee, to name just a few.
2. **The process in Arlington should include several scenarios, at least including a map and scenario of meeting, but not exceeding the Act's requirements of 2,046 units and with some of the density placed, as the Act intends, within easy walking of Alewife.**
3. **Arlington should better notify and better get the input** of residents and businesses. Other communities better involved the residents and businesses, such as sending letters or cards to homes and businesses in the density overlay areas, allowing for more public input and comment (Arlington has only had one public forum on July 25 - and comments were two thirds expressing concern). The WG proposals are justified poorly by a 213 respondent survey and an earlier very general survey of 1,000 - which didn't ask about density overlay details.
4. **The response should have better data about each map/scenario.** Arlington's response has lacked serious studies of the potential negative or unintended effects on services (school overcrowding or need for new schools and infrastructure spending), town finances, effect on existing affordability, effect on real estate taxes.
5. **Most people just don't know the Arlington 'overcompliance' proposal is happening - and when they do hear about it, they are very concerned.**
6. **The MBTAWG working group process has continually lacked adequate data, research, scenario details and quantifiable answers so as to make it nearly impossible for the public to evaluate any map/scenario properly.** The proposals of the Working Group have changed frequently and without full site specifics, dimensional requirements, explanations of calculations of numbers. They have maintained a moving target without explicit information so it's impossible for people to know what's actually going on or what they are for or against. One

example: Floor and building maximum heights have been redefined away from standard sizes, not explicitly detailed, changed, or obscured from public awareness.

- ***Affordability/lack of affordability***

1. **The act is not an affordability law - it will make housing higher priced than existing comparable units**, raising the cost of renting or owning a home here. It was promoted by the governor as a way to make market rate housing - housing that will be higher than comparable units that we already have. We've seen this in the development that has been built near Stop & Shop recently. Those 1 bedroom units, renting for \$3,000 are well above the rate older existing units cost in Arlington. The Act supercharges those buildings to be much higher, potentially have a lower number of affordable units going at a higher rent than our EXISTING town bylaws provide for. It actually hurts our affordability laws, unless we apply for, and receive, approval from the state.

2. **The state is promoting "capacity" in the future, while we need affordable housing now.** The state **discourages** affordability as an impediment to capacity. Towns **can** keep their existing affordable housing requirement of up to 10%. Towns like Arlington, whose affordable housing requirement is 15% (more precisely, at least of every 6 in structures with 6 or more units) **may** gain the state's permission to keep that requirement by submitting to the state (at its own time and expense) an "economic feasibility analysis" proving that such a requirement will **not** be an impediment to creating "capacity". Towns **cannot** include an affordable housing requirement of 20% or more.

- ***Overcomplying vs complying***

1. **It doesn't make sense to 'over-comply' with the unit totals in the law, since the units produced are more expensive units with less parking and open space!!!!!!!!** and will have various negatives to future residents in the density overlay buildings and to our town, broadly!!! Just complying with the Act at the 100% level will introduce hardships, such as increased load on services like schools and crowding and un-researched effects on our property taxes, rents and Town finances. Since there are concerns and risks of 100% compliance, to do more than what is required is reckless!!

2. **It's much harder to remove bad density than to introduce new density, so we should meet the law, but move cautiously.** A 2001 law signed by the past governor made it easier to pass laws in Town and City Meetings to increase density to 3 family and apartment buildings. The voting threshold was lowered to 50% from 2/3rds. Yet, votes reducing density and zoning overlays are still 66% votes. Because we don't know about the negative and unintended consequences, and because it's much harder now to remove density overlay decisions, it's important to move carefully, for Arlington's sake - for the existing businesses and residents. We should comply with the state law, because we have to - at zoning for 2,046 units, but we can always return to make additional density overlay zoning, if we determine, as a community, that we want to do this.

3. **Arlington is already built out; new market rate housing will be higher priced.** To comply with the law, Arlington must rezone to create "capacity" of 2,046 units (10% of Arlington's current housing stock) that can be built at a density of 15 units per acre. Since Arlington is built

out, developers will have to pay a premium to buy existing housing, demolish it, and then rebuild high-density housing. Developers have every incentive to make such housing as expensive as possible.

- ***Resident Parking Space/Property private space/Open Space/trees Issues:***
 1. Arlington's proposal **should be realistic about transport options** - either locate density close to Alewife where cars are less needed, or provide adequate parking in the density overlays!!!! The WG plans 'car free' developments, where residents from Cambridge to Lexington might not have a parking spot - 0 spaces are required, with a maximum allowed of 1 space per unit proposed. 0.5 (half a car!) is not realistic for many parts of town not in walking distance of Alewife - and is cruel to future residents of multi-bedroom units and to neighborhoods near the density overlays, where the overflow of vehicles will fall. Increased density risks adding to pollution and congestion, so the Act intends the density where cars are least needed - by Alewife. Yet, ironically, Arlington's proposal doesn't place the density overlay near Alewife!!!
 2. Arlington should **require adequate setbacks** (location of building on lots) from abutting buildings and the street border so that shade trees are able to grow. This is generally 20 feet frontage, yet the WG has repeatedly proposed 15 or fewer feet.
- ***Meeting the spirit of the MBTA density overlay law- density where driving isn't necessary:*** Arlington should locate **at least some of the density close to Alewife**, to the law's goal of minimum pollution and congestion creation. The law requires that communities with subway and commuter rail hubs WITHIN their borders must zone the new density within half a mile of the hub. Although MA Guidelines have stated that Arlington isn't required to locate our density overlays within the half-mile of Alewife, this is the spirit and goal of the law!
- ***Arlington doing its share (2nd densest town, vs Lexington and less dense towns):*** Arlington and other already dense communities are being treated unfairly - and the amount of density required is higher than for less dense communities. We are already the 2nd most dense town, and 12th most dense city or town in Massachusetts. Arlington naturally built our density within the half mile of Alewife to the level the Act requires, but the Act disqualifies our density on a technicality, that seems to only aid developers: the act only counts unit density in zoning for 3 family or apartment buildings. Our 1 and 2 family zoning by Alewife is not allowed in the count!
- ***Building size, envelope so it doesn't shade/dominate abutters and neighborhoods:*** The density overlay **building heights and sizes planned must be abutter/neighbor friendly**. Arlington's current plans allow 6 floor buildings with minimal setbacks on Mass Ave, 5 floors on Broadway and 4 floors on side streets, going back about 350' or a full block. Additionally, the WG redefined the height of a floor from the standard to 13', which will produce buildings that actually are the height of at least 1 floor higher structures. The sizes will cause street canyons and heavily shaded, darkened winter streets, shading of abutter properties and solar panels. Other communities like Lexington and Newton (both using the same Utile project consultant) have limited building height/sizes to help the density overlays fit better with abutting and neighboring buildings. In those communities 3 and 2.5 floor limits were set. Arlington must do a better job of limiting density overlay building size to not dominate abutters.

Crowding, Pollution, Services (schools, sewer, roads etc)

- ***Lack of studies and data on negative and unintended effects:***
Arlington is already one of the most dense communities of any type in our state. 20,000 units of housing hold a current 46,000 people. Since we are already fully built out, increasing the unit count by more than the Act's requirements will stretch our schools, infrastructure and livability. **The WG has at times proposed maps and scenarios with dramatic overcompliance, yet without any studies of the effect on the livability, pollution, congestion, schools, finances, rents/unit cost of living or real estate taxes.** Arlingtonians spent much effort and money to choose to live in this town and deserve better research and answers before any proposal is implemented!!!!
- ***Luxury condos/gentrification/housing at any cost with promise of trickle-down to existing, lower and middle income residents***
Adding apartments or condominiums to a community that will cost more than the existing housing stock, with fewer space and parking amenities than existing residents have or expect, implies that the housing is for people who can pay more, don't live in our town already and can replace current renters, owners and businesses. This effect is known as gentrification. Small new, high priced units are also known as 'luxury condos'. The process of pushing these changes through is called 'upzoning', changing zoning to allow developers to make luxury condo gentrification. Arlington shouldn't give in to this change, since it hurts us and our affordability - and many other aspects. Arlingtonians - business and residential tax payers are the most important stakeholders in any Town of Arlington decision and our needs and opinions must be respected, particularly as the potential for higher priced living helps no one, except people who don't live here yet, and developers.
- ***About the threat to businesses, historic places and houses of worship***
 1. The Town should **make sure that existing businesses are excluded** from the density overlay. If not, structures housing existing businesses will be sold for 4, 5 or 6 floor development, with the businesses likely snuffed out.
 - 2. It's **not adequate to offer mixed use in new residential structures** - we've seen what happens in all mixed use construction in Arlington...the businesses are removed and don't come back. In all mixed use developments in Arlington, existing businesses were evicted and most didn't return. The sort of commercial spaces that go into mixed use residential buildings have increased our loss of engaging street level services, by the Stop and Shop and elsewhere in town.
3. Historic structures, places of worship and cultural history are all threatened unless the overlay excludes them. Historic districts and structures may provide an additional year of protection compared to a non-historic structure, but cannot be relied upon for lasting support. Our museums (Old Schwamb Mill, oldest mill in America) and historic structures and historic buildings are at risk. Where the density overlay includes churches and houses of worship, only a sale to a developer stops the permanent loss of these cultural and civic areas.

From: Daria Boeninger

Sent: Monday, October 2, 2023 1:02 AM

To: Claire Ricker; Jim Feeney; Rachel Zsembery; Eugene Benson; Kin Lau; Stephen Revilak; Ashley Maher; MBTA Communities; Eric Helmuth; Stephen DeCoursey; Len Diggins; John Hurd; Diane Mahon

Subject: proposed density overlays/response to MBTA communities Act

Greetings—

I am very concerned about the current development proposals related to the “MBTA Communities” Act, and would ask all relevant bodies/committees/representatives involved to reject them in their current form (or vote 'no action' be taken on them) for the upcoming Special Town Meeting. The current proposals do not seem to be supporting core intents of the law, such as increasing density in areas close to MBTA transit hubs. The current proposals also appear most likely to undermine the creation of much-needed affordable housing & to increase housing costs, which is completely unacceptable.

Further, these proposals undermine our community’s health across several domains: increased strain for residents of the densest areas (far from any actual MBTA hubs) by restricting parking; increased pollution, heat, and other forms of lack of environmental sustainability by leaving out space for trees and other green spaces; and development plans that will likely drive out businesses and civic spaces—and that have not adequately considered the impact on core community infrastructure, including (the capacity of) schools and the already-overburdened drainage/CSO system that regularly violates basic federal requirements.

The current proposals go well beyond the density required by the law, and this seems to be a mistake—I ask that you all start with proposals for density overlays that comply with the minimum required, rather than going so far beyond the minimums—density can always continue to be increased if it proves to be beneficial to the town.

Again, please reject or vote “no action” on these current proposals for the upcoming Town Meeting.

Thank you for considering,

Daria Boeninger

From: Janice Brodman

Sent: Monday, October 2, 2023 12:25 PM

To: Jim Feeney; Claire Ricker; Rachel Zsembery; Eugene Benson; Kin Lau; Stephen Revilak; Ashley Maher; MBTA Communities; Eric Helmuth; Stephen DeCoursey; Len Diggins; John Hurd; Diane Mahon

Subject: Vote Against the redistricting proposals

As a resident of Arlington and as someone who has been committed to affordable housing for many decades, I strongly urge you to vote against the current redistricting proposals. These proposals they fail to accomplish affordable housing goals while promoting more expensive and dense housing in Arlington. Specifically:

1. Most grievous: The proposed changes do **not** promote affordability. Instead, they **promote more expensive housing** than existing comparable units, raising the cost of renting or owning a home here.
2. These plans far **exceed** the Act's requirements of 2,046 units. This is irresponsible because even 100% compliance has significant risks and hardships. To do more than what is required is reckless and irresponsible. Worse yet, Arlington, unlike many other towns, has not conducted good studies with accurate data to determine impact and create maps/scenarios. e.g., to determine the effects on schools, existing affordability, real estate taxes (which affects affordability), and more. So neither we who live in Arlington, nor the working group, know what negative effects these proposals will have.
2. This is the largest change in zoning in our lifetime! The proposed changes will **significantly** affect every person living in Arlington. Yet the town, and the MBTAWG Working Group, have failed to ensure that people living in Arlington know the proposal for "over compliance" and its implications. This failure is evident as when people do hear about it, most are extremely concerned.
3. The town has failed to ensure that the range of voices in Arlington are represented on the Working Group. This is, sadly, all too familiar: the people who have time and are strongly motivated by a particular perspective run roughshod over the views of others. In this case, the working group is a small group of pro-"market rate" density advocates appointed by the planning dept. This small group is trying to increase the amount of expensive housing and density with very little impact (and possibly negative impact) on affordability. Instead of following the dictates of this small interest group, many other groups should be included in the planning process, e.g., those involved in: affordable housing, open and green spaces, historic districts and preservation, business and retail stores, Arlington public schools, Arlington finance committee, and others.
4. The working group process has changed proposals so often, and without specifics, it's been virtually impossible for people in Arlington to know what's actually going on or what they are for or against.
5. Complying with the law is necessary. Over-complying without adequate information, without input from most of those living here, without recognizing the negative impacts, is outrageous. We can always increase density if we find that plans work well and negative impacts can be handled. We cannot go back and "un-densify" when we discover the negative impacts are tremendous and the plans don't even improve achievement of affordable housing goals.

I hope that you will vote **against** the proposals and, at the very least, promote a more inclusive discussion and involvement in a plan.

Janice Brodman
41 Pine St
Arlington, MA 02474

October 2, 2023

RE: Proposed MBTA Overlay Proposal

Dear Arlington Redevelopment Board Members,

I am writing to urge you to reconsider the current proposal for the MBTA approval. The health of Arlington residents is reliant on a functioning sewer system that can transport human wastewater away from our residences without overflowing to basements, streets or streams.

Arlington's existing sewer system contains gravity sewers, sewer pumping stations and sewer force mains sized according to zoning in place when the pipes and pumping stations were designed. No significant zoning changes or density increases should take place without careful engineering analysis of the capacity of the Town's existing sewer system.

The Town has invested millions of dollars in sewer rehabilitation in its aged sewer system to remove Infiltration and Inflow (I/I). The I/I removal does not increase sewer capacity beyond its original design capacity. Sewer capacity is based on the material of the pipe, the slope of the pipe and the diameter of the pipe.

The need for town-wide sewer rehabilitation indicates the underground sewer that we do not see is old, broken and cracked. Before you decide on changes to enable more building, I urge you to watch CCTV sewer inspections to look at the condition of the town's undergrounds sewer, especially downstream sewers or trunk lines receiving the majority of the town's flow. Also, please find out how much the town's sewer flow increases during rainstorms and when snow is melting.

Engineering design is BASED ON ZONING. Sizing of infrastructure is all based on zoning. The proposed MBTA overlay is not an insignificant change. The utilities need to be studied. I urge you to vote against it.

Sincerely,

Eileen M. Cahill, P.E., LEED AP
48 Dickson Avenue

From: Melissa Ch'ng
Sent: Wednesday, September 20, 2023 9:11 AM
To: MBTA Communities
Subject: Letter in support of current Arlington rezoning plans

Hi,

My name is Melissa Chng, I live in East Arlington, and I am writing in support of the current rezoning plans to increase housing density along MBTA routes.

I live in East Arlington in an area that will be affected by the rezoning. I rely on the MBTA bus system and the Minuteman bike path to get to work and my child to daycare. I have used both methods in all seasons and found the Arlington bus system to be efficient for getting to where I need to go. Even at rush hour, the buses are under used and can accommodate more riders. Everything I need is within walking or biking distance. My life is manageable without driving a car here.

I am privileged enough to be able to afford a condo in Arlington. Many of my friends with high paying jobs cannot afford to live in Arlington. Land in Arlington is valuable because of proximity to centers of work in Boston and Cambridge and the Alewife T station. This land is not going to get less valuable with time. If we do not build higher density housing to let more people live here, then we restrict the population here to only the very privileged. And if we don't invest in the public transport system, then only very privileged people who drive everywhere and care more about the aesthetics of four storey buildings than climate change can live here.

Speaking practically, it will take years, maybe decades, before the rezoning maximums are even realized. That gives the town plenty of time to plan for and absorb a higher number of residents. Rezoning is a promise to make housing more affordable, to make public transit more reliable, to make Arlington streets more walkable, so that more people can live and thrive and contribute to the betterment of this town. It benefits the young and the old, the able bodied and the handicapable alike. I hope the Arlington Redevelopment Board will continue to support the rezoning plans.

Sincerely
Melissa Chng

From: Anne Ellinger

Sent: Monday, October 2, 2023 11:26 AM

To: Rachel Zsembery; Eugene Benson; Kin Lau; Stephen Revilak; Ashley Maher

Subject: support the Evans Article

Dear board,
Please support the Evans Article.

Anne and Christopher Ellinger
21 Linwood St, Arlington, MA 02474

From: Peter Fiore

Sent: Monday, October 2, 2023 11:28 AM

To: Claire Ricker; Eugene Benson; Kin Lau; Stephen Revilak; Rachel Zsembery; Ashley Maher

Subject: MBTA Communities Zones

Dear Chair Zsembery, Director Ricker, et. al.,

Attached is the memorandum from the Arlington Board of Health issued with demolition permit applications. It tells developers the requirements for addressing the rat problem in Arlington. Please publish it with this correspondence.

The current plan for the MBTA Communities Zones will lead to the displacement of an unknown number of rats into the neighborhoods abutting buildings that will be demolished. The measures taken to prevent this are NOT 100% effective.

The landfills in Massachusetts are estimated to reach capacity and close by the year 2030. Massachusetts has a solid waste problem. In the absence of legally mandated green demolition practices the demolitions in Arlington resulting from the size, scope, and scale of the MBTA Communities plan will only make the problem worse. Perfectly good housing stock and buildings will end up as unrecovered, unrecycled solid waste in landfills.

Please limit the number of dislocated rats and the tons of solid waste by scaling back the size of the plan.

Respectfully submitted,
Peter Fiore
58 Mott Street



Town of Arlington
Department of Health and Human Services
Office of the Board of Health
27 Maple Street
Arlington, MA 02476
Arlington Board of Health Demolition

Tel: (781) 316-3170
Fax: (781) 316-3175

Memo

To: Demolition Applicants
From: Annette Curbow, Health Compliance Officer
Date: February 1, 2023
RE: Integrative Pest Management Requirements for Demolitions

In 2021, the Arlington Health Department updated their demolitions requirements so that the interior and exterior of the property must be inspected by a licensed Pest Control Operator (PCO) for the presence of pests and rodents. The PCO shall assess the property and develop an Integrated Pest Management (IPM) treatment plan that will be in place prior to commencing demolition activities and remain in place through the duration of the project. A copy of the pest control inspection report and IPM treatment plan must be submitted with all demolition applications.

What is the BOH looking for in an IPM treatment plan?

As part of the demolition application, contractors must provide a copy of the IMP treatment plan that includes:

- A summary of the property assessment and level of activity noted
- If needed, sanitation and mechanical prevention suggestions
- If needed, installed rodent control equipment (i.e. snap traps in tamper proof boxes)
- Ongoing monitoring activities
- **If rodenticides are used**, explain previous treatment attempts and PCO rational for deploying rodenticides

What is integrated pest management?

Integrated Pest Management (IPM) is an effective and environmentally sensitive approach to pest management that relies on a combination of common-sense practices. IPM programs use current, comprehensive information on the life cycles of pests and their interaction with the environment. This information, in combination with available pest control methods, is used to manage pest damage by the most economical means, and with the least possible hazard to people, property, and the environment.

An IPM approach at a demolition site means that the PCO has completed a thorough assessment of the property. Following the assessment, they should identify and suggest sanitation and mechanical controls to prevent rodent activity. If during their assessment, rodent activity is identified, the PCO should take an IPM approach by implementing non-toxic rodent control methods first such as snap traps or dry-ice treatment. When following IPM, rodenticides should always be reserved as a last resort for severe rodent infestations.

From: Jason Forney
Sent: Monday, October 2, 2023 12:39 PM
To: Claire Ricker
Subject: MBTA Communities Zoning Proposal

Good morning, Ms Ricker and members of the Arlington Redevelopment Board:

As a 15 year resident of Arlington Heights, I am writing in support of the changes to the zoning by-laws proposed by the MBTA Communities Working Group and outlined in their comprehensive and clear report.

I believe that Arlington should play a role in the regional housing shortage. Creating more places for people to live in Arlington will improve our community and bring new voices and points of view to the conversation. It is prohibitively expensive for young people to live in our town, and increasing housing stock can be a part of a solution to that problem.

A town that is 6 miles, center to center, from Boston and part of a major metropolitan area should certainly have zoning that allows for multi-family housing as-of-right. Locating new housing on major corridors and near public transit is logical, sensible and good planning. I applaud the incentives for ground floor activation and feel that the proposed building heights are appropriate.

I appreciate the broader community engagement that was a part of this work. That input, along with the input gathered for the Housing Action plan from 2021 shows a considerable majority support for an increase in housing production, and a vision of Arlington as a forward-looking, dynamic, inclusive, and sustainable community. I ask that the ARB give that considerable weight in your decision making.

Thank you,

Jason Forney
545 Summer St, Arlington, MA 02474

From: Muriel Fudala

Sent: Monday, October 2, 2023 11:00 AM

To: Rachel Zsembery; Eugene Benson; Kin Lau; Stephen Revilak; Alissa Butterworth; Ashley Maher

Subject: MBTA Density Overlay -- Vote NO!

Dear ARB members,

As a resident of Arlington for 30 years, I strongly oppose the building of any more housing units than dictated by the State. We already have a densely populated town of about 46,000 residents, more than many adjacent towns. We want to continue to live in a Town -- not a City, not a Bee Hive, not an Ant Colony.

More 6 story structures along Mass. Ave. and Broadway, and 4 story structures on side streets will alter the quality of life in Arlington, change the character of neighborhoods, exacerbate parking and travel, and strain police, education, and other services.

Many residents are unaware of this ill-begotten plan. It has not been adequately publicized. No studies or analysis has been conducted by the Town to assess the impact on finances or services.

This will only provide profits to developers. It will not make Arlington more affordable. Arlington housing costs, like those of other towns and cities in the area, are governed by the real estate market and current mortgage interest rates. Instead, this plan will irrevocably alter the quality of life in Arlington for the worse.

See you tonight at the Town Meeting!

Sincerely,
Muriel Fudala
17 Marathon St.
Arlington, MA 02474

From: Mark Goldstein
Sent: Tuesday, September 26, 2023 3:46 PM
To: Mark Goldstein
Subject: MBTA Communities Act Compliance Thoughts

My name is Mark Goldstein. My wife, Jill, and I moved to 20 Churchill Ave. in March of 2021 from the Milwaukee, WI area. We are originally from the Northeast and are very happy to call Arlington our new home. We love the urban feel, historical significance, access to retail and restaurants, proximity to the city, transportation options, neighborhoods, yards and green spaces. We have viewed the video of the 9/11 Meeting and appreciate the work that the Work Group has invested in coming up with a proposal to meet the MBTA requirements.

We are supportive of the MBTA Communities Act that requires more available housing and agree, conceptually, that more housing will potentially provide more affordability. As you know, zoning and permit changes can dramatically alter a city/neighborhood and may have unintended consequences. A thoughtful, fact-based analysis and impact study should support whatever changes are recommended.

So the question is, does Arlington do everything to comply with the MBTA Communities Act and meet its goal of adding 2,046 additional multi-family units, and do it in a manner that considers affordability and infrastructure impact? Or do we go big and swing for adding over 7,000 multi-family units without fully vetting all the ramifications of adding that much housing stock to the city, so quickly (congestion, parking, public services, sewers, schools, green space, etc.)?

What we do now, at this point in time, will permanently impact future generations of citizens in Arlington...so let's do it right and in a thoughtful manner. Let's leave the right legacy.

There are also current programs in place to promote affordable housing. These should be a focus. Are they being effectively utilized, promoted and leveraged? If not, let's correct them.

Adding more housing to an existing infrastructure with the assumption that a percentage of them will be affordable is throwing an awful lot against the wall in anticipation that some will hit the mark. Let's ensure that the proper incentives are in place to meet our desired outcome of more affordable housing before we roll out a program with such a significant impact to our community.

A measured and staged response is best until you clearly understand the impact of these changes on our community.

Thanks for reading this.

Respectfully,
Mark and Jill Goldstein
20 Churchill Ave.

Mark Goldstein
Email: Mark.E.Goldstein7@gmail.com
Phone: 414.418.0435

From: Angela Gutchess

Sent: Monday, October 2, 2023 11:19 AM

To: Claire Ricker; Jim Feeney; Rachel Zsembery; Eugene Benson; Kin Lau; Stephen Revilak; Ashley Maher; MBTA Communities; Eric Helmuth; Stephen DeCoursey; Len Diggins; John Hurd; Diane Mahon

Subject: Arlington's Response to the MBTA density overlay

Hi Representatives,

I write as a resident of East Arlington who is concerned about the scope of the proposed zoning and housing changes in response to the MBTA Density Overlay. Please vote against overcomplying at such a high level but instead vote to support meeting the rule at or near the required levels.

Although I have read a number of concerns about the proposed plan, the most major ones are the lack of studies about the impact of the potential increase in population, particularly in terms of demand on the schools. There would also seem to be major impacts on parking and increasing density in what is already the densest part of Arlington and there hasn't been discussion that adequately addresses these concerns. The lack of street parking - and how crowded the streets are during the day when people park on the streets - are just one sign of the density in this area. Allowing for taller buildings that would further increase density and block views and sun would really exacerbate the feeling of crowding in this area (more than in other parts of Arlington). The increases seem to primarily be concentrated in East Arlington, and not necessarily near Alewife Station, which also raises questions about equity and resources.

In addition, the concern about whether the new plan will actually increase *affordable* housing is a big one for a plan of this scope.

It is unclear why such a high level of overcompliance with the regulation is being considered. That, combined with the other concerns, give the impression that this is not a well thought-out plan backed by the necessary long-term planning. Please vote against it.

Thank you for your consideration.

Angela Gutchess

From: Christopher Heigham
Sent: Thursday, September 28, 2023 12:59 PM
To: Rachel Zsembery
Cc: Kin Lau; Eugene Benson; Stephen Revilak; Claire Ricker
Subject: STM warrant articles

Warrant Articles 4-11

I'll echo Laurel Kayne's request for pictures and diagrams to show their effect. Given how intensely visual Architecture is, I'm surprised you don't already have these for yourselves.

Warrant Article 12

Caution is warranted here.

First, Section 3A is unlikely to be the last state mandate. Rather than vastly overshooting the mark now, consider a "compliance budget" that we must spend wisely.

As you saw from the WG 7/25 meeting and your 9/11 hearing, there already is a lot of questioning and dissent about the capacity of the both proposed overlays. If this article squeaks through TM with only 50%+, it will be very bad for the town going forward. Aim for 80% or more, which is possible if the overlay is reduced to, say, a capacity of 5000. This also fulfills the spirit of the law by creating the potential for 3000+ units.

You could start with the intersection of the two Working Group alternatives, which removes the neighborhoods added very late in the process. You have plenty of capacity to do this.

And look at a 3-story limit for the Neighborhood Zones.

The WG resisted going through any proposed overlay parcel by parcel, so now that's up to the ARB. Residents and organizations have already singled out some historic and religious parcels in the current overlays as inappropriate, so this work is clearly necessary.

Also, the late elimination of so many dimensional regulations, which was not discussed by the WG, is alarming and needs much more examination.

Respectfully,
Topher Heigham, TMM P15

From: John Heraty
Sent: Monday, October 2, 2023 2:53 PM
To: Rachel Zsembery
Subject: MBTA OVERLAY DISTRICTS

DEAR MS.JOSLYN-SIEMIATKOSKI: I own a three family in Arlington and would like to express my support to you for the Board to recommend to the Town Meeting of its approval of the zoning changes proposed for the over law district.

Allowing smaller units without parking and without lot coverage is the only sensible way for a mature community such as Arlington to be part of the solution to the housing crisis. There are safeguards in the proposed change that will allow input from community representatives to restrain unwelcome and ill considered proposals.

Please add my voice to those seeking to have the Board vote its approval.

--

John E. Heraty

17 Palmer Street

P: 617-921-7555

F: 617-423-2432

jeheraty@gmail.com.

From: Monalisa Hota
Sent: Thursday, September 21, 2023 10:46 AM
To: MBTA Communities
Subject: Questions about MBTA Rezoning proposal

Hello,

I have been pondering over this proposal for a while because it is a good idea to be able to accommodate people from all classes and have options for Arlington residents to downsize or buy their first homes. However, there are some aspects of this proposal that I don't fully understand, which I would like to ask.

1. What is the actual need of going so much over the required limit at this point in time when the state calculated the number based on some criteria? Is it not possible to roll out a smaller version of this expansion proposal (that meets the minimum requirement), learn from that experience and then reconvene to expand further or not. This seems to be a more cautious approach in my opinion as there are always possibilities of mistakes and room for improvement but I would love to know the reasons.
2. As for selection if the zone for rezoning, were the 8000+ parcels if single/detached units considered for building 2 families and multi families by right? The area marked for building up in this proposal is already quite packed with 2 or more family units. Why make it more congested why not simply double up or more the single family lots?
3. Connected with the above is the question of connectivity to walkable area if town and to the public transport. Has the idea to use small vans or small electric vehicles to connect the parcels further away from Mass Ave been considered? It could perhaps be paid by the residents or the town could support it or raise funds for it. That was the distribution of new builds can spread across the town instead of over-densifying the already dense stretch.

Comments:

1. I am very concerned about the aesthetics of the town and while I won't argue against building modern looking buildings (even though my personal preference is to see spaces that blend in nicely with the old/historic appearance), I do have problems with the new buildings that look dull/lack creativity/unappealing and uninviting. This is one aspect I am sure would be hard to control if builders decide to build away in our beautiful backyards and front yards. It would be too hard to stare at a such constructions for me, unfortunately.
2. This and been shared before and I agree that the proposal does not guarantee affordable housing. That seems like an assumption because builders may chose to build a very expensive 4 unit complex, for example.

3. This is also shared before and I agree that this proposal could potentially cause a lot of unnecessary waste as builders may be tempted to tear down perfectly fine old homes in favor of more units. Terrible for the environment.

4. MBTA for me means from here to Harvard square. Most other places take much longer to reach with changes, and don't seem worth the time/effort. Most places in Boston take double the time compared to driving. So we choose to spend 33 min on road than over an hour by MBTA, that is when it is on time which is not the case all the time. I am not sure what the appeal would be for people to move into Arlington to use the MBTA. I think they will have to use cars. Hence, I am not sure how exactly overcrowding mass Ave would be helpful in keeping CO2 emissions low. I think the public transport would have to be really really made dependable and appealing to have a real impact on climate. I would like to know more about how people travel and how it helps or not through a survey if possible in the future.

Thanks a lot for all the hard work on this proposal. I really appreciate it. Unfortunately, I don't agree with going over limit for the concerns stated above. I think Arlington can always reconvene a few years later to reassess and move for the next rezoning plan.

Lisa Hota
Newman Way

From: Thouis (Ray) Jones

Sent: Monday, September 18, 2023 10:18 PM

To: Claire Ricker; Eugene Benson; Kin Lau; Stephen Revilak; Rachel Zsembery

Subject: To the ARB: I support the MBTA overlay

Hello,

I am writing to express my support of the MBTA overlay, including:

- parking limited to 1 space per unit,
- 4 stories in the Neighborhood subdistrict, and
- keeping the overlay zones east of Orvis road.

We should do far more than the minimum required by law. Arlington should be leading on creating more housing near transit.

Thank you,
Thouis Jones
51A Wyman Terrace

To: Arlington Redevelopment Board
MBTA Communities Working Group
From: Kin Lau
RE: Elevator Requirements

I am writing to you all with an update to information I provided the MBTA Communities Working Group during the course of their work.

The report and presentation of the MBTA Communities Working Group states “the Building Code requires that buildings that are 4 stories or taller have an elevator and meet other accessibility requirements.”

It is builder best-practice and the market which has made 4 stories the height at which new buildings have elevators, not the building code. In my years of experience, I have not seen a modern building of 4 stories built without elevators. I have also spoken with the Building Inspector and confirmed that in recent years, all buildings of 4 stories or more have had elevators.

The MBTA Communities Working Group proposal recommends a by-right maximum height of 4 stories in all sub districts. The MBTA Communities Working Group heard from community members that a lack of housing with elevators and other accessibility features is a barrier to residents with different abilities finding housing, and a barrier for seniors looking to downsize and stay in Arlington.

In practice, the reasoning of the Working Group remains sound, but I felt it was important to correct this inaccuracy directly with the ARB and to ask the Working Group to amend the wording of their report.

Sincerely,
Kin Lau

From: Jennifer Litowski

Sent: Sunday, October 1, 2023 11:13 PM

To: Eugene Benson; Kin Lau; Stephen Revilak; Rachel Zsembery; SBadm

Subject: Support for the MBTA-C working group proposal

Dear Arlington Redevelopment Board,

I am writing to express my strong support for the MBTA-C working group's proposal. The need for more housing in Arlington and the greater Boston region is urgent. Allowing more housing to be built will make a real difference in people's lives by allowing them to put down roots in our community, live closer to major employment centers and support our local businesses. It's urgent for fighting climate change – the further away people have to live, the more gas they need to burn. Our community, our neighborhood character, is created by people – people who want to live here because of our great schools, proximity to educational and career opportunities, people who want to build community ties and keep the ones they've already built.

The working group's plan incorporates many of Arlington's values – it allows for buildings large enough to trigger affordable housing and elevators (important for ADA accessibility), it is close to major transit routes, allowing greater transportation options and incentives keeping commercial space on Mass Ave and Broadway. It also allows the possibility of enough housing to be built to make a meaningful increase in availability for people, which the minimum compliance model decidedly does not.

Please support this proposal.

Regards,

Jennifer Litowski, Precinct 3

From: Marchesini, Danilo
Sent: Monday, October 2, 2023 7:40 AM
To: Marchesini, Danilo
Subject: Opposing Warrant Articles 12, 4-through-11 for Fall 2023 Special Town Meetings

Good morning,

My name is Danilo Marchesini, and I have been living in Arlington since 2009 with my wife and my two sons, who are now 1st-yr students in high-school. Below an email I sent to my Town Meeting Members, encouraging them to vote against Article 12 and sharing with them some of my arguments why I oppose Article 12 (and Articles 4-to-11). I won't be able to attend tonight's ARB meeting, so I thought it would be useful to send you all this email.

With this email, **I would like to share with you that I most strongly oppose Warrant Article 12 "Zoning Bylaw Amendment / MBTA Communities Overlay District".**

Whereas I do not oppose the effort to allow for the 2,046 units as required by law, I do very strongly oppose the effort by the working group of the Arlington Redevelopment Board to go far beyond what is required (the latest number I have read is 4 times the density and units required by the state).

Why are we going so far beyond what is required? How is this going to benefit Arlington residents at all? What studies of impact on town finances, real estate taxes, congestion, schools, roads/fire/sewer and open spaces/trees have been done? Where is the plan that shows zoning to allow the 2,046 units required by the law?

Considering the unknown impact and consequences, it would be strongly advisable and reasonable NOT to exceed the requirements of 2,046 units. What about school overcrowding? How about the need for new schools and infrastructure spending? Just complying with the 2,046 units requirement will introduce hardships (e.g., increased load on services like school and crowding and un-researched effects on property taxes, rents, and town finances). Since there are concerns and risks with just complying, to do more than what is required is, in my opinion, reckless. Since it is much harder to remove bad density than to introduce density, it would be reasonable to meet the law, but move cautiously, because we don't know about the negative and unintended consequences.

I am also concerned about how representative the aforementioned working group is of the broad parts of Arlington's businesses and residents, i.e., I am worried that the ARB working group is expressing a minority agenda, instead of representing the most important stakeholders in Arlington, i.e., the people who live and work here. Furthermore, my perception is that the working group process has continually lacked adequate data, research, scenario details and quantifiable answers.

There are many more concerns, including 1) the fact that this is not an affordability law - it is likely that this will make housing higher priced than existing comparable units, raising the cost of renting or owning a home (as happened to the development recently built near Stop & Shop); 2) the proposal is not realistic about transport options (as not providing adequate parking in the density overlays; such density should be located close to Alewife, where cars are less needed); Arlington should require adequate setbacks (location of building on lots) from abutting buildings and the street border, so that shade trees are able to grow (yet the working group has repeatedly proposed shortened setbacks); the density overlay building heights and sizes planned must be abutter/neighbor friendly (whereas they are currently not); etc...

Therefore, I strongly oppose Article 12, as well as Articles 4-to-11, while I would support an article with detailed maps/scenarios that meets but does not exceed the 2,046 units requirement.

Thank you very much!

Sincerely,
Danilo Marchesini
14 Walnut Ct, Arlington MA

From: Molly M
Sent: Sunday, October 1, 2023 10:32 PM
To: Rachel Zsembery
Subject: Scale down

We residents of Arlington do not want a total revamp of our town Scale down to what the MBTA requires You will destroy Arlington if this goes through
We don't want our town to be congested and overcrowded
Please don't do this
Bernadette Milliken
23 Epping Street
Arlington
MA 02417

From: Michele Nathan
Sent: Sunday, October 1, 2023 11:43 PM
To: Rachel Zsembery
Subject: MBTA OVERLAY

Hello

While I'm a new resident, I try to keep up and learn about town governance. I received 1 postcard so I attended 1 meeting.

My impression is town officials let developers run this town and don't seem to be concerned about the well being of the residents or the environment.

Have there been studies regarding impacts on schools, property taxes, infrastructure, traffic, protecting our environment...?

Given that unforeseen consequences will occur, I'd choose to comply with the minimal requirements and then assess going forward.

Sincerely
Michele

From: Rebecca Peterson
Sent: Monday, October 2, 2023 10:17 AM
To: Rachel Zsembery; Eugene Benson; Kin Lau; Stephen Revilak; Ashley Maher
Subject: Oct. 2nd articles

Dear members of the ARB:

I urge you to vote "no action" on the following density articles being discussed tonight:

Article 12, the MBTA overlay. This proposal is breathtaking in its over-compliance. We should proceed with a plan for the required 2046 units (where is that plan?) and nothing more until studies have been completed that show Arlington will not suffer great harm to its schools, green space, traffic and quality of life.

Articles 4-9 and 11, increased density, increased height, and less green space. This is a regurgitation of previously defeated density articles, but this time around they have received no public comment or public awareness. When these same concepts were defeated in 2019, the ARB chair promised better involvement and awareness to residents - where is that involvement? Where is the awareness?

Town residents have been overwhelmingly opposed to this plan at the few recent meetings where public comment was allowed. Every attempt made to stuff as many people inside the town as possible, to reduce setbacks, to reduce green space, and to increase building heights makes Arlington less liveable.

Please vote no action on the above articles.

Sincerely,
Rebecca Peterson
Florence Ave

From: Elizabeth Pyle
Sent: Saturday, September 30, 2023 4:31 PM
To: Eugene Benson; Rachel Zsembery; Stephen Revilak; Kin Lau
Subject: Comments on MBTA Communities proposal

Dear Members of the Redevelopment Board,

I attended the September 11, 2023 public meeting on the MBTA Communities proposal, and I would like to provide the following comments for your consideration:

1. As a Town Meeting Member from Precinct 8, I support my fellow Town Meeting Member Allan Tosti's proposal to put multiple options for compliance with the MBTA Communities Act before Town Meeting, at different numbers of units, so the Meeting can choose between different options in its capacity as the deliberative legislative body of the Town. I strongly disagree with the current approach to have just one proposal before Town Meeting, in an all-or-nothing approach, where the issue is framed to make it appear that there is only one option for compliance with the state MBTA Communities legislation. Such an approach usurps the function of Town Meeting to exercise its legislative authority to choose the best option for the Town, as the Town's elected representatives. I therefore request that the Redevelopment Board include an option for full compliance with the state's requirement for 2,046 units as a separate article, and also an option for a greater number of units, so that Town Meeting can choose between them. I have heard that other municipalities are following this approach.

2. My neighborhood in Precinct 8 is dismayed with the Working Group's proposal to have 4-story buildings in the Neighborhood Districts. We request that building height in the Neighborhood Districts be limited to 3 stories or 35 feet in height. I previously submitted a petition from residents of my neighborhood to you on this matter. Although the justification for 4 stories is supposedly so that all units are ADA compliant, this seems excessive, particularly where thousands of units in the Mass Ave and Broadway districts would be located in 4 to 6 story buildings with elevators and would therefore be ADA compliant. The ground floor of all units in the Neighborhood Districts could easily be ADA compliant if the buildings are 3 stories. Balanced against the negative impacts of excess height, massing and shadow impacts for our existing neighborhood side streets, the current proposal for 4 stories in the Neighborhood Districts is not warranted. Please limit building height to 3 stories in the Neighborhood Districts, as a reasonable compromise on this issue.

3. From 2016-2019, I was a member of the Town's Residential Zoning Study Group (the "RSG"), which was created by Town Meeting to analyze the impact of new zoning changes in the residential districts in Arlington. The RSG quickly came to the consensus that it is not advisable to have a one-size-fits-all approach to zoning changes in Arlington, because of the widely varying topography in Town. For example, the hills in the Heights make for very different zoning outcomes than on the relatively flat areas in East Arlington, especially when considering building height, number of stories, and what qualifies as a "story" under our zoning bylaws due to changes in grade. I am troubled that the Working Group did not consider the topography of the Neighborhood Districts by reviewing actual ground conditions in all areas of proposed change, when it drew the districts.

Instead, it appears that lines were just drawn on a map without consideration of topography. This is a serious flaw in the design of the proposed MBTA Communities Districts, because it does not take account of impacts associated with locating a 4-6 building on an already elevated hill, or on a steep grade. For example, in my Precinct 8 neighborhood, there is a steep change in grade from Mass Ave extending up into the proposed Neighborhood District on Wildwood Ave. The impacts of locating 4-6 story buildings on this slope -- including extra height over existing grade, excess massing as compared to existing structures, extra shading, and loss of privacy -- have not been considered. On behalf of my neighborhood in Precinct 8, I request that the Mass Ave/Broadway district not be extended to Wildwood Avenue, and that the area from Wildwood Ave to Mass Ave not be included in the district at all, due to the failure to consider the topography of this area in the analysis. Other areas in the Heights likely have the same concerns, and should also be excluded from the districts until the topography can be analyzed. The failure to consider topography further supports limiting the size of the MBTA Communities' proposal to a smaller district designed to support the minimum of 2,046 units, at this time.

4. Finally, I encourage the Redevelopment Board to recommend only the minimum requirement of 2,046 units to comply with the MBTA Communities Act for this Special Town Meeting, so that the impacts of the proposed changes on school overcrowding, traffic congestion, and Town services and finances can be fully studied and assessed. If the Legislature requires municipalities to create more units of housing in the future, a 2,046-unit plan now will give us room to enact additional zoning changes down the line. If the 2,046-unit plan is ultimately successful, it can always be expanded, as well.

Thank you for your consideration of these comments.

Sincerely yours,

Elizabeth Pyle
Town Meeting Member, Precinct 8
66 Gloucester Street
Arlington, MA 02476
617-710-9329

From: Anton Rapetov
Sent: Sunday, September 24, 2023 11:13 AM
To: MBTA Communities
Subject: I Support Meaningful MBTA Communities Act!

Hi,

Housing affordability is a big issue in the USA, Massachusetts, and here locally - in Arlington. In the last decade, the cost of land has increased at least 2x faster compared to the cost of the building itself (judging by the tax info).

So, now, for most homes, land accounts for a bigger proportion of the value than the building itself.

It is a clear sign of restricted supply fueling the prices.

Such issues can only be solved by slowly increasing the supply.

Building mid-high buildings would let us create more affordable units, which our citizens badly need!

Meaningful zoning also allows to have good parks and green areas, because so many more people can walk instead of driving, which saves a lot of space that would have been occupied by cars.

I believe that the "Meaningful MBTA Communities Act" is the right move forward and **totally support this act!**

Regards,
Anton

From: Stephen Revilak
To: Arlington Redevelopment Board
Date: September 29, 2023
Re: An estimate of unit production from the MBTA Communities multi-family district

During recent weeks, I've heard a number of Arlington residents ask about the number of dwelling units that might result from the multi-family district proposed in response to the MBTA Communities Act (aka, MGL Chapter 40A, Section 3A). In an effort to answer this question, I've written a computer simulation to model ten years of redevelopment in the proposed districts, and I'd like to share the results of this experiment with the Board.

This memo will proceed in two sections: the first describes the simulation approach, and the second presents its results. The work is based on the "Alternative 1" map and compliance model.¹

The Simulation

The simulation models a year of redevelopment by "rolling dice" for each of the 554 parcels of land in the proposed district, in order to determine which parcel are redeveloped during that year. If the dice roll indicates that redevelopment takes place, the simulation determines the number of units after redevelopment, and the net change in unit count (i.e., units after redevelopment, minus units before redevelopment). Repeating this process nine more times gives a ten-year projection. In randomized simulations, it's common to run the simulation some number of times, in order to establish a range of possible outcomes. I've used 100 repetitions for this experiment.

A key consideration is establishing the probability at which redevelopment occurs. The Department of Planning and Community Development's 2019 *Report on Demolitions and Replacement Homes* found that there were an average of 27 demolitions and home replacements per year, between the years 2010-2019 (about 0.23% of residential properties/year).² For the purpose of this experiment, I've taken that probability and doubled it. The doubling is based on an assumption that residential properties in the multi-family districts will provide more attractive redevelopment opportunities than properties outside of the district. The *base probability* of redevelopment used in this simulation is $(2 * 27)/11852 = 0.004556193$.

Some parcels are better candidates for redevelopment than others, and the simulation tries to account for this by adjusting the base probability as follows:

- Parcels with condos (MassDOR land use code 102) are less likely to be redeveloped (base probability reduced by 80%)
- Parcels with institutional and religious uses (land use codes in the 900-range) are less likely to be redeveloped (base probability reduced by 90%)

¹ https://arlingtonma-my.sharepoint.com/:x/g/personal/jenniferjs_town_arlington_ma_us/EVLGZnEmcyhGmlpAUetBDIBmvMM_6QJS-IgDtaCbFUe4g?e=UC2hv7

² *Report on Demolitions and Replacement Homes*, pg 7. Retrieved from <https://www.arlingtonma.gov/home/showpublisheddocument/47415/637003356259470000>

- Parcels where the modeled capacity is more than double the existing number of dwellings are more likely to be redeveloped (base probability increased by 25%)
- Parcels where the modeled capacity is smaller than the existing number of units will not be redeveloped.
- Larger parcels are more likely to be redeveloped (base probability increased by 15% for parcels over 8000 square feet).
- Parcels with older buildings are more likely to be redeveloped (base probability increased by 25% for buildings built before 1930)
- Parcels with relatively newer buildings are less likely to be redeveloped (base probability decreased by 50% for buildings built after 1960).
- Parcels that were redeveloped in the last 30 years will not be redeveloped.

When a parcel is redeveloped, the number of built units is randomly chosen between the range of 70% and 110% of EOHLC's modeled capacity. For example, if EOHLC's capacity model determined that a given parcel had a capacity of 100 units, the simulation would choose a new unit count from the range 70--110. The use of a range is motivated by two considerations:

1. Capacity is a theoretical maximum that won't always be reachable, due to site constraints or other factors. Or, a builder might create units that are larger than the 1000 square feet that EOHLC's model assumes.
2. A builder might choose to build units that are less than 1000 square feet (e.g., studios and one-bedroom apartments).

The simulation also considers bonuses, as follows:

- When a parcel in the Mass Ave/Broadway Multi-family district is redeveloped, there is a 50/50 chance that the redevelopment will take advantage of a bonus.
- When bonuses are used, 50% of them will be mixed-use, 25% will be affordable housing, and 25% will be SITES.
- When the mixed use and affordability bonuses are used on parcels along Mass Ave, there is a 50% chance of using one bonus story, and a 50% chance of using two bonus stories.

Simulation Results

This section shows the results of simulating ten years of redevelopment under three different scenarios:

1. The Alternative 1 working group proposal (capacity = 7268)
2. The Alternative 1 working group proposal, modified so that the neighborhood multi-family district has a height limit of three stories (capacity = 6259)
3. The Alternative 1 working group proposal, modified so that the neighborhood multi-family district has a height limit of three stories, and both multi-family districts have a minimum parking requirement of one space per dwelling (capacity = 3291)

Each set of results includes a visual representation showing all 100 simulation runs (each run is represented by one line on a graph), along with statistical summaries of the number of parcels redeveloped and net new units.

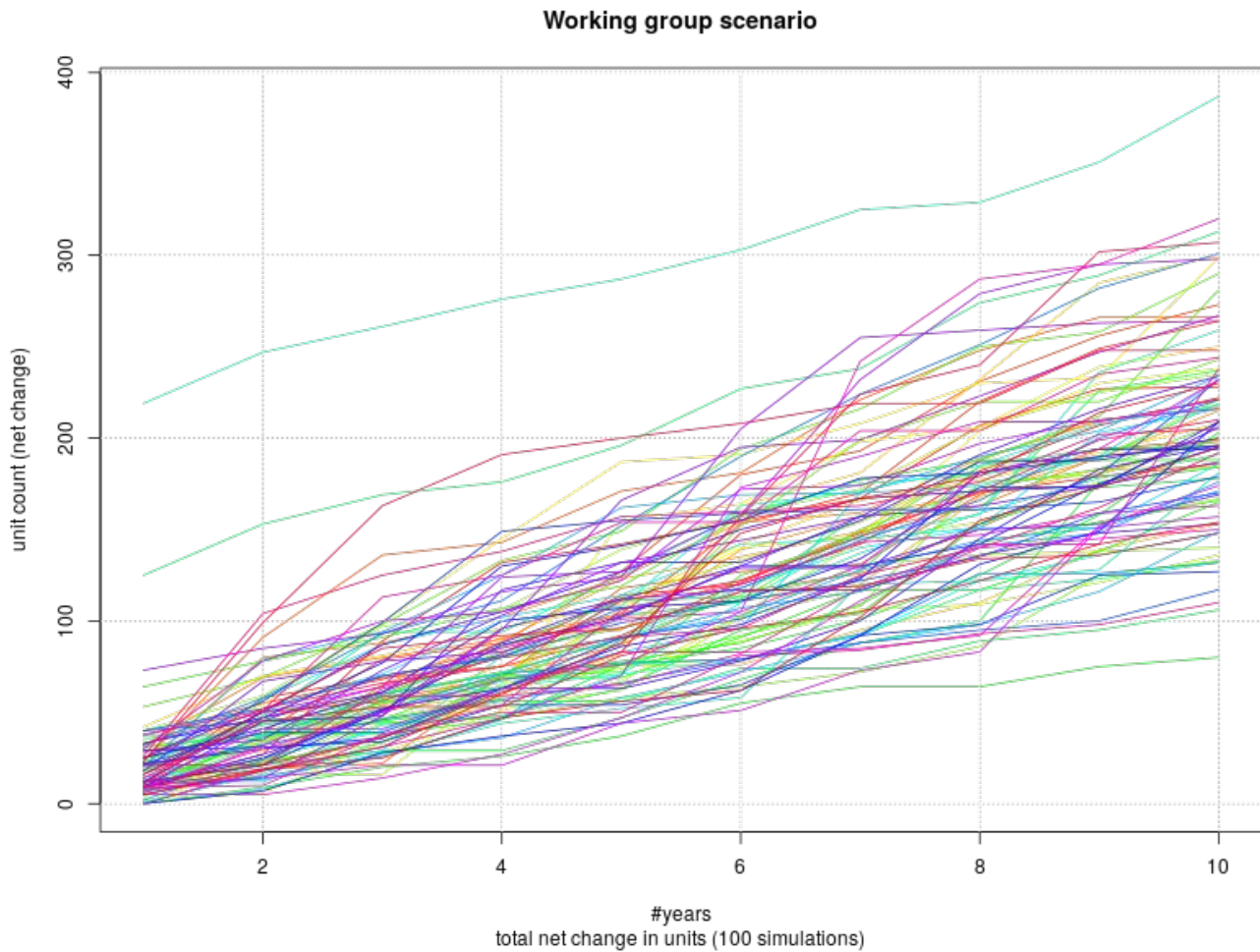
As a point of reference, Arlington had 20,461 housing units in the 2020 census³ and the Alternative 1 map has approximately 1,975 existing units.

³ <https://www.mass.gov/doc/mbta-communities-community-category-designations-and-capacity-calculations/download>

Working Group Proposal

This simulation uses the MBTA-C Working Group's Alternative 1 proposal to the ARB (capacity = 7268).

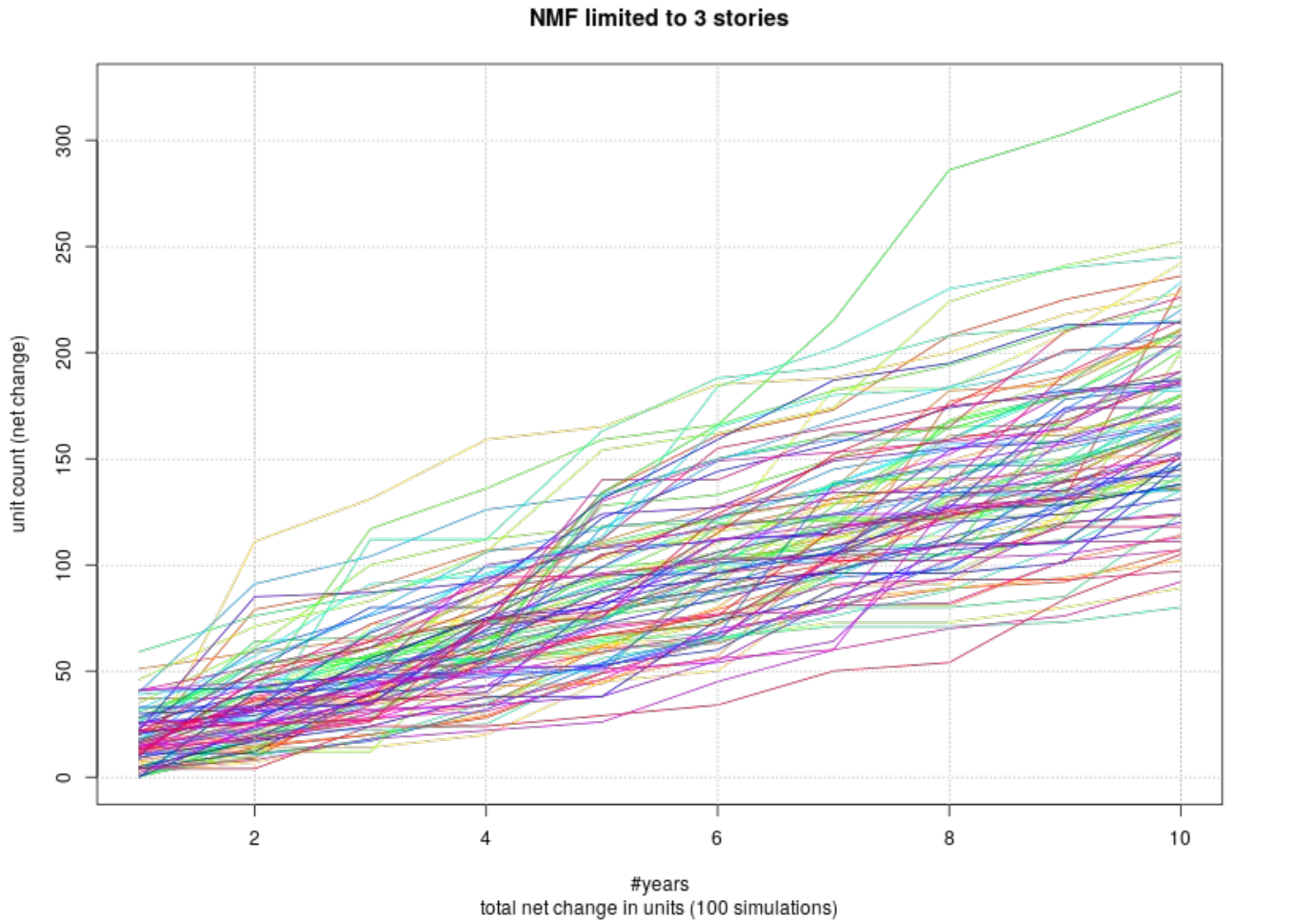
The simulation shows a range of 18--39 parcels redeveloped over a 10-year period, with 80-387 net new units. (Note that there are outliers on both the high and low ends of the range.)



	Min	1st Q	Median	3rd Q	Max
net new units	80	173	201	234	387
parcels redeveloped	18	24	28	32	39

3 Story-limit in NMF

In this simulation, the Neighborhood Multi-family district has been given a height limit of three stories. The simulation shows a range of 19--41 parcels redeveloped, with 80--323 net new units over ten years. (Note that there is an outlier on the high end of the range.)

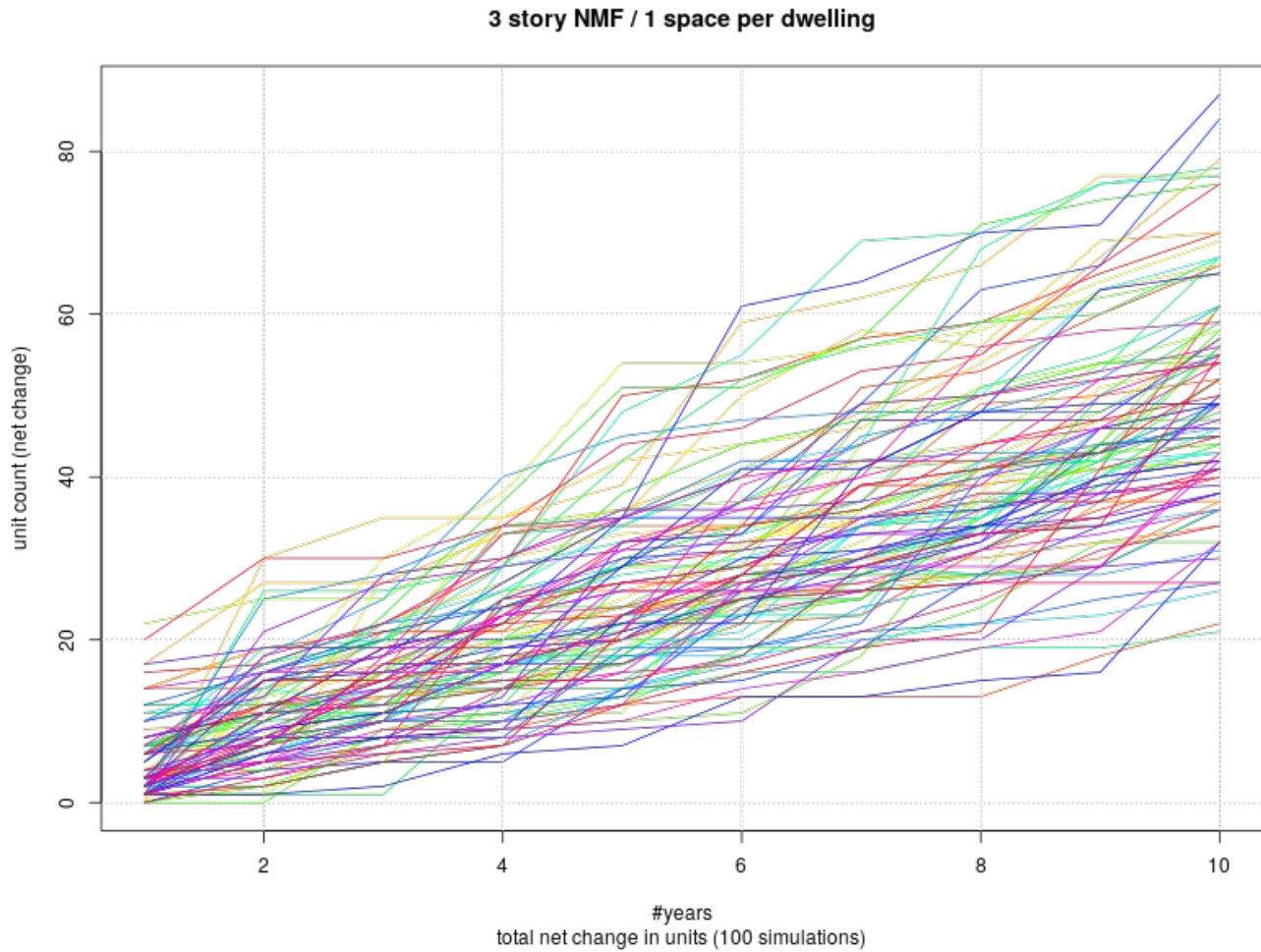


	Min	1st Q	Median	3rd Q	Max
net new units	80	142	166	193	323
parcels redeveloped	19	25	28	32	41

One parking space/dwelling + 3 story NMF

This simulation applies a three story height limit to the Neighborhood Multi-family district, and a one space/dwelling minimum parking requirement for both districts.

The simulation shows a range of 12--36 parcels redeveloped, with 21--87 net new units over ten years.



	Min	1st Q	Median	3rd Q	Max
net new units	21	40	49	58	87
parcels redeveloped	12	19	22	25	36

From: Michael Schneider
Sent: Monday, October 2, 2023 9:32 AM
To: Claire Ricker
Cc: Michael Schneider; Dana Buske
Subject: MBTA Communities Act

We are writing to you to oppose the two options put together for the MBTA Communities Overlay District. The proposed change to zoning allows for significantly more development than required by law, which threatens to overdevelop neighborhoods and alter the character of the town as a livable urban community. Although we recognize the goals of providing more housing are important, we also must recognize that Arlington is the 9th most densely populated town in the state and already providing a reasonable amount of housing options to the region.

We have many concerns that have not been addressed by the Arlington Redevelopment Board, such as:

- the potential impacts of the increased numbers of students in the school district,
- the unfair burden for some elementary schools while others won't see any additional students,
- the impact to affordable housing options (e.g. by potentially decreasing affordable housing by replacing existing housing options with ones that are more expensive),
- the burden and possible overloading concerns for the sewage, water and electrical systems in the town,
- the increased vehicle traffic and lack of parking, and
- the increase in store fronts along Mass Ave. when there are already large vacancy rates for existing storefronts.

We recommend that the Arlington Redevelopment Board rework the proposal to include at least one additional option that provides the minimum required changes under the law, or a plan that allows for a staged approach which would allow the town to learn from the process and adapt, rather than committing to a huge increase in new housing in one round.

Thank you,

Michael K. Schneider
Dana C. Buske
12 Martin St
Arlington, MA

From: C Wagner

Sent: Monday, October 2, 2023 12:53 PM

To: Claire Ricker; Eugene Benson; Kin Lau; Stephen Revilak; Rachel Zsembery; Ashley Maher

Cc: Jim Feeney; Ashley Maher; MBTA Communities; Eric Helmuth; Stephen DeCoursey; Len Diggins; John Hurd; Diane Mahon

Subject: Arlington and Arlington Town Meeting deserve better - bring a 100% compliant option with effect analysis to Spring Town Meeting

Please include this in the official correspondence

Dear Distinguished Members of the ARB:

Arlington is not well served by the current MBTA Communities density act proposals before you. In other towns, redevelopment boards and town officials have ensured that town affordability laws have been protected, that 100% compliant options that meet the state's requirements were provided and that the task forces to determine options for the town were made up of a broad base of town stakeholders, including the elderly, those advocating for affordability, environment, historical preservation, pollution and congestion reduction and town finances/property taxes. In the case of the proposals that the Working Group has put before you, none of this has been done.

Especially because the vote of the ARB will be scrutinized - since 2 of your 4 voting members were actually on the Working Group that created these ruinous proposals (!), the ARB should ask that a new task force is created to meet the deficiencies listed above from a broad cross section of Arlington's stakeholders.

I ask you to vote "No Action" on all MBTA density overlay proposals - and the new density Articles the Town has presented to you BUT NOT PRESENTED TO THE PUBLIC PROPERLY. The Town should know that we and all other MBTA Communities towns are given until December 2024 to get this right. Dangled "carrots" of allowing Arlington to join a pilot project to ban fuels aside, these zoning changes are going to be the largest changes in our town in our lifetimes. We must inform the people fully of what's proposed, and we should give the Town Meeting at least one more option: 100% compliance: 2046 units on 32 acres or similar, with some of the density where the law intends it - by Alewife. Better study of negative and potential unintended consequences is necessary. You require this for a new business or a change of a sign on a street - but little analysis has been provided for this...

Do you recall the 2019 Town Meeting decision by Chair Andrew Bunnell - who promised Arlington that the ARB would require a higher standard in the future? With questions of conflict of interest on your ARB vote, with the largest changes in our lifetimes before you, it is essential for faith in you and your work to give our town and Town Meeting better options - at the coming Spring Town Meeting. With a proposal that is, in essence, a state-mandated TAX on our people and affordability for renters - a requirement to build higher priced housing, we should move more cautiously than is shown in the proposals before you. Only you can act to preserve the integrity of the ARB's vote on such matters.

Thank you,

Carl Wagner

Edgehill Road

Precinct 15 Town Meeting Member

From: M Webster

Sent: Monday, October 2, 2023 11:35 AM

To: Rachel Zsembery

Subject: Don't Over comply! Arlington's response to the MBTA overlay

Dear ARB member rzsembery

We have owned our condo in East Arlington for 16 yrs (96 Melrose St) and am proud to live in Arlington.

Comply but DON'T OVER COMPLY: I am concerned that the ARB and the Working Group do not have our broad community's interests at heart with little transparency or community input.

How does this over building benefit Arlington residents??

There is little transparency eg maps! in the planning process!

Increasingly the plan is to build too many units! and too tall buildings! with too few trees! and too little green space! Does this benefit Arlington residents????
No.

This will not further affordability.

Arlington is already a very dense town. We do not need to over comply.

What will be the impact on schools, town services, taxes, aesthetics, feeling of community, OPEN space.

Thanks for your consideration.

Sincerely,

MAddy Webster

96 Melrose St

781-571-1219

Maddywebster@hotmail.com

Monday, October 2, 2023

Dear Arlington Redevelopment Board members,

I am writing to urge you to vote against the Working Group's bloated version of the MBTA Communities Act and, instead, adopt a plan that meets but does not so excessively exceed what is mandated by the Act. Specifically, I ask that you:

- Scale back the geographic size of the overlay to encompass no more than 50 acres of existing parcels of property.
- Reduce the height limit in the NMF Overlay Districts to no more than 3-stories
- Reduce the height limit in the MBMF Overlay Districts to no more than 4-stories
- Include as a "bonus" in the MBMF District
 - one additional story for providing 25% affordable units at 60% AMI.
 - one additional story for providing business occupancy in 100% of the ground floor
 - one additional story for projects that are SITES Gold certifiable
 - one additional story for projects that are all electric and completely eliminate fossil fuels for heating, cooling and cooking
- Stipulate that bonuses in the MBMF District are not additive and that combining them will result in no more than a one-story bonus so that no building will be greater than 5 stories.
- Stipulate that the height with all bonuses shall not exceed 5 stories or 50 feet in the MBMF, and 3 stories or 35 feet in the NMF.
- Stipulate that front setbacks of 15-feet are required for all developments in the overlay districts.
- Require one parking space per dwelling unit.
- Limit the overall overlay capacity to 3000 dwelling units.

Sincerely,

Jordan Weinstein

Town Meeting Member, precinct 21

From: David White
Sent: Thursday, September 28, 2023 1:35 PM
To: Claire Ricker
Subject: Re MBTA Community Act

Dear ARB people,

Although I have commented before the MBTA Communities Act discussions these are some issues that I think are especially important.

We really need to take a long-term view as decisions made now will have impacts decades into the future.

Specifically we need to take into consideration a warmer and wetter climate. Thus we need to provide adequate space for trees and green spaces in all our zones, including the commercial ones.

One thing that should be required is front setbacks on Mass Ave and Broadway for the buildings with commercial on the ground floor. While it is great that ground floor commercial - preferably for retail and restaurant and services - is being incentivized with an extra story or two, the 0 foot front setback is a reduces public open space.

Let's have 15' front setbacks for bike racks, cafe seating, public art, trees, and the potential for permeable surface to reduce stormwater pollution, runoff, and downstream flooding! 15' setbacks is not a lot, but could provide for some community gathering space, particularly if there is some outdoor furniture under trees.

I think that this would be a change that the Town Meeting would be happy to see.

Thank you,
David White, Town Meeting Member

From: Patricia Worden

Sent: Wednesday, September 20, 2023 11:41 AM

To: Rachel Zsembery; Kin Lau; Ashley Maher; Claire Ricker; Eugene Benson; Stephen Revilak; Eric Helmuth; Stephen DeCoursey; Diane Mahon; John Hurd; Jim Feeney

Subject: Testimony for ARB meeting of October 2, 2023

Worden Testimony for ARB meeting of October 2, 2023

Please Post with correspondence received

Dear members of the Arlington Redevelopment Board, Select Board, Mr. Feeney, and Ms. Richter,

Unfortunately many residents supporting the Working Group have been told (by high density proponents including a member of the ARB) and clearly believe that Arlington “severely restricted housing supply over the last 50 years” and needs to catch up with residential construction of apartments because (they claim) it followed an exclusionary zoning path since the Zoning Bylaw recodification of the seventies. That is NOT TRUE - Actually Arlington’s Inclusionary Zoning Bylaw-aka Affordable Housing Bylaw was one of the best and earliest such instruments of our region. Our subsidized Housing inventory is higher than most surrounding Towns and some cities.

Sadly, the current ARB and Planning Department are thought to have been remarkably careless recently about ensuring protocol for fair allocation, pricing, size etc. of some affordable units which would even make them ineligible for inclusion in the state’s Subsidized Housing Inventory (SHI). The WG Plan gives no information about safeguarding tenants’ interests against illegally high rents and unacceptably tiny apartments charged for affordable units by predatory developers, if indeed the WG plan ever even enables any affordable units to be provided by our by-law - Section 8.2 of Arlington Zoning Bylaw. There is NO certainty of affordable unit production by the WG Plan despite their misleading comments about affordable unit incentives etc.

Arlington is the second most dense Town in the Commonwealth and if nine or so of our surrounding Towns were built out to our density there would be no housing shortage in Massachusetts The narrative promulgated by Arlington pro-density officials also claims that Arlington downsized their zoning to make it extremely difficult to build multi-family homes and that we were not a welcoming community. That is particularly inaccurate. For example, Arlington was one of the first and most important towns to include and warmly welcome METCO. Importantly, zoning was never used in Arlington to stop multifamily building. Just the opposite. In the early seventies there was concern that apartment builders were planning too many in East Arlington and so there was a construction moratorium for a short time. The moratorium enabled sufficient time for the zoning bylaw to be changed to encourage apartment buildings to be built in a manner enhancing the residential areas in many areas in Town. And, unlike most neighboring towns where few multifamily buildings were built, since the seventies many more apartments have been permitted and built—among the larger are:

- the Legacy in Arlington Centre
- Arlington 360 – the Symmes development
- Brightview Assisted Living Complex
- Watermill Place

- Brigham Square Apartments
- Collins project at the corner of Summer and Mill Streets
- Sunrise Assisted Living in Arlington Heights
- 882 Mass. Av
- Affordable Apartment Complexes built by the Housing Corporation of Arlington both in East Arlington and Arlington Heights
- Cusack Terrace, Housing Authority affordable complex, and
- Millbrook Square Affordable Apartments
- Apartments which were encouraged when gas stations shut down- such as the apartment building that replaced the Texaco gas station on Massachusetts Avenue in East Arlington.

Regarding disparaging comments about racial discrimination that that have been made by some officials and others trying to impugn Arlington’s reputation it should be said that there will always be evil people in the world. Racial covenants were extremely rare in Arlington and a self-respecting attorney would refuse to handle a real estate deal unless a racial covenant was removed. Also, Arlington never had redlining -which in any event has little or nothing to do with zoning – mainly involved bankers.

According to the Planning Department a major initiative of the WG Plan is to implement several goals of the Master Plan to “address the lack of housing diversity in the community.” The Master Plan involved thousands of hours of resident and expert involvement , was thoroughly vetted and then approved by Town Meeting. Very few Town Reports have been approved by Town Meeting

What Arlington’s Master Plan actually states:

“Arlington is unique among Boston’s inner suburbs for its diverse housing stock. “

So, Arlington ‘s Master Plan lauds the diversity of Arlington’s housing. 61% of our housing stock is actually in 2 family or greater residential buildings. 39% is in single family housing. Some of the recent misinformation promoted by WG Plan proponents is that how the MBTA act will help to fill Arlington's so-called “Missing Middle.”

In actuality, this supposedly Missing Middle, ranging from duplexes to 3 story low rise, is currently the predominant form of housing in Arlington.

In rough numbers,

Single Family 39%

Middle Housing 50%

Mid-Hi Rise apartment 11%

The WG Plan ignores the major housing recommendations of the Master Plan which specifies the need for senior housing and affordable housing-neither of which is part of the WG Plan.

The WG trashes the major recommendations of the Master Plan’s sixteen pages of recommendations and preferences for care for Arlington’s Historic and Cultural Resources. The MP is insistent that:

“Communities need to preserve the physical tapestry of historic buildings, structures, and landscapes for future generations. From Arlington’s pivotal role in the events that precipitated the Revolutionary

War to the lasting physical creations showcasing masterful architectural styles, and the legacy of founding families such as the Robbins, Arlington has much to celebrate, and much to preserve from over three and a half centuries of development.”

Astoundingly the WG Plan Alternatives include plans for:

1. Enabling massive construction of apartment building and destruction ripping apart the quiet neighborhood hillside area of Paul Revere Road – the very road ridden by Paul Revere – and the area in which the historic and cherished home of Benjamin Locke – the Captain of the Minute Men at that time is now in danger of extinction if the ARB approves the WG Plan
2. Endangering area encompassing the Schwamb Mill – the oldest such working mill in the US and an invaluable Arlington cultural resource

We heard at the 9/11 hearing from a resident of a multifamily unit on Mass. Av. that she wishes others could acquire such units. Yes, right now Arlington has many naturally affordable units but if the WG’s plan for over-compliance is successful she may find that she no longer has her apartment-it will be demolished for gentrification. The new apartments enabled by the WG Plan will be much more expensive. I believe there was a demonstration last weekend by some residents of the large apartment buildings opposite the High School to object to possible eviction of long-term tenants—which will happen much more should the WG Plan be approved.

I have been involved in increasing affordable housing and preventing homelessness for many years. We have heard many wrongful claims and projections at the 9/11 ARB Hearing about the advantages that the current WG Plan for many thousands of new units if approved would bring affordable units, senior units and accessibility. Just remember that the WG has refused to require any of these and has not obtained state permission to use Arlington’s Affordable Housing Bylaw so they may **NEVER** happen if their plan is approved.

Sean Keane is an angel and posted the video of the Hearing on 9-11 very expeditiously (the ARB did allow some but not all anti-WG Plan speakers):

<https://youtu.be/5Tr8gl0l7p0?si=4sh2jGslqteXpq4F>

Here is the video for the Hearing on 7-25 in which more residents were allowed to speak:

<https://youtu.be/Q2LU6b59BHg>

Very truly yours,

Patricia B. Worden, Ph.D.

Former Chair, Arlington Housing Authority

Former Charter member Arlington Human Rights Commission