



## **Town of Arlington, MA Redevelopment Board**

### **Agenda & Meeting Notice October 21, 2024**

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](mailto:cricker@town.arlington.ma.us) by Monday, October 21, 2024, at 3:00 pm. The Board requests that correspondence that includes visual information should be provided by Friday, October 18, 2024, at 12:00 pm. Please note that all times are estimates; individual agenda items may occur earlier or later than the time noted.

The Arlington Redevelopment Board will meet Monday, October 21, 2024 at 7:30 PM in the **Arlington Community Center, Main Hall, 27 Maple Street, Arlington, MA 02476**

#### **1. Review Meeting Minutes**

7:30 pm The Board will review and vote on meeting minutes from September 16, and October 7, 2024.

#### **2. Public Hearing: Docket #3348, 821-837 Massachusetts Avenue**

7:35 pm Notice is herewith given that the Arlington Redevelopment Board seeks to reopen Special Permit Docket #3348, in accordance with the provisions of MGL Chapter 40A § 11, and the Town of Arlington Zoning Bylaw Sections 3.3, Special Permits, and 3.4, Environmental Design Review. The Board proposes to modify the decision approved by the Board on April 13, 2009, for the property located at 821-837 Massachusetts Avenue in the B4 Vehicular Oriented Business District, to allow for demolition of the existing building and constructing a new mixed-use building at 821 Massachusetts Avenue. The reopening of the Docket is to allow the Board to review and approve modifications to the Special Permit Docket #3348 under Section 3.4, Environmental Design Review.

- The Board will vote to re-open the Docket.

#### **3. Public Hearing: Docket #3798, 821 Massachusetts Ave (continued from July 1, 2024)**

7:45 pm Notice is herewith given that an application has been filed on April 22, 2024, by Noyes Realty LLLP, PO Box 40, Marblehead, MA 01945, to open Special Permit Docket #3798 in accordance with the provisions of MGL Chapter 40A § 11, and the Town of Arlington Zoning Bylaw Sections 3.3, Special Permits, and 3.4, Environmental Design Review. The applicant proposes to demolish the existing building and construct a mixed-use building located at 821 Massachusetts Avenue, Arlington, MA, in the B4 Vehicular Oriented Business District. The opening of the Docket is to allow the Board to review and approve the application under Section 3.4, Environmental Design Review.

- Applicant will be provided 10 minutes for an introductory presentation.

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

In addition to the attached documents, a SketchUp Model Video is available here.

#### **4. Public Hearing: Docket #3821, 1513-1515 and 1517-1519 Massachusetts Ave**

- 8:30 pm Notice is herewith given that an application has been filed on September 20, 2024, by Yevgeny Bernshtein, IG Investments LLC, 226 Harvard Street, Brookline, MA 02446, to open Special Permit Docket #3821 in accordance with the provisions of MGL Chapter 40A § 11, and the Town of Arlington Zoning Bylaw Sections 3.3, Special Permits, and 3.4, Environmental Design Review. The applicant proposes to demolish the existing single-family and two-family buildings and construct a mixed-use building containing nine residential units and one commercial unit on the property located at 1513-1515 and 1517-1519 Massachusetts Ave, Arlington, MA, in the B1 Neighborhood Office District. The opening of the Docket is to allow the Board to review and approve the application under Section 3.4, Environmental Design Review.
- Applicant will be provided 10 minutes for an introductory presentation.
  - DPCD staff will be provided 5 minutes for an overview of their Public Hearing Memorandum.
  - Members of the public will be provided time to comment.
  - Board members will discuss Docket and may vote.

#### **5. Debrief of Joint Meeting with Select Board**

- 9:15 pm The Board will discuss remaining items and outcomes from their joint meeting with the Select Board on September 16, 2024.

#### **6. Arlington Master Plan Update (AMPUp) Advisory Committee**

- 9:40 pm The Board will vote to approve the appointment of one new AMPUp Advisory Committee member.

#### **7. Open Forum**

- 9:50 pm Except in unusual circumstances, any matter presented for consideration of the Board shall neither be acted upon, nor a decision made, the night of the presentation. There is a three-minute time limit to present a concern or request.

#### **8. New Business**

- 10:05 pm

#### **9. Adjourn**

- 10:15 pm (Estimated)

#### **10Correspondence Received**

- 821 Mass Ave:
- R. Bergman, 7/1/2024
  - A. Pascale, 7/1/2024
  - W. Evans, 7/2/2024



- L. Simpson, 7/2/2024
- D. Seltzer, 7/3/2024
- M. Popova, 8/5/2024
- J. Anderson, 8/12/2024
- J. Mintz, 8/12/2024
- C. Aquilino, 8/13/2024
- D. Krause, 8/23/2024
- L. DiStasio, 9/22/2024
- A. Ellinger, 9/22/2024
- A. Gailus, 9/22/2024
- S. Garcia, 9/22/2024
- J. Hammer, 9/22/2024
- D. Henson-Conant, 9/22/2024
- K. Samuelson, 9/22/2024
- M. Vandersteel, 9/22/2024
- C. Wagner, 9/22/2024
- J. Cullinane, 9/23/2024
- J. Donahue, 9/23/2024
- M. Dubyaga, 9/23/2024
- L. Englisher, 9/23/2024
- K. Fanale, 9/23/2024
- T. Gailus, 9/23/2024
- A. Golden, 9/23/2024
- R. Peterson, 9/23/2024
- B. Gravely, 9/24/2024
- E. Harasti, 10/2/2024
- K. Tutunjian, 10/16/2024
- M. Powers, 10/20/2024
- M. Brown, 10/21/2024
- J. Cullinane, 10/21/2024
- S. Forrest, 10/21/2024
- A. Gailus, 10/21/2024



## Town of Arlington, Massachusetts

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### Review Meeting Minutes

#### Summary:

7:30 pm            The Board will review and vote on meeting minutes from September 16, and October 7, 2024.

#### ATTACHMENTS:

Type	File Name	Description
Reference Material	09162024_DRAFT_AMENDED_Minutes_Redevelopment_Board_and_Select_Board.pdf	09162024 DRAFT AMENDED Minutes Redevelopment Board and Select Board
Reference Material	10072024_DRAFT_AMENDED_Minutes_Redevelopment_Board.pdf	10072024 DRAFT AMENDED Minutes Redevelopment Board



**Joint Meeting:  
Arlington Select Board (SB) and Arlington Redevelopment Board (ARB)  
Monday, September 16, 2024, at 7:15 PM  
School Committee Room  
Arlington Public Schools District Office, 14 Mill Brook Drive, 2nd Floor, Arlington, MA 02476  
Meeting Minutes**

This meeting was recorded by ACMi.

**REDEVELOPMENT BOARD MEMBERS PRESENT:** Rachel Zsembery (Chair), Eugene Benson, Shaina Korman-Houston, Kin Lau, Stephen Revilak

**SELECT BOARD MEMBERS PRESENT:** Stephen DeCoursey (Chair), Diane Mahon (Vice Chair), Lenard Diggins (remote), John Hurd

**STAFF:** Jim Feeney, Town Manager; Michael Cunningham, Town Counsel; Ashley Maher, Select Board Administrator; Claire Ricker, Director of Planning and Community Development

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Mr. DeCoursey and Ms. Zsembery called the meeting to order.

Mr. DeCoursey stated that tonight's meeting is hybrid, with the remote portion conducted via Zoom, and that it is being recorded by ACMi.

The Board members and Staff representatives introduced themselves.

**Agenda Item 1 – Arlington Heights Business District.**

Ms. Zsembery explained that the ARB is currently working on a warrant article for 2025 Annual Town Meeting to rezone the Arlington Heights Business District. In 2019, the ARB and DPCD hired a consultant and worked with the Arlington Heights community to create the Arlington Heights Neighborhood Action plan. The neighborhood is currently a mix of different residential and business zones, and the plan proposes creating a more cohesive business district to allow for more effective redevelopment. During the process of working on MBTA Communities, it became clear that it would be helpful to define the boundaries of all three of Arlington's major business districts: Arlington Heights, Capitol Square/East Arlington, and Arlington Center.

Ms. Ricker said that the Arlington Heights Neighborhood Advisory Committee, which worked on the Neighborhood Action Plan, has been reconvened. They've met twice and had a table at the Spring Fling Festival in the Heights, and they will also have a booth at Town Day on September 21. They are planning a community meeting in the Heights for October or early November, with the idea that the zoning proposal would go to the ARB in November or early December for consideration.

Ms. Zsembery said that the Economic Development Coordinator shared with the ARB that the major challenges facing businesses who would like to rent space in Arlington are commercial spaces that are too small and sometimes not in good enough condition. The hope is that the rezoning plan will enable some smaller parcels to be combined, which is currently difficult if two adjoining parcels are zoned differently. The ARB also wants to comprehensively look at parking.

Mr. Hurd said that reconsidering the Heights Business District makes sense and that parking is one of the biggest challenges there. If the hope is to bring in more businesses, adequate parking must be considered. He would like to see a parking study for the Heights, to see if metering makes sense.

Ms. Mahon said that she has heard from several people who live over the storefronts in the Heights, which includes a lot of affordable housing. They are concerned about whether the housing will continue to be affordable. They have asked her if the Town can put a safeguard into place to deal with what happens if the buildings are redeveloped and the apartment rents are higher, but the apartments don't get filled. Ms. Zsembery replied that the bylaw does include inclusionary zoning requiring a certain amount of affordable housing in larger developments. She also said that the ARB can consider offering bonuses to developers in exchange for additional affordable housing or other things that the community wants. DPCD and the Arlington Heights Neighborhood Advisory Committee are collecting information about community goals for redevelopment, so ideas for incentivizing developers to meet those goals can be developed. Mr. Lau said that he would like to see tax incentives offered for developments with more affordable housing than required, as well as those with larger and/or renovated retail spaces and other community goals. Tax incentives could be offered to businesses as well, to help with their up-front costs in opening a storefront.

Mr. Benson said that Ms. Mahon's question doesn't really have a good answer. The ARB can put incentives in the zoning bylaw, but the owners may not take them. If a property owner redevelops a property, the current tenants will probably have to leave, even if the development ultimately does include affordable housing. The Town could look into creating a relocation fund for low-income tenants forced to move by redevelopment.

Ms. Korman-Houston said that the state has regulations for units with expiring use covenants. Some members of the Affordable Housing Trust Fund Board have expertise in this area.

Mr. DeCoursey said tax incentives would involve multiple departments and can be quite complicated, but he hopes they would all be open to examining the possibility.

Mr. Diggins noted that the Select Board is largely responsible for transportation. If redevelopment does happen, and the numbers of both businesses and residential units increases, the SB needs to think about how to get people in and out of the area. Options for making Park Avenue safer are already under consideration, which will probably mean making it narrower and slower. He would like to see more transit in the area, whether that is increased public transit or some sort of shuttle service. They could also consider shared vehicles, perhaps on the MBTA bus turnaround site, which would decrease the need for people to own cars, as well as the need to park on Mass Ave. He would like to work with the MBTA to improve travel on Mass Ave for buses.

Mr. Benson said that any redevelopment plans for the Heights need to consider the bus turnaround. He asked if the SB has had any conversations with the MBTA about freeing up the site. Mr. DeCoursey said that they have not, but they are very aware of how underutilized that site is. Ms. Zsembery noted that the SB sent a letter to the MBTA on behalf of the Town regarding the redevelopment of the Alewife MBTA stop, and she hopes that can be the beginning of a conversation that could also include the MBTA turnaround.

Mr. Hurd suggested reducing or eliminating the minimum parking requirements for residential units within the Heights Business District. Parking minimums restrict what can be built, and he thinks that if a developer is willing to take the risk of building a development without parking, they should be able to do so. The SB has heard from residents that they don't want to promote policies that bring more cars into the Town.

Ms. Zsembery said that parking has been a significant topic of discussion for the ARB. Not having overnight street parking makes many projects challenging, if not infeasible.

## **Agenda Item 2 – Overnight Parking.**

Mr. DeCoursey gave an update on the overnight parking pilot program, which started in 2023. The SB started the program because they had so many hearings in which residents asked for parking waivers. The pilot program has been expanded for another year, through June 2025, and they have increased the number of permits to 150, on a first-come first-served basis. 78 permits have been issued thus far. To get a waiver, a resident previously had to show hardship, but with the pilot program, they only have to show proof of residence and pay a fee of \$1 per night. The Board is

unanimously in support of the pilot program and will revisit extending it next year. Mr. Hurd noted that the current iteration of the pilot program was developed over the course of many meetings. It has been very successful, and it has proven to be popular without overwhelming the Town with many additional cars parking overnight.

Mr. Revilak noted that the Capitol Theater has five or six parking spaces. According to the zoning requirements for minimum parking, the theater and the residential uses would require over 300 parking spaces. The largest parking reduction the ARB could grant would be to 75 spaces. The building has been around for 100 years, and the business works successfully without the parking. Requiring parking minimums leads to a lot of parking spaces, many of which are unused much of the time. He thinks that there is opportunity to reduce or eliminate parking minimums, especially in commercial areas. Changing the requirements will take a long time, but the Town can do more by eliminating or reducing parking minimums and allowing for more curbside parking.

Mr. DeCoursey noted that there are two issues being discussed – reducing parking minimum requirements and dealing with the overnight street parking ban. Mr. Benson said that the zoning bylaw currently requires one parking space for each residential unit, regardless of size. The first 3,000 square feet in a mixed-use building doesn't require any parking at all. The ARB can waive the parking requirements completely for businesses. If a developer gives them a Transportation Demand Management (TDM) plan, the ARB can reduce the required parking for residential by up to 75%. A question that has frequently come up is changing the zoning bylaw to require no parking at all. Mr. Benson could only support that change if those who need a car have the option of parking it on the street overnight. Right now, eliminating parking minimums would lead to people either illegally parking on the street overnight or choosing not to live in Arlington at all. He knows people who have moved into Arlington without a car, thinking they would rely on the T, but then have gotten jobs that aren't accessible by public transportation, so they need a car and a place to park it overnight. The pilot program is great, but as long as it's a pilot, it's not a guarantee.

Mr. Hurd noted that the pilot program doesn't allow for daytime parking. Someone living in an area with parking meters or two- or four-hour parking who got an overnight parking permit would still have to deal with where they could park during the day.

Mr. Diggins agreed with Mr. Benson about the importance of getting certainty on the future of the pilot program. He noted that some people may not want to apply for a permit until they know that they will continue to be able to do so in future years. He also noted that it might make sense to reduce the price. He would also like to see a program with shared vehicles.

Mr. Lau noted that some municipalities have residential parking that goes from something like 6:00 pm to 7:00 am, but during the day, those spaces are two- or four-hour parking. That is essentially a shared parking program, enabling the same spaces to be used by residents at night and by business customers during the day.

### **Agenda Item 3 – Potential Expansion of Parking Benefits Districts.**

Mr. DeCoursey said that the Town has one Parking Benefits District (PBD), in the Center. Mr. Feeney would like to evaluate the potential for expansion to one or both of the other two main business areas. The parking meters in Arlington Center have generated revenue that has been put into streetscape enhancements that would otherwise not be feasible. Business owners in the Center appreciate the program because of the improvements it has enabled. Those sorts of improvements can't be done in other parts of Town. Before implementing parking meters in other areas of Town, we would need to study the potential neighborhood impacts. Arlington Center has two relatively large parking lots, so overflow from street parking does not impact the residential neighborhoods, which could be an issue in Arlington Heights and East Arlington.

Mr. Benson said that the parking meters themselves in the Center are confusing, and he recommended considering the type of parking kiosks in use in Belmont Center. Mr. Feeney also noted that having a meter at every parking space, rather than kiosks which can be used for multiple spaces, requires maintenance of all the meters, including digging them out when there has been a significant amount of snow.

Mr. Revilak agreed with Mr. Feeney that the decision to expand metered parking into the Heights and East Arlington should be based on study. He also noted that people want parking to be convenient, available, and free. But in high-traffic areas, it is only possible to meet two of those goals. PBDs, if priced correctly to incentivize turnover, generally

enable parking to be convenient and available, while those who want to park for longer, such as employees, can choose to park on side streets which are available and free, but less convenient. A study would help determine whether it would be possible to implement a PBD in the Heights and/or East Arlington in a way that would maximize use.

Mr. Diggins said that he was in favor of expanding the PBD, especially in East Arlington. He said that it is also important to consider bicycle traffic. A study should consider how to better configure parking to enable safer travel for cyclists. He also thinks that it would be possible to implement a permit system allowing employees to park on side streets.

#### **Agenda Item 4 – Affordable Housing Overlay District.**

Ms. Zsembery explained that a working group came to the ARB in early 2024 with a proposal for an as of right affordable housing overlay. The ARB recommended that the group engage in a much more public process to understand the full range of implications for the Town. They agreed and did not bring their proposal to 2024 Annual Town Meeting, and they are currently working on proposal that will mostly likely be brought to 2025 Annual Town Meeting. She noted that this proposal will be challenging without an overnight parking program. It will also challenge some of the decisions the Town has already made with regard to the Multi-Family Housing Overlay Districts being implemented as a result of the MBTA Communities Law, as well as what the Town hopes to accomplish by rezoning the business districts. However, there are still ways to make the proposal work. She explained that the working group hopes to provide as of right development through Site Plan Review rather than Environmental Design Review for any project that is primarily affordable housing. They are not planning to restrict residential development in the business districts, which is a concern of the ARB given the overwhelming support in Town for maintaining and further developing the business districts. The working group has also asked that all parking requirements be eliminated, which some members of the ARB also have concerns with without more information about the future of overnight parking.

Ms. Ricker said that the working group is working through questions about levels of affordability. She noted that one of the sites mentioned repeatedly is the Walgreens site. She noted that a future East Arlington Business District boundary could perhaps mirror the borders of a PBD boundary, which she hopes the two Boards could come to agreement about.

Mr. Lau said that he does not want to create one section of Town where all the affordable housing is, so he thinks that the Affordable Housing Overlay District should not have particular boundaries – affordable housing should be built anywhere in Town where it is feasible.

Mr. DeCoursey noted that Cambridge has a similar overlay district, and he asked if other communities do as well. Mr. Revilak replied that Cambridge is definitely not the only one, and he believes Somerville and Boston do as well.

Mr. Diggins said that he supports the idea of an Affordable Housing Overlay District. He does want to protect business districts, but he thinks that can happen with mixed-use requirements, so that affordable housing can be developed above businesses. He also noted that increased housing in business districts would provide an opportunity for shared vehicle programs, which could include a program allowing shared vehicles to be parked on the street at all times.

#### **Agenda Item 5 – Liquor License Control.**

Mr. DeCoursey said that the SB has heard of situations in which potential businesses have chosen not to locate in Arlington because of difficulties with liquor licenses. He noted that current regulations require that no more than two alcoholic beverages per person may be served without food. He asked Ms. Ricker if DPCD staff is finding that the current requirements for liquor licenses are proving to be barriers to new businesses, and if so, what the specific issues are.

Ms. Ricker replied that a wine and cheese shop recently wanted to open a location in Arlington Center but was unable to because no package store licenses were available. DPCD has also had extensive conversations with a brewery that would like to open in Arlington but has struggled with the requirement that if a business serves alcohol, it must also serve food. One of the biggest problems is that all-alcohol restaurants must have a 50-seat minimum. Most of the Town's available restaurant storefronts are too small for that size restaurant.

Mr. Hurd said that he has always been somewhat uncomfortable with the two-drink maximum without food. He noted that some business owners like it, because it encourages people to order food, but it is very hard to enforce. He thinks that bartenders and restaurant owners have the duty to make sure that they do not serve intoxicated people, regardless

of the two-drink rule, and he is not sure that the rule makes sense, especially if it is an impediment to a business like a brewery.

Ms. Mahon agreed with Mr. Hurd. She noted that at the time that the Select Board began to allow restaurants to serve alcohol, the two-drink rule was introduced as a way to enable one particular Board member to agree to allow any alcohol. She would be willing to revisit it. She is also open to reassessing the 50-seat minimum for an all-alcohol restaurant. She asked the ARB and Ms. Ricker what opportunities Arlington has lost out on because of the two-drink rule and/or the 50-seat minimum. She also noted that in asking other municipalities how to get a thriving industrial zone, she has heard that it is important to tie in with flag companies and to use CDBG funds to incentivize companies that represent a gap in the types of business that are currently present.

Mr. Diggins said that is also in favor of revisiting all the alcohol requirements and restrictions. When they were put in place, people had significant safety concerns and wanted to enact policies that would not lead to impaired driving. Times and standards have changed, and the changes being considered carry less of that risk now. He would like to make simple changes that make life easier for business owners.

Mr. DeCoursey noted that the Town currently has 13 all-alcohol restaurants, with a remaining 7 licenses available for a total of 20. He does not want to create a situation in which there is significantly more demand for those licenses, such that they have all been issued and are being sold for exorbitant amounts, as has happened in Boston. Ms. Maher noted that the town has an unlimited amount of beer and wine licenses, and those have a 19-seat minimum. Mr. DeCoursey noted that the Town has no package store licenses available to issue, but there are two licenses in use for stores that are not currently open.

Mr. Feeney noted that if the seat minimum for all-alcohol licenses were reduced, it is likely that currently existing beer and wine restaurants would apply for the remaining licenses, more so than new businesses looking to open.

Mr. DeCoursey noted that elsewhere, many breweries do not serve food themselves but either bring in food trucks or encourage delivery from nearby restaurants. Eliminating the two-drink minimum would not necessarily lead to more people drinking alcohol without eating, but it would enable a business like a brewery to thrive without serving food while partnering with a business that does serve food.

Ms. Zsemberly noted that the ARB would like to be able to be more flexible in supporting creative ideas that come before the Board, whether it's tasting rooms, breweries, or other businesses.

Mr. Cunningham said that as the local licensing authority, the SB has significant discretion to deal with these issues.

#### **Agenda Item 6 – Signage Enforcement.**

Ms. Zsemberly said that the ARB would like to identify ways that the two Boards might better ensure that businesses follow the bylaw requirement regarding the submission and approval of signage. An increasing number of nonconforming signs have been installed without the approval of DPCD or the ARB, and in some cases without the approval of the Inspectional Services Department (ISD). When new businesses go before the SB, conditions placed on the approval include appropriate review of the signage. The ARB believes that to improve the business districts, it is important to ensure that signage meets quality and quantity standards and that it is permanent rather than temporary.

Mr. Hurd said that the SB is pretty clear with new businesses about what is and isn't allowed, but the enforcement process is not clear. The Director of ISD has said in the past that ISD does not have the resources to focus on signage enforcement. He would like to come up with an enforcement mechanism. Businesses that in are in conformance are at a disadvantage compared to those who put up whatever signage they want.

Mr. DeCoursey said that the problem generally happens after the SB approves a business license. The SB and ISD make clear to the applicant that all signage needs to meet bylaw requirements and go through the process of receiving a sign permit. ISD is then responsible for enforcement, but they do not have the staff or resources to focus on signs when they are responsible for so many other inspectional and permitting issues.

Ms. Ricker said that DPCD regularly receives signage applications, but businesses often put signage up without applying for a sign permit at all. One of the challenges is that the signage requirements in the bylaw are somewhat prescriptive,

so businesses often assume that their signage is in compliance when it is not. She said that ISD cannot prioritize signage enforcement with the resources they have available. She wondered if it would be appropriate to add some sort of punitive response should a new business not apply for a sign permit. The problem is with businesses that put up signs without looking at the sign code or submitting an application for a sign permit. The businesses who are in communication with DPCD are generally responsive.

Ms. Zsembery said that she, Ms. Ricker, and Mike Ciampa, Director of ISD, have discussed creating a part-time position specifically for signage enforcement, and possibly also vacant storefronts, potentially partially funded by fines for violations. Before budget season, she would like to have further discussions about creating such a position. Mr. DeCoursey noted that because signage comes under the Zoning Bylaw rather than the Town Bylaws, options for financial sanctions are limited. Mr. Feeney said that because the Town now uses the online platform OpenGov, we are better positioned than in the past to make clear to businesses what the requirements are, and businesses that go through the proper process are generally in compliance. We need to identify a way to respond when businesses circumvent the process. It is well known that if a business starts construction without a building permit, their building permit fee will be tripled, which is an effective deterrent. No such deterrent exists for installing signage without a sign permit. He noted that a sign permit is not required for a Certificate of Occupancy, so a new business can apply for all required permits, get all their inspections, get a Certificate of Occupancy, and then put up whatever sort of sign they want, at which point the Town has little recourse.

Mr. Diggins said that it is important that all types of businesses are treated equally. He would like to get more information about how much money fines for noncompliance could actually bring in, and whether that could really fund a position. He also said that he would like to know more about the impact of noncompliance and how it affects the larger business community. Ms. Zsembery said that research has been done about the effect lack of attention to signage and storefront management has on the number of vacant storefronts and on the type of establishments that seek to locate in the vicinity.

Ms. Mahon said that a significant portion of the problem is a communication issue. Many applicants, particularly small businesses, are not represented by attorneys, and she thinks that many do not understand the requirements, either because of a language barrier or because the requirements are complicated. She thinks that relevant documents and forms need to be translated into multiple languages, and translators need to be available for hearings. Mr. Feeney replied that the Town is beginning the process of having important documents translated into the most commonly spoken languages in Arlington; a number of documents have already been translated, and more are in the pipeline.

Ms. Zsembery replied that even for native English speakers, the zoning bylaw is not always easy to understand. She appreciates that ISD and DPCD consistently work with business owners and others to help them understand the requirements. She thinks that the ARB and the SB should encourage applicants coming before them to reach out to DPCD and ISD staff for clarity about what is required of them.

Mr. Lau noted that when businesses apply for a license, there is a checklist of things they need to comply with. He asked if business license renewals have a similar checklist, which would note if they are out of compliance with signage requirements, and if delaying the license renewal could be used as a way to bring them into compliance. Mr. DeCoursey replied that those questions are not asked. Mr. Feeney said that signage enforcement should be tethered to license renewal. The Town sends out renewal materials, and they could include materials explaining the signage requirements. A group could also be established to go out and look at businesses in advance of the renewal and provide comments that could be included in renewal materials.

Mr. Hurd noted applicants for new licenses are put on the SB's agenda individually, but that license renewals take place en masse at the end of the year, and the Board votes for the entire list at once. Evaluating each license renewal individually would bog down the SB's meetings. It would work better to include a checklist of issues to consider with the renewal information sent to all the businesses, and to require the businesses to certify that they are in compliance. Mr. Revilak noted that the materials sent out could include a question such as, "Have you changed signs in the last year?"

## **Agenda Item 7 – Cannabis Licensing.**



Mr. DeCoursey explained that the Town has three licenses to issue cannabis dispensaries. A business first goes to the SB, which enters into a host community agreement, then gets approval from the Cannabis Commission, and then has to get a Special Permit from the ARB. Two licenses are currently in use. The third host community agreement has been issued to Calyx Peak. The host community agreement says that the applicant must obtain all necessary approvals, or the agreement will become null and void, but does not include a date by which the agreement will expire if they are unable to obtain the required approvals. There has been discussion about whether to expand the number of host agreements available. Calyx Peak has been stalled, and they have been unable to proceed with their licensing process. Mr. Feeney said that there are two or three other potential applicants who would be interested in making use of the third host agreement if it were available.

Ms. Ricker said that Calyx Peak applied to the ARB for a Special Permit, but they have since been unable to come to terms with the landlord. She and Mr. Feeney have had discussions that it is unclear which Town entity is responsible for communicating with them and requiring an update. Mr. DeCoursey said that applicants for host agreements are required to show site control, and the absence of that should disqualify them at some point.

Mr. Hurd said that the SB has discussed whether the distance restrictions initially put in place still make sense, because they have found that not many suitable locations are in compliance with those restrictions in terms of distance from schools and playgrounds as well as other dispensaries. The site chosen by Calyx Peak generated significant community opposition, but it was chosen in part because it was the only site available that met all the requirements. It might make sense to amend the original restrictions to allow for more possible locations.

Mr. Diggins said that Calyx Peak should come back before the SB. The SB also needs to add some sort of deadline to the host agreements. He thinks that the required distance from schools and playgrounds should be maintained, but it would make sense to reduce the required distance between marijuana establishments.

Mr. Benson noted that either changing the number of establishments or reducing the required distance between them would require a zoning warrant article approved by Town Meeting. If the SB wants to make such changes, they need to communicate that to the ARB, so that the ARB has time to create such a warrant article and hold a public hearing on it in the leadup to 2025 Annual Town Meeting. Mr. DeCoursey replied that he would like the question of Calyx Peak's host agreement settled first, so that it's clear whether the Town has a third host agreement to give out, before making other potential changes, so it might not happen for 2025 Town Meeting.

Mr. Hurd said that the number of host agreements was originally decided upon based on the number of liquor stores, which has increased. He asked Mr. Cunningham if they are required to increase the number of host agreements as well. Mr. Cunningham replied that the Town has the option to increase the number but is not required to do so.

#### **Agenda Item 8 – Master Plan Update Advisory (AMPUp!) Committee Select Board seat**

Ms. Zsembery explained that the SB has the option to appoint a liaison to the AMPUp! Advisory Committee. Ms. Ricker said that she gave a presentation to the SB at their July meeting explaining the Master Plan update process and what an SB liaison might do. She noted that the 2015 Master Plan Committee did include a representative from the SB, and that SB representation to such a committee is common for municipalities. The first task of the AMPUp! Advisory Committee is to evaluate the Request for Proposals due on September 23. She understands that members of the SB may not have the time to serve as a full member on the committee, but someone could potentially serve as a liaison, which would involve attending some meetings, keeping apprised of the minutes, and answering questions as they arose.

Ms. Zsembery noted that the Master Plan is an extremely important document for the Town, and it has guided a great deal of the ARB's work. The ARB has two representatives to the AMPUp! Advisory Committee who provide regular updates, and it would be helpful to have the SB involved in some capacity.

Mr. Diggins said that he would like to have a discussion about this at an SB meeting with full attendance. He thinks that the SB should have a representative who is a full member of the Advisory Committee. The SB considers all aspects of the Town and has accountability to the Town as a whole, so it should be fully a part of the Master Plan update process.

Mr. DeCoursey said that because of their limited time, the SB has discussed having a designee on the Advisory Committee, rather than an SB member. Potentially, they could have an SB member serve as a liaison in addition. Statutorily, the Master Plan is the ARB's responsibility, so it is ultimately up to them if they would allow an SB designee.

Mr. Benson said that he and Mr. Revilak are the two ARB members on the Advisory Committee. He said that Ms. Ricker explained to the Committee the option of either having an SB liaison or an SB designee, and the Committee was in favor of an SB liaison. They didn't feel that they needed another full member, but they did want to have ongoing communication with the SB.

Ms. Mahon said that she would prefer to have the SB provide a designee. Even if no member of the SB can make the time commitment necessary, she wants the SB to be fully represented, and not just have an occasional liaison. She noted that before she served on the SB, she was the SB's designee to several of the subcommittees in the 2015 Master Plan process.

Mr. Hurd suggested that the SB have two liaisons, in order to divide up the work involved. Mr. Benson said that he thinks the Advisory Committee would be open to that. Ms. Zsembery asked that the Advisory Committee discuss it at their next meeting and share their thoughts with the SB.

### **Agenda Item 9 – Vacant Storefronts**

Mr. DeCoursey noted that the SB frequently gets questions about vacant storefronts, especially about prominent locations. He said that they would like to gain clarity on the process for keeping in touch with landlords. He referred to the ARB's authority under Chapter 121B of Mass General Law to intervene in situations in which storefronts are vacant for an extensive period of time, noting that such intervention would be an extreme option. Ms. Ricker said that the Economic Development Coordinator regularly does inspections to determine which storefronts are vacant, and she notifies property owners that they will be subject to a fine. The fine was increased by 2024 Annual Town Meeting. DPCD has discussed the possibility of placing a lien on the property if the fines accrue significantly. Exercising Chapter 121B powers would require creating an urban renewal plan for Arlington Center (or another relevant area of Arlington), and identifying problem properties as targets for acquisition and redevelopment. An urban renewal plan is a lengthy and potentially expensive endeavor but may be worth it.

Mr. DeCoursey asked if the property owners have paid the fines. Ms. Ricker replied that some have and some have not. Mr. DeCoursey suggested that perhaps a lien could be added to a tax bill for unpaid fines.

Ms. Zsembery said that the ARB has discussed the possibility of creating an urban renewal plan regarding particular problem properties in the past, and those discussions have had positive results. They regularly discuss which properties are the most problematic and what measures might be appropriate, and they appreciate having the SB's support in looking at the possibility of taking more extreme action.

Mr. Lau said that it is important in some situations to provide incentives to development rather than focus on fines and other punitive measures, although he also recognized that some landlords have proven difficult for tenants to work with and may not respond to incentives.

Mr. Diggins likes the idea of an urban renewal plan. He noted that the problem is not unique to Arlington; other nearby municipalities have a significant number of vacant storefronts as well. An urban renewal plan might identify some properties as too difficult to lease, and it might result in increased open space or other amenities, helping us to think beyond trying to fill every empty space with more retail. He asked Ms. Ricker how much creating an urban renewal plan would cost. She replied that the Master Plan Update process has a budget of \$250,000, and she thinks an urban renewal plan for Arlington Center might be around \$100,000.

Ms. Zsembery and Mr. DeCoursey thanked all the Board members and Town staff for their participation in this joint meeting.

Ms. Zsembery asked for a motion to adjourn the ARB meeting. Mr. Lau so moved, and Mr. Benson seconded. The Board voted and approved unanimously.

Mr. DeCoursey asked for a motion to adjourn the SB meeting. Ms. Mahon so moved, and Mr. Hurd seconded. The Board voted and approved unanimously.

Meeting **Adjourned at 9:30 pm.**

DRAFT

**Arlington Redevelopment Board**  
**Monday, October 7, 2024, 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, Shaina Korman-Houston, Kin Lau, Stephen Revilak

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

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The Chair called the meeting of the Board to order.

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

September 9, 2024, minutes – The Board members made one edit to the minutes. The Chair requested a motion to approve the minutes as amended. Mr. Lau so moved, Mr. Benson seconded, and the Board voted unanimously in favor.

The Chair moved to **Agenda Item 2 – Public Hearing: Docket #3810, 149 Pleasant Street.**

Ms. Ricker said that the architect for 149 Pleasant Street contacted DPCD to ask that the hearing be continued to November 4, 2024.

The Chair asked for a motion to continue the hearing for Docket #3810, 149 Pleasant Street, to November 4, 2024. Mr. Lau so moved, Mr. Benson seconded, and the Board voted unanimously in favor.

Mr. Benson noted that the property is not in good condition, and vegetation has grown onto the sidewalk, making it difficult to walk along the sidewalk. He asked Ms. Ricker to communicate the issue to the applicant and ask them to deal with the overgrown vegetation.

The Chair moved to **Agenda Item 3 – Public Hearing: Docket #3798, 821 Massachusetts Avenue.**

Ms. Ricker said that the 2009 Special Permit for this property, Docket 3348, needs to be reopened and amended at the same time that Docket 3798 is being considered. As a result, Docket 3798 needs to be continued to October 21, 2024, so that both dockets can both be heard at the same meeting.

The Chair asked for a motion to continue the hearing for Docket #3798, 821 Massachusetts Avenue, to November 4, 2024. Mr. Lau so moved, Mr. Benson seconded, and the Board voted unanimously in favor.

The Chair moved to **Agenda Item 4 – Public Hearing: Docket #3819, 2 Reservoir Road.**

Ms. Ricker explained that this is an application by David and Linnea Berggren, proposing to renovate the existing non-conforming single-family residence located at 2 Reservoir Road in the R1 Single Family Residential District, by constructing an addition to the first floor and adding a dormer to the second floor. The application is before the Redevelopment Board due to its location abutting the Minuteman Bikeway. Ms. Ricker said that there was a question about whether the conservation area can be considered usable open space. In the opinion of both Ms. Ricker and Mike Ciampa, Director of the Inspectional Services Department, that area can be considered usable open space, so the application meets the requirements for usable open space.

Ms. Berggren said that they have received approval from the Conservation Commission. The existing house is one-and-a-half stories, with two bedrooms upstairs and one bathroom downstairs. The project is consistent with complete restoration to the existing structure, with the addition of a second-floor rear dormer to create an upstairs bathroom,

and a first-floor rear addition to expand the living space. The first-floor addition replaces the rear entry porch and sidewalk. They plan to preserve the existing architectural features, keeping the character of the front porch. The first-floor addition has been set back on the sides from the existing dimensions of the house. To minimize the climate impact, they have reduced the size of the existing driveway, so that the total change to the lot's hardscape will be less than 316 square feet. They also plan to add additional drainage on the property.

Mr. Revilak asked for clarification of the size of the addition; Ms. Berggren said that it would be 426 square feet. He noted that an increase of 350 or more square feet of impervious surface would trigger requirements under the stormwater bylaw, but since they are reducing the size of the driveway for a net change of less than 316 square feet, the project will not trigger those requirements.

Mr. Benson noted that this sort of renovation would not normally come before the Board. It is only doing so because the property abuts the Bikeway, and the Board is required to consider the appearance of the façade facing the Bikeway. He could not determine from the drawings presented what that façade will actually look like. Architect David Mullen said that the material will be wooden shingles, which is in keeping with the original house. The color has not been finalized, but it will probably mostly be gray or gray-green. The window frames will likely be black, and the trim will probably be off-white. The roof will be asphalt shingles. Mr. Benson noted that the application included multiple errors with regard to the requirements of the zoning bylaw, but he does not think that they are relevant to the decision in this case.

Ms. Korman-Houston asked if the property has access to the Bikeway. Ms. Berggren said that it does, and it will continue to do so. Mr. Mullen noted that the access is used by the public; people walk over a corner of the property to reach the Bikeway.

Mr. Lau noted that it is difficult to meet the requirements of the specialized stretch code, so he encouraged Mr. Mullin to consider adding rigid insulation on the outside before putting the siding on. He also noted that half-inch sheathing on the roof does not meet the code; they will need to use 5/8" sheathing. The Chair clarified that the applicants would need to review everything with the Inspectional Services Department to ensure that it meets the requirements of the specialized stretch code.

The Chair opened the floor to public comment.

- Ethan [last name], 22 Nourse St – He lives across the street from the property. Everyone on the street is very supportive and appreciates the fact that they are maintaining the architectural integrity of the house.

Seeing no one else who wished to speak, the Chair closed public comment.

Mr. Revilak proposed that the following conditions suggested in the staff EDR memo for Docket 3819 be deleted or altered in the Board's final approval:

- Condition 6 – delete the first sentence.
- Condition 8 – delete the condition entirely.
- Condition 10 – delete the condition entirely.

Mr. Benson said that the first sentence of Condition 5 should also be deleted. He also proposed adding the following sentence, taken from Section 3.1.D, to this and all other Board decisions: "This Special Permit under Environmental Design Review is conditioned upon compliance with the conditions set forth in this permit and the State Building Code and, where applicable, the Massachusetts Architectural Access Board regulations."

The Chair asked for a motion to approve Docket 3819, for 2 Reservoir Road, with the removal of the first sentence of suggested special condition 5, the first sentence of suggested special condition 6, and suggested special conditions 8 and 10, and with the addition of a special condition consistent with Zoning Bylaw Section 3.1.2. Ms. Korman-Houston so moved, Mr. Benson seconded, and the Board voted unanimously in favor.

Due to the time listed on the agenda for Agenda Item 5, the Public Hearing for Docket 3717, the Chair opted to take some agenda items out of order.

The Chair moved to **Agenda Item 6 – Debrief of Joint Meeting with Select Board.**

Ms. Ricker said that the joint meeting with the Select Board was fruitful and included many important topics, but the Board wanted the opportunity to share final thoughts or follow-up items about the meeting.

Mr. Lau said that the discussion was good, but he has participated in such joint meetings before, and the necessary follow-up doesn't always happen. He would like to know how the Board will follow up and make sure the issues raised are actually dealt with.

The Chair noted that the Board just received the meeting minutes for review, and they may not have all had time to review them. She proposed reviewing the minutes together at a future meeting, at which the Board would go through each agenda item and discuss plans for following up on each issue.

Ms. Korman-Houston agreed that it will be important to plan how to follow up. She is particularly interested in the issue of overnight parking. She was surprised at how little-used the pilot program has been and would like to discuss how to facilitate usage of the overnight parking permits in ways that would facilitate development.

Mr. Benson agreed with the idea of discussing the specific agenda items at a future meeting and determining if there are particular actions the Board wants to take or ask the Select Board to take.

Mr. Revilak was pleased to see how receptive the Select Board seemed to updating the Arlington Heights Business District zoning. He also thought that it was a good start to the conversation about parking.

The Chair moved to **Agenda Item 8 – New Business.**

Ms. Ricker said that the RFP for the Arlington Master Plan Update (AMPUp) consultant closed on September 23, and they received six proposals: MAPC, Weston & Sampson, JM Goldson, Barrett Planning Group, Stantec, and Innes Associates. The AMPUp Advisory Committee will meet on Thursday, October 9, to discuss the submittals. The Committee will likely choose a selection subcommittee to review the proposals in detail and conduct interviews. The subcommittee will consist of the two Board representatives, three other committee members, Ms. Ricker, and another DPCD staff member.

Ms. Ricker also reported that a public meeting about the Arlington Heights Business District rezoning will be held on Tuesday, October 29, at Peirce Elementary School.

Mr. Benson noted that some time ago, the Board asked the developer of 882 Mass Ave to change the exterior vents on the building and provide a lighting plan to the Board, and he asked the status of those issues. Ms. Ricker said the developer has selected new vent covers, and they are in the process of ordering the new covers and replacing the old ones. Ms. Suarez said that the developer is working on a lighting plan, and she will provide that to the Board as soon as it is available. Mr. Benson noted that the Board also received an email about the lack of transparency in the first-floor front window. The Board can provide relief on that issue if warranted, but the developer has not gone to the Board to ask for relief. The Chair said that the issue of window transparency is related to the issue of signage that was raised at the joint meeting with the Select Board, because the window film is considered signage, even if it is not advertising the business.

The Chair moved to **Agenda Item 5 – Public Hearing: Docket #3717, 80 Broadway.**

Ms. Ricker said that this is a request by the applicant to reopen Special Permit Docket 3717 for the construction of a mixed-use building containing retail and commercial office space and nine residential housing units at 80 Broadway in the B4 Vehicular Oriented Business District. The Applicant proposes to change the proposed common area outdoor deck space on the fifth floor to private outdoor space for the fifth-floor unit. The applicant proposes to establish common area outdoor deck space on the second floor for the remainder of the residential units and the commercial space. The Applicant further proposes to identify a second affordable unit in the project to be deed-restricted and added to the Subsidized Housing Inventory of the Town. Thus, this project will add nine residential apartment units, of which two units will be affordable to eligible households making up to 70% of the area median income, and two commercial spaces. Ms. Ricker noted that the October 2023 Special Town Meeting removed the requirement for usable open space in mixed-use projects. The changes that the applicant proposes are in compliance with the current open space requirements. The Permit is being reopened because it was originally approved by the Board on December 19, 2022,

based on the open space requirements in effect at the time, so the Board would need to approve any changes to what was approved at the time.

Robert Costello is the principal member of 80 Broadway LLC, as well as an Arlington resident. He said that the building is largely built, and that the process has gone smoothly. Because of the cost of the project, the intention has always been to sell the top floor and rent out the rest of the residential units. Because of egress requirements and other issues with the design, they realized that it would be difficult to provide common access to the fifth-floor roof deck. They decided to make the fifth-floor roof deck accessible only from the fifth-floor unit, and turn the planned private deck space on the second floor into common open space for the use of all the other residents and the commercial space. In exchange for being allowed to make that change, they intend to add an additional one-bedroom affordable unit.

Mr. Revilak asked if adding an additional affordable unit will result in higher rents for the market-rate units. Mr. Costello said that the market will dictate the rents of the other units. In order to recoup some of the costs of creating an additional affordable unit, they intend to apply for a grant from the Affordable Housing Trust Fund.

Mr. Benson asked if the first floor will be changed at all, and Mr. Costello replied that it will not. Mr. Benson also noted that the units as built are not exactly the square footage originally approved by the Board. Mr. Costello said that some of the difference was due to a mistake on the architect's part. Mr. Benson noted the affordable units must be at least 700 square feet, and only three units currently meet that standard, but some fall short by only a few square feet. Mr. Costello said that they will have two affordable units that are at least 700 square feet. Mr. Benson said that he would like to see what the actual measurements will be.

Mr. Benson asked if any of the parking spaces have changed at all, and Mr. Costello replied that they had not.

Ms. Korman-Houston asked if the exterior of the building would be changed from the original proposal, and Mr. Costello replied that it would not.

Ms. Korman-Houston asked if any the new proposal included any dedicated usable open space for the commercial space. Mr. Costello said that it does not. The second-floor deck space will be for the use of both the residential and commercial units. Mr. Benson noted that there are two entrances to the second-floor deck space, one from a hallway and the other from a residential unit. Mr. Costello said that there was an error in the revised plan in that it showed a separate second-floor deck space for the adjacent residential unit. The intention was to use the entire second-floor deck as common space. Mr. Costello said that they might remove the entrance from the residential unit and put a window in its place, because a resident might not want a door leading directly from a common space into their unit. Ms. Korman-Houston asked if they foresee privacy or security concerns about the windows in that residential unit looking directly out onto the common space. Mr. Costello said that they do not foresee security concerns due to the presence of cameras, but the resident might want to add reflective tinting film to the windows to make it impossible for people on the deck to see into the unit.

Mr. Lau expressed concern about the privacy of the second-floor residential unit facing the common deck. Mr. Costello said that they will address the issue, but he noted that it would also have been an issue with the fifth-floor unit in the plans as originally approved. Mr. Lau also noted that elevators that open directly into residential units can cause problems with noise and smells.

The Chair asked if the developers would prefer to have a portion of the second-floor roof deck as dedicated private space for the adjacent residential unit, rather than having the entire second-floor roof deck as common space. Mr. Costello replied that it would be better for the resident(s) of that unit to have private rather than common space immediately outside their unit. Because they are proposing making the entire fifth-floor roof deck private, it seemed fair to make all the second-floor roof deck common space in exchange, but he would prefer to use the portion directly abutting the second-floor residential unit as private space for that unit and use the rest of it as common space. Given the change in the Zoning Bylaw removing any requirement for usable open space, the Chair said that she would have no problem with dividing the second-floor roof deck into one area of private space for the use of the abutting residential unit, and another area of common space. The other Board members agreed.

The Chair opened the floor to public comment. Seeing no one who wished to speak, she closed the floor.

The Chair asked for a motion to approve the modifications to Docket 3717, 80 Broadway, provided that the two affordable units meet the minimum square footage required by the state. Ms. Korman-Houston so moved, Mr. Benson seconded, and the Board voted unanimously in favor.

The Chair moved to **Agenda Item 7 – Open Forum.**

Seeing no one who wished to speak, the Chair closed Open Forum.

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 9:00 pm.**

DRAFT





## Town of Arlington, Massachusetts

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### Public Hearing: Docket #3348, 821-837 Massachusetts Avenue

#### Summary:

7:35 pm

Notice is herewith given that the Arlington Redevelopment Board seeks to reopen Special Permit Docket #3348, in accordance with the provisions of MGL Chapter 40A § 11, and the Town of Arlington Zoning Bylaw Sections 3.3, Special Permits, and 3.4, Environmental Design Review. The Board proposes to modify the decision approved by the Board on April 13, 2009, for the property located at 821-837 Massachusetts Avenue in the B4 Vehicular Oriented Business District, to allow for demolition of the existing building and constructing a new mixed-use building at 821 Massachusetts Avenue. The reopening of the Docket is to allow the Board to review and approve modifications to the Special Permit Docket #3348 under Section 3.4, Environmental Design Review.

- The Board will vote to re-open the Docket.

#### ATTACHMENTS:

Type	File Name	Description
▢ Reference Material	Docket_3348_Decision_-_04-13-2009.pdf	Docket 3348 Decision - 821-837 Mass Ave - 04-13-2009
▢ Reference Material	Decision_Docket_3348_833_Mass_Ave_-_11-04-2019.pdf	Docket 3348 Re-opening Decision - 833 Mass Ave - 11-04-2019
▢ Reference Material	Docket_3348_REOPEN_821_Mass_Ave_-_Legal_Notice_10-3_10-10.pdf	Docket 3348 REOPEN 821 Mass Ave - Legal Notice 10-3 10-10



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BOTH WAYS



TOWN CLERK'S OFFICE  
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RECEIVED

### ARLINGTON REDEVELOPMENT BOARD

Arlington, Massachusetts  
Middlesex, ss

DOCKET NO. 3348

REQUEST FOR SPECIAL PERMIT  
Subject to  
ENVIRONMENTAL DESIGN REVIEW

Applicant CVS

Date of Hearings October 20, 2008, November 17, 2008,  
December 22, 2008, February 23, 2009,  
March 9, 2009, March 30, 2009,  
April 6, 2009, April 13, 2009

Date of Decision April 13, 2009

Date of Filing \_\_\_\_\_

Members

Approved

Opposed

*[Handwritten signatures]*  
Edward Tsai  
Robert Chapin  
*[Handwritten signature]*

Locs: 831-837 Massachusetts Ave.,  
Arlington, MA

RECORD OWNER  
NOYES REALTY LLC 241321

I hereby certify this is a True Copy of the Decision of the Arlington Redevelopment Board as filed with the Office of the Town Clerk of the Town of Arlington, Massachusetts on April 28, 2009 and that 20 days have elapsed after the Decision and no Appeal has been filed. ATTEST:  
Date of Issue August 3, 2009  
*Stephanie L. Lucarelli*  
Town Clerk

HP 341

12



## TOWN OF ARLINGTON

MASSACHUSETTS 02476

781 - 316 - 3090

### DEPARTMENT OF PLANNING and COMMUNITY DEVELOPMENT

#### OPINION OF THE BOARD

This application by G. B. New England 2, LLC seeks a special permit to construct a CVS drugstore at the subject address. The property has been the site for an automobile dealer and a small office building (formerly a residence) for many years. The applicant originally proposed to construct a 12,900-square-foot retail store on a part of the site that did not include the former residence at 821 Mass. Ave., known as the Atwood House. Prior to the public hearing, the applicant notified the Town that it wished to modify its proposal. It had arranged to include the property on which the Atwood house is located. It now proposed to demolish both buildings, construct the same CVS drug store, and construct an automated bank teller machine in a freestanding, 70-square-foot building. The applicant requested more time to modify its application. Accordingly, the hearing scheduled for October 20, 2008 was opened and immediately continued to November 17, 2008 with no discussion of the project. The hearing was advertised in the Arlington Advocate on October 2 and October 9, 2008.

When it was questioned if the drive-thru pharmacy could be permitted, the Inspector of Buildings determined that the proposed drive-thru for the pharmacy could be permitted as use number 8.17, which requires a special permit. The public hearing for that special permit use was advertised in the Arlington Advocate on December 4 and December 11, 2008, and scheduled for December 22, 2008 which coincided with the continuation date (from November 17, 2008) for the original permit application. Subsequently, hearings have been held for all proposed uses on January 26, 2009, February 23, 2009, March 9, 2009, Mar 30, 2009, April 6, 2009, and April 13, 2009.

The proposal has changed in response to the discussion at these hearings. The Atwood House will not be demolished, but will remain. There has been a great deal of discussion about using the house as a multi-family residence. However, at this time, there is no specific proposal for the use of the Atwood House. The applicant has indicated that it wishes to complete the permitting of the CVS drugstore, and will return to modify the special permit when the use of the Atwood House is determined. The proposed site plan includes the Atwood House, parking spaces that are dedicated to it, and space for an addition to the rear of the structure.

#### FINDINGS OF FACT

**Section 10.11a-1** The uses requested are listed in the Table of Use Regulations as a Special Permit in the district for which application is made or is so designated elsewhere in this Bylaw.

The applicant seeks a special permit to operate a retail store having more than 3,000 square feet of gross floor area. The use, number 6.16 in the Table of Use Regulations (Section 5.04 of the Zoning Bylaw), is a special permit use in the B4 zoning district. The fact that the proposed development also requires a building permit and is located on Massachusetts Avenue means that the special permit is subject to environmental design review (Section 11.06 of the Zoning Bylaw). The applicant also seeks special permits for signs under Section 7.09, and for parking and loading space standards under Section 8.12 of the Zoning Bylaw. The proposal includes two drive-thru pharmacy

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windows, which the Inspector of Buildings has said can be permitted special permit under accessory use number 8.17. The Board finds that the proposal meets this standard.

**Section 10.11a-2 The requested use is essential or desirable to the public convenience or welfare.**

The town is now served by four large drugstores (two of which are CVS, one of which does not have a pharmacy) and two additional pharmacies. The proposed use of the site will establish the fifth large drugstore in Arlington (and the third CVS store) and the sixth pharmacy. The proposed store will be the only pharmacy with a drive-thru. Public input at the public hearing has been mixed, but some clearly want a convenient, large drugstore with a drive-thru pharmacy. The Board finds that the proposed use is desirable to the public convenience or welfare.

**Section 10.11a-3 The requested use will not create undue traffic congestion, or unduly impair pedestrian safety.**

The applicant submitted a traffic impact report, and then modified it several times to include the impact of the project on pedestrians, the impacts when the abutting high school is in session, the re-positioning of the retail store, and the preservation of the Atwood House. At each step of the way, the Board's traffic consultant has reviewed the reports. The Town's Transportation Advisory Committee has also reviewed the traffic impact studies and made recommendations to the Board.

The following is the sequence of documents regarding traffic impacts:

1. Traffic Impact Study by GEOD (for CVS), August 18, 2008
2. Traffic Impact Study by GEOD (for CVS), November 17, 2008 – This study reflected an altered site plan because CVS had arranged to control more of the property and proposed to demolish the Atwood House and add more parking and an ATM on the site.
3. Memo from BSC Group (ARB's consultant), December 4, 2008 – This memo asked for clarification of parts of the proposal and asked for some technical corrections.
4. Revised Traffic Impact Study by GEOD (for CVS), January 19, 2009 – This study responded to comments from BSC and those made at the December 22 hearing. It also reflected a second change to the site plan: the Atwood house is to remain and put to a new use (as yet undetermined). It also recommended a new crosswalk near Carey Drive and improvements that could be made to the Jason and Mill Streets intersection.
5. Comments by Jeff Maxtutis (TAC), January 19, 2009 – The comments asked for minor changes in the impact analysis.
6. Memo from BSC Group (ARB's consultant), January 22, 2009 – The memo expressed general agreement with the responses in the January 19 report and suggested some refinements.
7. Memo from GEOD regarding pedestrian movements, February 4, 2009 – This report provided more detail about pedestrian movements and studied alternative crosswalk locations.
8. Comments by Jeff Maxtutis (TAC), February 6, 2009 – These comments evaluated the proposed improvements to the Jason and Mill Streets intersection and the proposed crosswalk. It also expressed concern about the site entrance and exit being close to Carey Drive.
9. Memo from GEOD summarizing comments, February 20, 2009 – This memo summarized the recent months' studies, comments, and responses.
10. Memo from TAC, February 26, 2009 – This memo indicated general satisfaction with the impact studies and the changes made to the project. It listed items it still thought were

unresolved: 1) the proximity of the access to Carey Drive, 2) the need for bump-outs at Bartlett Street, 3) the need for bump-outs at the new crosswalk near Carey Drive, and 4) a commitment to make improvements to the Jason and Mill Streets intersection.

11. Email from Chris Emelius (GEOD), March 4, 2009 – Clarified distance from Carey Drive to proposed site entrance.
12. Local CVS traffic counts by Ed Starr (TAC), March 5, 2009 – Counts of pedestrians and vehicles were made at Walgreens in East Arlington for comparison purposes.
13. Memo from BSC Group. March 5, 2009 – This memo concurred with the new crosswalk location and recommended bump-outs. It also made a number of recommendations regarding circulation on the site (parking, drive-thru, delivery).
14. Local traffic counts (various) from Ed Starr (TAC), March 9, 2009 – Additional local counts for comparison purposes.
15. Hours of operation, local drug stores, by E. Carr-Jones (TAC), March 10, 2009 – Hours of operation of local drug stores for comparison purposes.
16. Report on meeting with TAC by Bruce Fitzsimmons (ARB), March 12, 2009 – TAC was pleased with bump-outs, thought \$5,000 offer to mitigate Jason and Mill Streets intersection was too low, offered compromise on site entrance location, and expressed concern over the trip generation numbers.
17. Memo from BSC Group. March 20, 2009 – This essentially endorsed the TAC comments of March 12.
18. Memo from TAC, March 23, 2009 – Reiteration of concerns and proposal of \$50,000 mitigation fund for unforeseen traffic impacts.
19. Memo from GEOD, March 26, 2009 – This is a discussion of TAC and BSC concerns, and acceptance of the crosswalk bump-outs, and of the site entrance drive 113 feet from Carey Drive.
20. Memo from TAC, March 30, 2009 – This is a defense of TAC's March 23rd memo.
21. Email from Sam Offei-Addo (BSC Group), April 2, 2009 – This listed recommended improvements to signage and traffic lines on the site and at one of the bump-outs.
22. Questions on the Permitting Process for the Proposed CVS Pharmacy at 837 Massachusetts Avenue, Arlington Citizens for Responsible Development, April 6, 2009 by David Wright – This paper expressed concern about the intersection at Jason and Mill Streets, traffic congestion at the high school, the validity of pedestrian counts, traffic generation figures, and traffic impacts on neighboring streets.
23. Traffic and Safety issues Relating to the CVS Special Permit Application, Arlington Citizens for Responsible Development, April 6, 2009 by Dorothy Nash Webber – This paper made comparison of the proposal to the Osco proposal, which was denied some ten years earlier, and reiterated the concerns made in David Wright's paper, above.

The Board considered the traffic safety issues very carefully and asked its traffic consultant and TAC to do likewise. The trip generation numbers were discussed in great detail, with general agreement on the PM numbers and the feeling that the AM numbers may be low. The effects of the traffic on intersection performance were assessed using the PM numbers which corresponded to the TAC's AM counts. The Board therefore felt it had adequate indication of the impacts. Because of the potential impacts at the site entrance, the Board felt compelled to create the ability through an escrow fund to mitigate unexpected vehicle activity near the site. Should mitigation near the site not be deemed necessary, the escrow may be used at the Jason and Mill Streets intersection, which is expected to require mitigation regardless of whether or not the CVS is built.

As a result of the discussions about pedestrian safety and traffic congestion, the applicant has moved the driveway away from Carey Drive to lessen the impact on pedestrians and vehicles entering the high school, and will install a new crosswalk between Carey Drive and the CVS driveway, and will install crosswalk bump-outs on Mass. Ave. at that crosswalk and at Bartlett Avenue. The bump-outs will shorten the crossing distance, and help prevent illegal parking in the crosswalk. The applicant has agreed to contribute funds to help mitigate the impact of increased traffic along Mass. Ave., including at the Jason Street and Mill Street intersection. Based on the data and reports submitted by the applicant's consultant, as revised, and the materials and comments submitted by the Board's consultant and TAC, the mitigation measures agreed to by the applicant as part of this special permit, and the funding of future mitigation measures as required, the Board finds that this standard is met.

**Section 10.11a-4** The requested use will not overload any public water, drainage or sewer system or any other municipal system to such an extent that the requested use or any developed use in the immediate area or in any other area of the Town will be unduly subjected to hazards affecting health, safety, or the general welfare.

The impact of the proposed development on public water and sewer will be minimal, but the Town Engineer has given the applicant instructions for making such connections. The applicant has submitted a very detailed stormwater management plan. The stormwater management plan has been revised to conform to the significant changes that have been made in the site plan, but the system remains essentially the same, with most of the stormwater filtered through a large rain garden at the rear of the site. The Board finds that the proposal meets this standard.

**Section 10.11a-5** Any special regulations for the use, set forth in Article 11 are fulfilled. The environmental design review standards of Section 11.06 are evaluated below.

**EDR-1 Preservation of Landscape:** The landscape shall be preserved in its natural state insofar as practicable, by minimizing tree and soil removal and any grade changes shall be in keeping with the general appearance of neighboring developed areas.

The current site is covered almost entirely by building or paving. There is some lawn area in front and to the right of the Atwood House, and minimal other landscaping. With the Atwood House remaining on the site, it is possible to preserve a 22-inch-diameter pine tree in its front yard. The northern side of the lot slopes steeply down, and is covered with scrub growth, including trees. The proposed development will retain most of the treed area to the north, and introduce significantly more landscaping on the remaining three sides, as well as some landscaped areas within the parking lot. Besides that mentioned above, there is no existing landscaping to be preserved; the site is either paved or covered by building. The proposed plan will replace some of the impermeable surface with landscape, and the total landscaped area exceeds the amount required by the Zoning Bylaw. The Board finds that the proposal meets this standard.

**EDR-2 Relation of the Building to the Environment:** Proposed development shall be related harmoniously to the terrain and to the use, scale and architecture of the existing buildings in the vicinity that have functional or visible relationship to the proposed buildings. The Arlington Redevelopment Board may require a modification in massing so as to reduce the effect of shadows on the abutting property in an R-1 or R-2 district or on public open space.

The current proposal is much improved from the original application. The proposed store building has been moved up to the front of the lot, consistent with business uses along Mass. Ave. The Atwood House is to remain. It is important that the current design retains the Atwood House in its

current location on the site, and accommodates the possible future expansion at the rear of the structure. The Atwood House, and the current design of the CVS building itself, present an appropriate streetscape for Mass. Ave. in this area. The Board finds that the proposal meets this standard.

**EDR-3 Open Space:** All open space (landscaped and usable) shall be so designed as to add to the visual amenities of the vicinity by maximizing its visibility for persons passing by the site or overlooking it from nearby properties. The location and configuration of usable open space shall be so designed as to encourage social interaction, maximize its utility and facilitate maintenance.

The open space provided on the site is appropriately and attractively landscaped, and exceeds the amount of landscaped space required by the Zoning Bylaw. The changes to the parking lot configuration result in the proposal meeting the required open space within the parking lot. In addition, the applicant has agreed to provide landscaping between the setback at the front of the new building and the sidewalk. The spaces will be attractively planted and placed to provide a pleasant view or screening as needed. The Board finds that the proposal meets this standard.

**EDR-4 Circulation:** With respect to vehicular and pedestrian and bicycle circulation, including entrances, ramps, walkways, drives, and parking, special attention shall be given to location and number of access points to the public streets (especially in relation to existing traffic controls and mass transit facilities), width of interior drives and access points, general interior circulation, separation of pedestrian and vehicular traffic, access to community facilities, and arrangement of vehicle parking and bicycle parking areas, including bicycle parking spaces required by Section 8.13 that are safe and convenient and, insofar as practicable, do not detract from the use and enjoyment of proposed buildings and structures, and the neighboring properties.

The traffic circulation on the site is designed to accommodate large delivery trucks and the pharmacy drive-thru, and to provide parking for customers. The evolution of the site plan is such that the current proposal meets the standard. Some minor changes to the directional signage have been suggested. There is bike parking provided near the store entrance, and extensive changes involving a crosswalk; and curb bump-outs are proposed near the vehicle entrance to the site, helping to protect pedestrian traffic.

**EDR-5 Surface Water Drainage:** Special attention shall be given to proper site surface drainage so that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Available Best Management Practices for the site should be employed, and include site planning to minimize impervious surface and reduce clearing and re-grading. Best Management Practices may include erosion control and stormwater treatment by means of swales, filters, plantings, roof gardens, native vegetation, and leaching catchbasins. Stormwater should be treated at least minimally on the development site; that which cannot be handled on site shall be removed from all roofs, canopies, paved and pooling areas and carried away in an underground drainage system. Surface water in all paved areas shall be collected in intervals so that it will not obstruct the flow of vehicular or pedestrian traffic and will not create puddles in the paved areas.

In accordance with Section 10.11.b, the Board may require from any applicant, after consultation with the Director of Public Works, security satisfactory to the Board to insure the maintenance of all stormwater facilities, such as catch basins, leaching catch basins,

detention basins, swales, etc., within the site. The Board may use funds provided by such security to conduct maintenance that the applicant fails to do.

**The Board may adjust in its sole discretion the amount and type of financial security such that it is satisfied that the amount is sufficient to provide for any future maintenance needs.** The applicant has submitted a very detailed stormwater management plan, which was revised to match the current plan. It has been reviewed by the Town Engineer, and the applicant has responded to the comments. The storm drain system discharges storm flow in the same location as the flow is directed today. The permeable surface on the site has been reduced, and the system includes an underground detention and infiltration chamber and a rain garden to reduce, clean, and slow the flow of storm water. The Board finds that the proposal meets this standard.

**EDR-6 Utilities Service: Electric, telephone, cable, TV, and other such lines and equipment shall be underground. The proposed method of sanitary sewage disposal and solid waste disposal from all buildings shall be indicated.**

The plans indicate adequate underground utility connections; they also show the location of an electric transformer in a landscaped island in the parking lot. The Town Engineer made some modifications to the plans relative to the hook-ups in Mass. Ave. The applicant has moved the transformer location to a less visible location. The Board finds that the proposal meets this standard.

**EDR-7 Advertising Features: The size, location, design, color, texture, lighting, and materials of all permanent signs and outdoor advertising structures or features shall not detract from the use and enjoyment of proposed buildings and structures and the surrounding properties.**

The main signage on the building consists of two wall signs, one facing Mass. Ave., and one facing the parking lot on the west side of the building. The two signs meet the bylaw standards. Several signs are located within the parking lot area to direct traffic. These signs exceed the one-square-foot area that is allowed. The directional signs are helpful and important in helping vehicles navigate a fairly complicated parking lot. The signs are slightly larger than three square feet each, and the Board has determined that the larger size is in the public interest, and is allowed by special permit. Other directional signs are posted on, and identify, the pharmacy drive-thru. These also are larger than one square foot, and the Board has determined that they are allowed by special permit.

**EDR-8 Special Features: Exposed storage areas, exposed machinery installations, service areas, truck loading areas, utility buildings and structures, and similar accessory areas and structures shall be subject to such setbacks, screen plantings, or other screening methods as shall reasonably be required to prevent their being incongruous with the existing or contemplated environment and the surrounding properties.**

The proposal includes two dumpsters at the rear of the parking lot, which are visible from the street. The sides of the dumpster are screened by plantings, and the front is stockade fence. Planting has been sited to the rear of the Atwood House to effectively screen the dumpster area from the street and from the Atwood House. There is a large electrical transformer in a landscaped island in the parking lot. It was moved to a less visible location, and is appropriately screened with vegetation. The proposal locates rooftop HVAC and refrigeration units behind the screen of the slanted roof surfaces; this equipment will not be visible from the ground. The Board finds that the proposal meets this standard.



**EDR-9 Safety:** With respect to personal safety, all open and enclosed spaces shall be designed to facilitate building evacuation and maximize accessibility by fire, police, and other emergency personnel and equipment. Insofar as practicable, all exterior spaces and interior public and semi-public spaces shall be so designed to minimize the fear and probability of personal harm or injury by increasing the potential surveillance by neighboring residents and passersby of any accident or attempted criminal act.

The plan appears to be generally safe, with all accessible spaces open to the public view. The parking lot is well lighted to serve the parking lot users well. The Board requested reduced lighting on the Atwood House side of the proposed building; the plan calls for some light in this area for safety. The source of lighting on the site will not be visible from off the site. The Board finds that the proposal meets this standard.

**EDR-10 Heritage:** With respect to Arlington's heritage, removal or disruption of historic, traditional, or significant uses, structures or architectural elements shall be minimized insofar as practical, whether these exist on the site or on adjacent properties.

The site has no historical structure, and the site has no historical significance. Before it became an auto dealership, there were three or four houses on the site, including the Atwood House, which remains today. The Atwood House is listed as a significant building under Arlington Town Bylaws, as is the Baptist Church next door. The applicant has stated that the Atwood House will be retained on the site, and the proposed plan reflects that. Any addition or modification of the Atwood House would have to respect Town bylaws regarding significant structures. Any modification of the Atwood House will require an amendment of this special permit. The Board finds that the proposal meets this standard.

**EDR-11 Microclimate:** With respect to the localized climatic characteristics of a given area, any development which proposes new structures, new hard surface, ground coverage, or the installation of machinery which emits heat, vapor, or fumes, shall endeavor to minimize, insofar as practicable, any adverse impacts on light, air, and water resources, or on noise and temperature levels of the immediate environment.

The proposal will reduce the amount of impermeable area on the site. The HVAC and refrigeration equipment are located on the roof of the CVS building in a well, behind slanted roofs on all four sides. The site is large relative to the amount of equipment, and the heat, light, vapor, or fumes will not be detectable. The Board finds that the proposal meets this standard.

**EDR-12 Sustainable Building and Site Design:** Projects are encouraged to incorporate best practices related to sustainable sites, water efficiency, energy and atmosphere, materials and resources, and indoor environmental quality. Applicants must submit a current Green Building Council Leadership in Energy and Environmental Design (LEED) checklist, appropriate to the type of development, annotated with narrative description that indicates how the LEED performance objectives will be incorporated into the project.

The applicant has submitted the LEED checklist, and the narrative required by this standard. The plan shows the methods to control soil erosion and sedimentation of storm sewers. The plan increases the amount of permeable surface, and exceeds the Town's open space requirement. The planned lighting is designed to prevent up lighting, and to minimize light trespassing onto abutting properties. Low-flow toilet fixtures will be used, and the performance of the proposed energy systems in the building has been optimized.

The project site has certain characteristics that help make it sustainable. The project uses an already-built site with existing infrastructure, and is accessible to public transportation. The developer has provided a landscaped rain garden and bio-retention area at the rear of the site to help reduce water runoff. The applicant considered permeable paving for portions of the parking lot, but it was determined that the potential pollutant load created by a commercial parking lot made such paving environmentally unfriendly. The Board finds that the proposal meets this standard.

**Section 10.11a-6 The requested use will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the health, morals, or welfare.**

The retail drugstore use located right next to the high school is convenient for students; school officials have endorsed the use. The site is zoned for commercial use, and has been used in that manner for many decades. The retention of the Atwood House and the siting of the CVS building near the sidewalk have improved the presence the development makes on the avenue. The store obviously provides a convenience to consumers, and is more of a community use than the auto dealership that existed there for decades. The Board finds that the proposal meets this standard.

**Section 10.11a-7 The requested use will not, by its addition to a neighborhood, cause an excess of that particular use that could be detrimental to the character of said neighborhood.**

As pointed out above, there are several pharmacies and drug stores in Arlington, but few near the site of the proposed CVS. The nearest is a small pharmacy located in a Stop & Shop supermarket 2/10 of a mile away. The nearest comparable store (a Walgreens east of Arlington Center) is almost 9/10 of a mile away; a Walgreens in Arlington Heights is 1.5 miles away; and the CVS in East Arlington is 1.6 miles away. In addition, the proposed development improves upon the character of the neighborhood by replacing a closed auto dealership. The building design has been changed to be much more in keeping with the appearance of the neighborhood. The site is appropriate for retail use. The Board finds that the proposal meets this standard.

## DECISION

The Board finds that the proposal is an appropriate re-use of the property, and grants the following special permits, subject to the following general and special conditions:

Uses 6.16 and 8.17 from the Table of Use Regulations (Sect. 5.04 of the Zoning Bylaw);  
special permit for signs (Sect. 7.09 of the Zoning Bylaw); and,  
special permit for parking (Sect. 8.12 of the Zoning Bylaw).

### General Conditions

1. The final plans and specifications for the site, including all buildings, signs, exterior lighting, and landscaping, shall be subject to the approval of the Arlington Redevelopment Board. The Board shall maintain its jurisdiction over plans and specifications by approving them at 50% and 100% of completion.

At the time of submission of the 50% drawings, the applicant shall submit for approval samples of exterior materials proposed for the building, and the specifics of the location, type, and noise levels of all HVAC and refrigeration machinery.

Final plans and specifications shall include complete information concerning colors, materials, lighting, and other features that comprise the details of the final design. The applicant shall provide a statement from the Town Engineer that all proposed utility services have adequate capacity to serve the development.

2. The final plans and specifications approved by the Board for this permit shall be the final plans and specifications submitted to the Building Inspector of the Town of Arlington in connection with the application for building permits. There shall be no substantial or material deviation during construction from the approved plans and specifications without the express written approval of the Arlington Redevelopment Board.

3. No building permit shall be issued until the Board has received evidence that the special permit has been recorded at the registry of deeds.

4. The Board maintains continuing jurisdiction over this permit, and may, after a duly advertised public hearing, attach other conditions, including, but not limited to, restricting the store opening hours, or it may modify these conditions as it deems reasonably appropriate to protect the public interest and welfare. Such modifications shall not require the applicant to modify the size or dimensions of the retail building shown on the approved plan, nor restrict the opening hour to any time later than 8:00 AM.

5. Snow removal from all parts of the site, as well as from any abutting public sidewalks, shall be the responsibility of the owner or occupant, and shall be accomplished in accordance with the Town bylaws.

6. All exterior trash and storage areas on the property, if any, shall be properly screened and maintained in accordance with Title V, Article 9, of the Bylaws of the Town of Arlington.

7. Trash shall be picked up only between the hours of 7:00 a.m. and 6:00 p.m., Monday through Friday.

8. No final or permanent Certificate of Occupancy shall issue on this project until the project is completed in its final form, and approved by the Redevelopment Board as being in compliance with the final plans and specifications, including the landscape plan.

9. The Building Inspector is hereby notified that he is to monitor the site, and should proceed with appropriate enforcement procedures at any time he determines that violations are present. The Inspector of Buildings shall proceed under Section 10.09 of the Zoning Bylaw, pursuant to the provisions of MGL c. 40, s. 21D, and institute non-criminal complaints. If necessary, the Inspector of Buildings may institute appropriate criminal action also, in accordance with Section 10.09.

#### **Special Conditions**

1. All utilities serving or traversing the site (including electric, telephone, cable, and other such lines and equipment) shall be underground.

2. Upon installation of landscaping materials and other site improvements, the applicant shall remain responsible for such materials and improvement, and shall replace and repair such as necessary, to remain in compliance with the approved site plan.

3. All utility work off site in public rights-of-way of the Town of Arlington shall be undertaken in accordance with the provisions of the Town bylaws.

4. Upon the issuance of the building permit, the applicant shall file with the Building Inspector and the Department of Community Safety the names and telephone numbers of contact personnel who may be reached 24 hours each day during the construction period.

5. The Atwood House shall remain at its present location on the site, and reasonable and diligent efforts shall be used to maintain its present condition to prevent any damage from the elements or otherwise, until it is redeveloped. It is acknowledged that ten parking spaces behind the Atwood House are reserved for its use. It is further acknowledged that the plan of the site leaves space behind the Atwood House to accommodate a possible future expansion of the structure, and that no use of that portion of the site will preclude such an expansion. Redevelopment of the house will require the amendment of this special permit, regardless of whether the proposed use of the structure is allowed by right or by special permit (as such are listed in the Arlington Zoning Bylaw). No requests to move or demolish the house by amending this special permit will be made within 24 months of the date of issuance of this permit.

6. The applicant shall install bump-outs and thermo-plastic crosswalks on Mass. Ave. at Carey Drive and at Bartlett Avenue. Bump-outs shall be installed on both sides of Mass. Ave. The design and construction of the bump-outs and crosswalks shall be approved by the Town Engineer, and shall take into account drainage at those locations.

7. Post construction monitoring: The Town will measure traffic volume at the CVS driveway six months, and again twelve months, after the opening of the CVS, and when school is in session, to compare with the analyzed volume data. Driveway traffic volumes will be recorded during the weekday AM (7-9 AM) and PM (4-6 PM) peak periods. Based upon this data, and the safety and performance of the area at least 6 months after opening, the Town will decide what, if any, mitigation is needed on roadways near the site. Possible mitigation may include addition of a left turn lane, or other measures, to improve safety and operations along Mass. Ave. between Carey Drive and the intersection of Jason and Mill Streets, at the Town's discretion. The funding for the mitigation shall be paid from the traffic mitigation escrow account referred to in Condition No. 8 below.

8. CVS will contribute the total sum of \$50,000 to a traffic mitigation escrow account, prior to receipt of an occupancy permit. These funds would first be used for mitigations around the site if it were determined during post-construction monitoring that further mitigation is needed. If it is not needed at the site, it may also be used as a contribution toward improvements at Jason/Mass/Mill Streets. Said escrow account will be closed, and unspent monies returned to CVS, five years after the date of the occupancy permit. All disbursements from the CVS escrow account will be subject to the approval of the ARB.

9. Prior to receiving a building permit, the applicant shall submit to the ARB for its review a plan for reduction of energy use, including use of energy-efficient lighting and appliances, to be incorporated into the plans and specifications.

10. Changes to signage, such as wording, color, or material of construction, but not changes in the number, location, or size of signs, may be deemed by the Planning Director to be consistent with the existing special permit, and such changes may be made by sign permit.

11. In accordance with Standard EDR-5, the applicant is required to post a bond in the amount of \$1,500 as security that the storm drain system will be maintained in good working order. The ARB may use the funds to conduct cleaning and maintenance of the system if the applicant fails to do so. Town personnel, or the Town's agents, may enter upon the property to perform such cleaning and maintenance.

12. This permit is contingent upon the applicant receiving an Order of Conditions from the Arlington Conservation Commission for the project essentially as approved by the Arlington Redevelopment Board.

13. The drive-thru pharmacy shall be open only between the hours of 8:00 AM and 10:00 PM, and only when the main store is open, and only pharmacy and pharmacy-related items (but not general merchandise) may be sold through the drive-thru window. Bicyclists will be allowed to use the drive-thru pharmacy, and "No Idling" signs will be posted for vehicles using the drive-thru. Pedestrian walkup business will not be allowed.

14. Aside from the shutters described in the approved plans, first floor windows shall not be covered or obscured in any way that prevents a clear view into the store, without the prior written permission of the ARB. No film, paper, or other material, including advertisements, may be used to cover any windows.

15. The applicant shall maintain a clean site at all times, and the landscaped area on the north side of the site, extending down the hill to the property below, shall be cleaned at least once in the spring and once in the fall. Litter and fallen branches and such shall be removed, and trees and shrubs shall be pruned as necessary.

I hereby certify this is a True Copy of the Decision of the Arlington Redevelopment Board as filed with the Office of the Town Clerk of the Town of Arlington, Massachusetts on April 28, 2009 and that 20 days have elapsed after the Decision and no Appeal has been filed. ATTEST:

*Stephanie L. Lucarelli*

Date of Issue August 3, 2009 Town Clerk

*Asst.*

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

*Jessie G. Weber*  
ASST. Town Clerk

Date of Issue *12-9-2019*



TOWN CLERK'S OFFICE  
ARLINGTON, MA 02174

2019 NOV 18 AM 9:34

RECEIVED

### ARLINGTON REDEVELOPMENT BOARD

Arlington, Massachusetts  
Middlesex, ss

DOCKET NO. 3348

DECISION  
Special Permit Under  
ENVIRONMENTAL DESIGN REVIEW

Applicant: CVS  
One CVS Drive, Woonsocket, RI 02895  
Property Address: 833 Massachusetts Avenue, Arlington, Massachusetts 02476

Date of Hearings: August 12, 2019, November 4, 2019  
Date of Decision: November 4, 2019

20 Day Appeal Period Ends: December 8, 2019

Members  
Approved

Opposed

*Eugene B. Benson*  
*David M. Woot*  
*[Signature]*  
*[Signature]*

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*Jessie G. Weber*  
ASST. Town Clerk's Certification

*12-9-2019*  
Date

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

ATTEST:

*Jessica G. Weber*  
TOWN CLERK

Date of Issue *12-9-2019*



TOWN CLERK'S OFFICE  
ARLINGTON, MA 02178

2019 NOV 18 AM 9:33

RECEIVED

Town of Arlington, Massachusetts

Redevelopment Board

730 Massachusetts Avenue, Arlington, Massachusetts 02476

### DECISION OF THE BOARD

**Environmental Design Review Docket #3348**  
**833 Massachusetts Avenue, Arlington, MA 02476**  
**CVS**

**November 4, 2019**

This Decision applies to the re-opening of Special Permit Docket 3348 by CVS to install new signage consistent with CVS rebranding. The CVS store is located at 833 Massachusetts Avenue within a B4 Vehicular Oriented Business District. The re-opening of the Special Permit is to allow the Board to review and approve the signage, under Section 3.4, Environmental Design Review, and section 6.2, Signs. A public hearing was held on August 12, 2019, and continued to November 4, 2019, when this decision was rendered.

Materials submitted for consideration of this application:

Application for Environmental Design Review Special Permit application dated June 27, 2019.

**The following criteria have been met, per Section 3.3.3, Arlington Zoning Bylaw:**

1. The retail pharmacy is allowed in the B-4 Vehicular Oriented Business District.
2. The retail pharmacy has operated in this location for many years.
3. There are no exterior alterations other than signage.
4. The retail pharmacy will not overload any public utilities: public water, drainage or sewer system or any other municipal system.
5. No special regulations are applicable to the use.
6. The use does not impair the integrity or character of the neighborhood. Although additional directional signs will be installed to assist in circulation on the site, the large wall signs will be smaller than the existing signage on the building.
7. The use will not be in excess or detrimental to the character of the neighborhood.

The following criteria have been met, per Section 3.4.4, Arlington Zoning Bylaw:

**A. EDR-1 Preservation of Landscape**

There are no changes to the site that would impact existing natural features.

**B. EDR-2 Relation of the Building to the Environment**

There are no changes to the exterior of the building other than the installation of new signage to replace the existing signage.

**C. EDR-3 Open Space**

The 2009 Decision indicated that landscaping would be installed between the front of the building and the Massachusetts Avenue sidewalk. This area is entirely sidewalk and three benches are present. The tenant and the property owner will work with the Department of Planning and Community Development to come to a reasonable solution that reflects the previous Decision. There are no other changes to open space as a result of the signage rebranding.

**D. EDR-4 Circulation**

The existing circulation does not change; however, the addition of a Do Not Enter sign will help ensure that internal circulation occurs as it is intended.

**E. EDR-5 Surface Water Drainage**

The signage rebranding will not affect surface water run-off.

**F. EDR-6 Utilities Service**

There are no changes to the utility service as a result of the signage rebranding.

**G. EDR-7 Advertising Features**

The existing CVS signage includes a slash, and reads as CVS/pharmacy. The rebranding eliminates the slash, but includes a heart shape in front of the words CVS pharmacy. The rebranding retains the typical red color associated with CVS.

The new signage includes removing the large signage above the main entrance of the building and other plaques, and replacing it with updated signage. A Do Not Enter sign will be installed. All other directional signage will be retained.

The signage on the Massachusetts Avenue frontage is currently 75.18 square feet and will be replaced with signage that measures approximately 33.08 square feet. The reason for the reduction is the size of the letters. The existing letters are approximately 36 inches and the proposed letters are 22.5 inches. Additionally, the new signage will include channel LED illumination.

The main signage facing the parking lot is currently 33.41 square feet and will be replaced with signage that measures approximately 33.08 square feet. The existing letters are



approximately 24 inches and the proposed letters are 22.5 inches. Additionally, the new signage will include channel LED illumination.

Three plaques on the property will be updated. A plaque at the main entrance will be replaced. This plaque conveys information regarding the opening hours, the store manager, and the pharmacy manager. The plaque will remain but the CVS/pharmacy will be replaced with the heart branding. The receiving entrance plaque will be replaced with a 3 square foot plaque. A directional sign will be replaced at the drive-thru pharmacy that indicates both lanes offer full service. It is approximately 4.17 square feet.

A Do Not Enter sign will be installed at the end of the main drive aisle in the parking lot. At the rear of the site, the circulation is one way in order to access the drive-thru pharmacy. The Do Not Enter sign will reinforce the circulation pattern. The sign will be installed about 3 feet above grade and is approximately 2.25 square feet.

An additional directional sign that was not accounted for previously was also acknowledged during the public hearing. The directional signage provides a visual cue on the best way to access the drive through pharmacy.

All other directional signage remains as is on the property.

The reduction in the size of the main signage, the lighting upgrade, and the addition of the Do Not Enter sign are improvements to the property.

**H. EDR-8 Special Features**

There are no changes to the building or the site that would cause any adverse impacts on light, air and water resources, or on noise and temperature levels.

**I. EDR-9 Safety**

There are no changes to the building or the site that would cause any safety or accessibility concerns.

**J. EDR-10 Heritage**

The CVS building is not located on any local or State historic property listing. The adjacent Atwood House is identified as a significant building per Title VI, Article 6 of the Town Bylaw. The signage rebranding does not impact the Atwood House and the 2009 Decision retains jurisdiction over future plans for the structure as does the Historical Commission. The Redevelopment Board requests that the property owner attend the December 16, 2019 meeting to discuss the future of the Atwood House.

**K. EDR-11 Microclimate**

The signage rebranding will not impact the microclimate.

**L. EDR-12 Sustainable Building and Site Design**

The signage rebranding will support sustainable building and site design through the usage of LED fixtures to illuminate the signage.

**The project must adhere to the following general conditions:**

1. The final plans and specifications for signage shall be subject to final approval by the Department of Planning and Community Development (DPCD).
2. Any substantial or material deviation during construction from the approved plans and specifications is subject to the written approval of the Arlington Redevelopment Board.
3. The conditions of the 2009 Special Permit decision are still in force. The Board maintains continuing jurisdiction over this permit and may, after a duly advertised public hearing, attach other conditions or modify these conditions as it deems appropriate in order to protect the public interest and welfare.

**The project must adhere to the following special conditions:**

1. The Applicant and the property owner will work with the Department of Planning and Community Development to come to a reasonable solution that reflects the requirement of the 2009 Decision to install landscaping between the front of the building and the Massachusetts Avenue sidewalk.
2. The Applicant and property owner appear at the December 16, 2019, Redevelopment Board hearing to discuss the ongoing compliance with the 2009 Decision, with special attention to the Atwood House.



**Legal Notice of a Public Hearing, Arlington Redevelopment Board  
Docket #3348, 821-837 Massachusetts Avenue**

Notice is herewith given that the Arlington Redevelopment Board proposes to reopen Special Permit Docket #3348, in accordance with the provisions of MGL Chapter 40A § 11, and the Town of Arlington Zoning Bylaw Sections 3.3, Special Permits, and 3.4, Environmental Design Review. The Board proposes to amend the decision approved by the Board on April 13, 2009, for the property located at 821-837 Massachusetts Avenue in the B4 Vehicular Oriented Business District, to allow for demolition of the existing building and constructing a new mixed-use building at 821 Massachusetts Avenue. The reopening of the Docket is to allow the Board to review and approve modifications to the Special Permit Docket #3348 under Section 3.3, Special Permits, and Section 3.4, Environmental Design Review.

**A Public Hearing will be held on Monday, October 21, 2024, at 7:30 pm, Arlington Community Center, Main Hall, 27 Maple Street, Arlington.**

Plans may be viewed at the Department of Planning and Community Development on the first floor of the Town Hall Annex, 730 Massachusetts Avenue, Arlington, MA, during office hours (Mon-Wed, 8:00-4:00; Thu, 8:00-7:00; Fri, 8:00-12:00), or viewed and downloaded at [arlingtonma.gov/arb](http://arlingtonma.gov/arb).

**Arlington Redevelopment Board  
Rachel Zsembery  
Chair**

10/3/2024, 10/10/2024



## Town of Arlington, Massachusetts

### Public Hearing: Docket #3798, 821 Massachusetts Ave (continued from July 1, 2024)

#### Summary:

7:45 pm

Notice is herewith given that an application has been filed on April 22, 2024, by Noyes Realty LLLP, PO Box 40, Marblehead, MA 01945, to open Special Permit Docket #3798 in accordance with the provisions of MGL Chapter 40A § 11, and the Town of Arlington Zoning Bylaw Sections 3.3, Special Permits, and 3.4, Environmental Design Review. The applicant proposes to demolish the existing building and construct a mixed-use building located at 821 Massachusetts Avenue, Arlington, MA, in the B4 Vehicular Oriented Business District. The opening of the Docket is to allow the Board to review and approve the application under Section 3.4, Environmental Design Review.

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

In addition to the attached documents, a SketchUp Model Video is available here.

#### ATTACHMENTS:

Type	File Name	Description
Reference Material	821_Mass_Ave_-_EDR_Special_Permit_Application_-_Final_-_09052024.pdf	821 Mass Ave - EDR Special Permit Application - Final - 09052024
Reference Material	821_Mass_Ave_-_Drawing_Set_-_09052024_-_REDUCED_SIZE.pdf	821 Mass Ave - Drawing Set - 09052024
Reference Material	821_Mass_Ave_-_Tree_Evaluation_Letter_-_07312024.pdf	821 Mass Ave - Tree Evaluation Letter - 07312024
Reference Material	Tree_Warden_email_07-12-2024.pdf	821 Mass Ave - Tree Warden email 07-12-2024
Reference Material	821_Mass_Ave_-_Shade_Report_-_09042024.pdf	821 Mass Ave - Shade Report - 09042024
Reference Material	821_Mass_Ave_-_LEED_NC_Checklist_-_09052024.pdf	821 Mass Ave - LEED Checklist - 09052024
Reference Material	821_Mass_Ave_-_Drainage_Calculations_Report_-_09062024.pdf	821 Mass Ave - Drainage Calculations Report - 09062024
Reference Material	821_Mass_Ave_-_37kW_Solar_Array_-_09042024.pdf	821 Mass Ave - Solar Array Proposal - 09042024
Reference Material	821_Mass_Ave_-_Fire_Dept_Memo_-_09052024.pdf	821 Mass Ave - Fire Dept Memo - 09052024
Reference Material	821_Mass_Ave_-_Parapet_at_Roof_Detail_-_10022024.pdf	821 Mass Ave - Parapet at Roof Detail - 10022024
Reference Material	821_Mass_Ave_-_Existing_Conditions_Photos_-_10212024_-_10212024	821 Mass Ave - Existing Conditions Photos - 10212024

- Reference Material      \_REDUCED\_SIZE.pdf
- ▢ Reference Material      821\_Mass\_Ave\_-\_legal\_memo.pdf      821 Mass Ave - Legal Memo - 08282024
- ▢ Reference Material      CVS\_Memorandum\_of\_Lease\_01262010.pdf      CVS Memorandum of Lease 01262010
- ▢ Reference Material      EDR\_memo\_Docket\_3798\_821\_Mass\_Ave\_-\_UPDATED\_09192024.pdf      EDR memo Docket 3798 821 Mass Ave - UPDATED 09192024

2024 SEP 10 P 3:05

2024 SEP 11 PM 1:34

Docket 3798

## REQUIRED SUBMITTALS CHECKLIST

One electronic copy of your application is required; print materials may be requested, Review the ARB's Rules and Regulations, which can be found at [www.arlingtonma.gov/arb](http://www.arlingtonma.gov/arb), for the full list of required submittals.

**Application Cover Sheet (project and property information, applicant information)**

**Dimensional and Parking Information Form (see attached)**

**Impact statement**

Statement should respond to Environmental Design Review (Section 3.4) and Special Permit (Section 3.3) criteria on pages 6-8 of this packet); include:

- LEED checklist and sustainable building narrative as described in criteria 12.
- Summary of neighborhood outreach, if held or planned.

**Drawing and photographs of existing conditions**

- Identify boundaries of the development parcel and illustrate the existing conditions on that parcel, adjacent streets, and lots abutting or directly facing the development parcel across streets.
- Photographs showing conditions on the development parcel at the time of application and showing structures on abutting lots.

**Site plan of proposal. Must include:**

- Zoning boundaries, if any, and parcel boundaries;
- Setbacks from property lines;
- Site access/egress points;
- Circulation routes for pedestrians, bicyclists, passenger vehicles, and service/delivery vehicles;
- New buildings and existing buildings to remain on the development parcel, clearly showing points of entry/exit;
- Other major site features within the parcel or along its perimeter, including but not limited to trees, fences, retaining walls, landscaped screens, utility boxes, and light fixtures;
- Spot grades or site topography and finish floor level;
- Open space provided on the site;
- Any existing or proposed easements or rights of way.

**Drawings of proposed structure**

- Schematic drawings of each interior floor of each proposed building, including basements.
- Schematic drawings of the roof surface(s), identifying roof materials, mechanical equipment, screening devices, green roofs, solar arrays, usable outdoor terraces, and parapets.
- Elevations of each exterior façade of each building, identifying floor levels, materials, colors, and appurtenances such as mechanical vents and light fixtures.
- Drawings from one or more prominent public vantage point illustrating how the proposed project will appear within the context of its surroundings.
- Graphic information showing façade materials and color samples.
- Include lighting plan and fixtures if not provided on site or landscaping plan.

**Vehicle, Bicycle, and Service Vehicle Plans**

- Parking and loading plans, including all vehicle and bicycle parking facilities located on the parcel or within a structure, showing dimensions of spaces, driveways, access aisles, and access/egress points. Include line-of-sight and turning radius along with length and type of delivery truck.
- If you are requesting a reduction in the amount of required parking, include a Transportation Demand Management Plan per Section 6.1.5.
- Plans of all bicycle parking facilities located on the lot and within any structure, including dimensions of spaces and access routes and types of bicycle racks.

**Sustainable Building and Site Design Elements**

- A solar energy systems assessment per Section 6.4, which must include:
  - An analysis for solar energy system(s) for the site detailing layout and annual production;
  - The maximum feasible solar zone area of all structures; and,
  - Drawings showing the solar energy system you propose, with a narrative describing the system, the reasons the system was chosen, and how the system meets the requirements of Section 6.4; or
  - A detailed explanation of why the project meets an exemption of Section 6.4.2.
- LEED checklist and narrative per EDR criterion 13.

**Proposed landscaping (*may be incorporated into site plan*)**

Schematic drawing(s) illustrating and clearly labels all landscape features, including hardscape materials, permeable areas, plant species, and light fixtures.

**Plans for sign permits, if signage is an element of development proposal**

**Stormwater management plan**

*(for stormwater management during construction for projects with new construction)*

**SketchUp Compatible Model, if required**

**Application fee**

*(See Rule 12 of the ARB Rules and Regulations for how to calculate the fee)*

**FOR OFFICE USE ONLY**

Docket #: 3798

\_\_\_\_\_ Special Permit Granted

Date: \_\_\_\_\_

\_\_\_\_\_ Received evidence of filing with Registry of Deeds

Date: \_\_\_\_\_

\_\_\_\_\_ Notified Building Inspector of Special Permit filing

Date: \_\_\_\_\_



2024 SEP 10 P 3: 07

2024 SEP 11 PM 1: 34

Application for Special Permit Under Environmental Design Review

Docket 3798

COVER SHEET

Application for Special Permit in Accordance with Environmental Design Review

PROPERTY AND PROJECT INFORMATION

- 1. Property Address 821 Massachusetts Avenue, Arlington MA
Assessors Block Plan, Block, Lot No. 052.0-0001-0001.10 Zoning District B4
2. Deed recorded in the Registry of deeds, Book 1350, Page 69
3. Present Use of Property (include # of dwelling units, if any) Vacant Building and CVS Store
4. Proposed Use of Property (include # of dwelling units, if any) First Floor Front - 2 Office Spaces; First Floor Rear, Second and Third Floors - 3 Residential Units

APPLICANT INFORMATION

- 1. Applicant: Identify the person or organization requesting the Special Permit: Name of Applicant(s) Geo ffrey Noyes Organization Noyes Realty, LLLP Address P.O. Box 40 Marblehead MA 01945 Phone (781) 864-9686 Email gpnoyes@comcast.net
2. Applicant Interest: the applicant must have a legal interest in the subject property: [X] Property owner [ ] Purchaser by land contract [ ] Purchaser by option or purchase agreement [ ] Lessee/tenant
3. Property Owner [X] Check here if applicant is also property owner Identify the person or organization that owns the subject property: Name Title Organization Phone Address Street City, State, Zip Phone Email



**ARLINGTON REDEVELOPMENT BOARD**

Application for Special Permit Under Environmental Design Review

4. **Representative:** Identify any person representing the property owner or applicant in this matter:

Name Mary Winstansley-O'Connor Title Attorney  
 Organization Krattenmaker O'Connor & Ingber, P.C. Phone (617) 523-1010  
 Address One McKinley Sq., 5th Floor Boston MA 02109  
Street City, State, Zip  
 Phone (617) 523-1009 Email moconnor@koilaw.com

5. Permit applied for in accordance with the following Zoning Bylaw section(s)

3.3 Request for Special Permit  
3.4 Environmental Design Review  
 \_\_\_\_\_  
section(s) title(s)

6. List any waivers being requested and the Zoning Bylaw section(s) which refer to the minimum or maximum requirements from which you are seeking relief.


\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
section(s) title(s)

7. Please attach a statement that describes your project and provide any additional information that may aid the ARB in understanding the permits you request. Include any reasons that you feel you should be granted the requested permission.

(In the statement below, check the options that apply)

The applicant states that Noyes Realty, LLLP is the owner  or occupant  or purchaser under agreement   
 of the property in Arlington located at 821 Massachusetts Avenue, Arlington MA  
 which is the subject of this application; and that unfavorable action  or no unfavorable action  has been taken by  
 the Zoning Board of Appeals on a similar application regarding this property within the last two years. The applicant  
 expressly agrees to comply with any and all conditions and qualifications imposed upon this permission, either by the  
 Zoning Bylaw or by the Redevelopment Board, should the permit be granted.

Signature of Applicant(s):

 \_\_\_\_\_  
 \_\_\_\_\_

P.O. Box 40, Marblehead, MA 01945 (781) 864-9686  
Address Phone

**DIMENSIONAL AND PARKING INFORMATION**

Property Location: 821-833 Massachusetts Ave Zoning District: b4 Business District  
 Applicant: Noyes Realty, LLLp Address: P.O. Box 40, Marblehead Ma 01945

Present Use/Occupancy: No. of Dwelling Units: Vacant Building/Retail Space Uses and their gross square feet: 40,449

Proposed Use/Occupancy: No. of Dwelling Units: 2 Office Spaces & 3 Residential Units/Ret Uses and their gross square feet: 2 Offices (2460 s.f.); 3 Units (2383, 2383, 3,441 s.f.); Retail (36,945 s.f. - CVS)

	Present Conditions	Proposed Conditions	Min. or Max. Req'd by Zoning for Proposed Use	
Lot Size	79,864	79,864	min. 20,000	
Frontage	291.49	291.49	min. 50	
Floor Area Ratio <sup>1</sup>	0.50	0.59	max. 1.0	
Lot Coverage (%), where applicable	17.9	21.8	max. NA	
Lot Area per Dwelling Unit (sf)	0	NA	min. NA	
Front Yard Depth (feet)	10.0	8.6	min. 0	
Side Yard Width (feet)	right side left side	17.9 122.4	8.3 122.4	min. 0 min. 0
Rear Yard Depth (feet)	91.9	91.9	min. 22.5	
Height	stories feet	2.5 26	3 36.33	stories <sup>2</sup> 4 Feet 50
Open Space (% of G.F.A.) <sup>3</sup>			min.	
	Landscaped (sf)	5,607	5,607	(sf) 4,767
	Usable (sf)	0	1,695	(sf) 953
Parking Spaces (#) <sup>4</sup>	73	73	min. 48	
Parking Area Setbacks (feet) <i>(where applicable)</i>	NA	NA	min. NA	
Loading Spaces (#)	NA	NA	min. NA	
Bicycle Parking <sup>5</sup>	short term long term	5 5	8 11	min. 8 min. 11

<sup>1</sup> FAR is based on Gross Floor Area. See Section 5.3.22 for how to calculate Gross Floor Area. On a separate page, provide the calculations you used to determine FAR, including the calculations for Gross Floor Area.

<sup>2</sup> Where two heights are noted in the dimensional tables, refer to Section 5.3.19, Reduced Height Buffer Area to determine the applicable height or the conditions under which the Board may provide relief.

<sup>3</sup> Per Section 5.3.22(C), district dimensional requirements are calculated based on GFA. On a separate page, show how you determined the open space area amounts.

<sup>4</sup> See Section 6.1, Off-Street Parking. If requesting a parking reduction, refer to Section 6.1.5.

<sup>5</sup> See Section 6.1.12, Bicycle Parking, or refer to the [Bicycle Parking Guidelines](#).

**ARB IMPACT STATEMENT**  
Rojas Design, Inc.

**09/05/2024**

The logo for Rojas Design, Inc. is displayed in a white rectangular box. The word "Rojas" is written in a bold, black, sans-serif font.

**Building Use and Size**

This new mixed-use building will be three stories tall and have a total gross area of 16,792 GSF (including a 4,448 GSF Basement – storage & mechanical), or **12,344 GSF** without the Basement. The First Floor has a total gross area of 4,448 GSF, the Second Floor has a total gross area of 3,948 GSF, and the Third Floor has a total gross area of 3,948 GSF. The building would have a **total height of 36'-3" above average finished grade**. The new building is completely compliant with the Town of Arlington Zoning Bylaw's Dimensional Requirements for this district. The site will have **9 off-street parking spaces** (including one handicap space) dedicated to this building.

Two retail/office spaces and three residential units are included in the building. All retail/office spaces and residential units shall have 2 means of egress. The ground floor retail/office spaces shall be designed for code-compliant accessibility and will have direct on-grade entries. The common roof would include private, trellised roof decks for each residential unit, as well as the solar panels (50% of the roof area).

The proposed Uses and Sizes are as follows:

- **Two (2) Retail/Office Spaces** - First Floor, on-grade (1,240 SF & 1,165 SF), or One (1) Retail/Office Space - First Floor, on-grade – fully accessible (2,405 SF);
- **Unit 1** - One (1) Second Floor Residential Unit (2,383 SF-TLA) – 3 Bedrooms & 3 ½ Bathrooms. Unit 1 has Second Floor decks with a total of 198 SF, and an upper Roof Deck area of 1,142 SF. Unit 1, therefore, has a total exclusive use deck area of 1,340 SF;
- **Unit 2** - One (1) Third Floor Residential Unit (2,383 SF-TLA) – 3 Bedrooms & 3 ½ Bathrooms. Unit 1 has Second Floor decks with a total of 198 SF, and an upper Roof Deck area of 1,142 SF. Unit 2, therefore, has a total exclusive use deck area of 1,340 SF; and,
- **Unit 3** - One (1) Three-story, Residential Unit (3,441 SF-TLA) – 3 Bedrooms & 3 ½ Bathrooms. Unit 3 has Second & Third Floor decks with a total of 360 SF, and an upper Roof Deck area of 1,149 SF. Unit 3, therefore, has a total exclusive use deck area of 1,509 SF.

**Special Permit Criteria**

1. The uses requested (mixed-use) are listed as an allowable use in this zoning district.
2. The requested uses (housing and office) are essential and desirable to the public convenience and welfare.





Rojas

3. The requested uses will not create any undue traffic congestion or in any way impair pedestrian safety. The uses and design will enhance pedestrian access and safety.
4. The requested uses will not overload any public water, drainage or sewer system or any other municipal system to such an extent that the requested uses or any developed use in the immediate area or in any other area of the Town will be unduly subjected to hazards affecting health, safety, or the general welfare.
5. Any special regulations for the uses as may be provided in the Bylaw shall be fulfilled.
6. The requested uses will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the health, morals, or welfare. The uses and design will strengthen the civic street front and respectfully enhance the adjacent Church courtyard and landscape.
7. The requested uses will not, by its addition to a neighborhood, cause an excess of the particular uses that could be detrimental to the character of said neighborhood. The addition of new housing has a very favorable impact to the entire community. New office space will bring needed service providers to this neighborhood.

### **Environmental Review Criteria**

#### **1. Preservation of Landscape**

The existing landscape shall be preserved, as far as practicable, and enhanced. This project minimizes tree and soil removal, and all grade adjustments are in keeping with the general appearance of neighboring developed areas. The existing 'side buffer' tree plantings shall remain and all landscape areas facing the abutters shall be enhanced and improved with new plantings.

#### **2. Relation of Building to Environment**

The proposed new building will relate harmoniously to the lot's terrain and to the use, scale, setbacks, and architecture of the existing buildings in the vicinity that have a functional or visual relationship to the building. The building respects and enhances its side-yard relationship to the abutting church. Additional plantings and landscape improvements will help define a more attractive and effective buffer. The new building's setbacks are consistent with the abutters' and meet the requirements of the Zoning By-Law.

#### **3. Open Space**

The project's open spaces are designed to add visual attractiveness and functionality for the residents, visitors, customers, and neighbors. The new entrance landscape and walkways from Massachusetts Avenue are designed to improve pedestrian safety, access, and identification. The new entry landscape plantings shall create a more attractive and pleasing streetside environment. The rear entrance landscape and walkways from the parking lot are similarly designed to enhance a safe pedestrian experience, provide additional plantings, lighting, bicycle parking, and clear access and egress. The upper

roof decks for the three residential units provide additional open space amenities and encourage social interaction.

#### **4. Circulation**

Special design attention has been given to the building's residential and office entrances, walkways, parking, and pedestrian areas regarding safe vehicular, pedestrian, and bicycle circulation. The building's ground floor is completely accessible and welcoming from both Massachusetts Avenue and the rear parking area. The existing associated rear parking for this building will be re-designed and improved for accessibility and functionality. Bicycle parking will be provided and will be accessible from the rear parking lot. The pedestrian, vehicular, and bicycle circulation improvements will improve safety, access, and attractiveness and will not detract from the use and enjoyment of the proposed building and the neighboring properties.

#### **5. Surface Water Drainage**

The site design for this parcel shall include proper site surface drainage so that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Available Best Management Practices for the site shall be employed and include site planning to minimize impervious surface and reduce clearing and re-grading. Best Management Practices may include erosion control and storm water treatment by means of swales, filters, plantings, roof gardens, native vegetation, and leaching catch basins. Storm water shall be treated on-site, as far as practicable. Storm water that cannot be managed on site shall be removed from all roofs, canopies, paved and pooling areas and carried away in an underground drainage system. Surface water in all paved areas shall be collected at intervals so that it will not obstruct the flow of vehicular or pedestrian traffic and will not create puddles in the paved areas. The current storm water drainage system in the existing parking lot is very functional and shall be kept in place. The applicant shall maintain all the existing and proposed storm water facilities such as catch basins, leaching catch basins, detention basins, swales, etc. within the site.

The areas that would be considered for stormwater infiltration are the existing parking areas on the northerly side of the project that are to remain. Deep hole soil testing would be performed to evaluate the potential for stormwater infiltration and to determine if groundwater or ledge are site issues.

A stormwater computer analysis would then be prepared to determine the amount of runoff to be infiltrated. The stormwater management design would propose using roof runoff only. Subsequently, stormwater structures would be designed to mitigate any increases in runoff volumes and flows.

In the end, the stormwater structures would most likely be installed under the existing parking spaces, then the parking spaces would be restored to their original condition and elevations. If necessary, the walkways would be designed with permeable pavers or paving.

#### **6. Storm Water Facilities**

The project will comply with the Department of Public Work's requirement for the maintenance of all storm water facilities.



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#### **7. Utility Service**

All proposed electric, telephone, cable TV and other such lines and equipment shall be underground. The proposed method of sanitary sewage disposal and solid waste disposal from all buildings shall be in accordance with all codes and local requirements.

#### **8. Advertising Features**

The size, location, design, color, texture, lighting, and materials of all permanent signs (office and residential) and all other advertising structures or features shall be in conformance with the Town of Arlington's Signage Code and shall not detract from the use and enjoyment of proposed buildings and structures and the surrounding properties. All signage and advertising features will conform to the provisions of Section 6.2 of the Zoning Bylaw.

#### **9. Special Features**

Any exposed utility or service components (meters, transformers, etc.) shall be screened with appropriate plantings to minimize any visual impacts. Final plans shall include all exposed utility and mechanical features and their proposed landscape screening.

#### **10. Safety**

All the building's open and enclosed spaces shall be designed to facilitate building evacuation and maximize accessibility by fire, police, and other emergency personnel and equipment. As far as practicable, all exterior spaces and interior public and semi-public spaces shall be so designed as to minimize the fear and probability of personal harm or injury by increasing the potential surveillance by neighboring residents and passersby of any accident or attempted criminal act. Complete site and building security systems shall be incorporated into the proposed development. The safety and security of all residents, visitors, customers, and neighbors are important priorities of this project. The Arlington Fire Department has reviewed and approved the site plan for compliance with their vehicle access requirements.

#### **11. Heritage**

Arlington's heritage shall be respected. The removal, or disruption of historic, traditional, or significant uses, structures, or architectural elements shall be minimized, as far as practicable. The new building will provide a more consistent mixed-use presence on Massachusetts Avenue that relates to the Town's planning goals and priorities.

#### **12. Microclimate**

This development proposes a new structure and new hard-surface ground coverage and shall endeavor to minimize, as far as practicable, any adverse impact on light, air, and water resources, or on noise and temperature levels of the immediate environment. The building and site are designed with a focus on climate practicality, sustainability, and maintainability.

#### **13. Sustainable Building and Site Design**

This project shall incorporate best practices related to sustainable sites, water efficiency, energy and atmosphere, materials and resources, and indoor environmental quality. The building and site are designed with a focus on climate awareness, sustainability, and maintainability. The project is committed to meeting LEED Silver standards with the inclusion of the following sustainability components:





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- Sustainable exterior and interior building & site materials and products
- Building envelope compliance with the Stretch Energy Code
- Low-Emittance windows & doors
- Energy-efficient mechanical systems
- Indoor Air Quality and thermal comfort
- Energy-efficient lighting and electrical devices
- Energy Star appliances
- Cool roofs & trellis shading
- Solar-Panel Energy System – 50% of the roof area with panels
- Sustainable and less water-intensive landscape materials
- Non-invasive plant materials
- Additional street trees along Mass Ave in front of CVS and this new building
- Site and building cooling strategies utilizing planting locations
- Waste reduction and recycling
- Storm water management

The building to be demolished and the new construction site is located on the same lot as the existing CVS store building and there are no plans to subdivide the lot with respect to the Applicant's building plans.

The Applicant and members of his team have paid close attention to comments made at prior multiple hearings before both the ARB and the Historical Commission with respect to comments made by Members of the ARB and the Historical Commission as well as other interested parties with respect to what many individuals would like to see located in place of the Atwood House once the Atwood House is demolished.

Both the CVS store and the Atwood House are located on the same lot and there can be no subdivision of the lot to accommodate zoning for either one standing on its own because of zoning bylaw constraints.

At the time of the CVS ARB hearing which took place in 2009, there was language contained in the decision to the effect that there was a contemplation on the part of the Members of the ARB that the Atwood House could be demolished however there was no time constraint related to any plans to demolish the building.

The 2009 CVS ARB Decision contains language allocating certain parking spaces for the Atwood House whether it was to remain, be modified, demolished, or reconstructed.

We believe the Atwood House was constructed in the 1890's and of course the CVS store was constructed in the year 2010.

The Atwood House has been vacant and in a state of disrepair for an extended period of time.

As a result, the Applicant was fined by the Town and has fully paid all fines relating to outstanding building code and/or other violations.

The Applicant has engaged the services of Andres T. Rojas, Rojas Design, Inc., who has prepared mixed-use plans with respect to the submission and is now ready to move



forward and obtain approval of the plans, demo the Atwood House, and construct a new mixed-use building all in accordance with the plans submitted to the ARB.

Development of the site will remove a significant “eyesore” on Massachusetts Avenue, the main thoroughfare through the Town and, at the same time will add additional residential living space in the Town while maintaining a mixed-use component with respect to office use.

For all the above reasons the Applicant respectfully requests that his plans be approved by the ARB.



# 821 MASSACHUSETTS AVENUE

ARLINGTON REDEVELOPMENT BOARD SUBMISSION - NEW CONSTRUCTION

821 MASSACHUSETTS AVENUE  
ARLINGTON, MA 02476

SUBMISSION SET  
09/05/2024



**Rojas**

SHEET LIST	
Sheet Number	Sheet Title
	COVER SHEET
EX- 01	SITE PLAN WITH EXISTING BUILDING & TREES
TP- 01	TREE PROTECTION REMOVAL PLAN & DETAILS
	PROPOSED PLOT PLAN BY ROBER SURVEY
L- 01	PARTIAL BLOCK PLAN & ELEVATIONS - MASSACHUSETTS AVENUE
L- 02	PROPOSED SITE LAYOUT & MATERIALS PLAN
L- 03	PROPOSED PLANTING PLAN & PLANT LIST
L- 04	3-STORY SHADOW STUDY
L- 05	5-STORY SHADOW STUDY
L- 06	RENDERED SITE PLAN
A- 01	PROPOSED FIRST FLOOR & SECOND FLOOR PLANS
A- 02	PROPOSED THIRD FLOOR & ROOF PLANS
A- 03	PROPOSED BASEMENT PLAN, FRONT (SOUTH) & REAR (NORTH) ELEVATION
A- 04	PROPOSED SIDE (EAST) ELEVATION & SIDE (WEST) ELEVATION
A- 05	MATERIAL BOARD
C- 01	EXISTING CONDITIONS PLAN
C- 02	PROPOSED CONDITIONS DRAINAGE PLAN
	BOSTON LIGHT SOURCE - PHOTOMETRIC SITE PLAN

Owner

**Geoffrey Noyes  
Noyes Realty, LLP**

P.O. Box 40  
Marblehead MA 01945

(781) 631-1123

Architecture | Interior Design |  
Landscape Architecture

**Rojas Design, Inc.**

46 Waltham Street Suite 2A  
Boston MA 02118

(617) 720-4100

RD 2958

Surveyor

**Rober Survey**

1072 Massachusetts Avenue  
Arlington MA 02476

(781) 648-5533

Civil Engineer

**Gala Simon Associates, Inc.**

394 Lowell Street Suite 18  
Lexington MA 02420

(781) 266-8179

821  
 MASSACHUSETTS  
 AVENUE  
 ARLINGTON MA  
 02476

ARLINGTON  
 REDEVELOPMENT  
 BOARD SUBMISSION

Job: 2958  
 Date: 09/05/2024  
 Scale: AS NOTED  
 Drawn: ISP  
 Checked: ATR

SITE PLAN WITH  
 EXISTING  
 BUILDING &  
 TREES

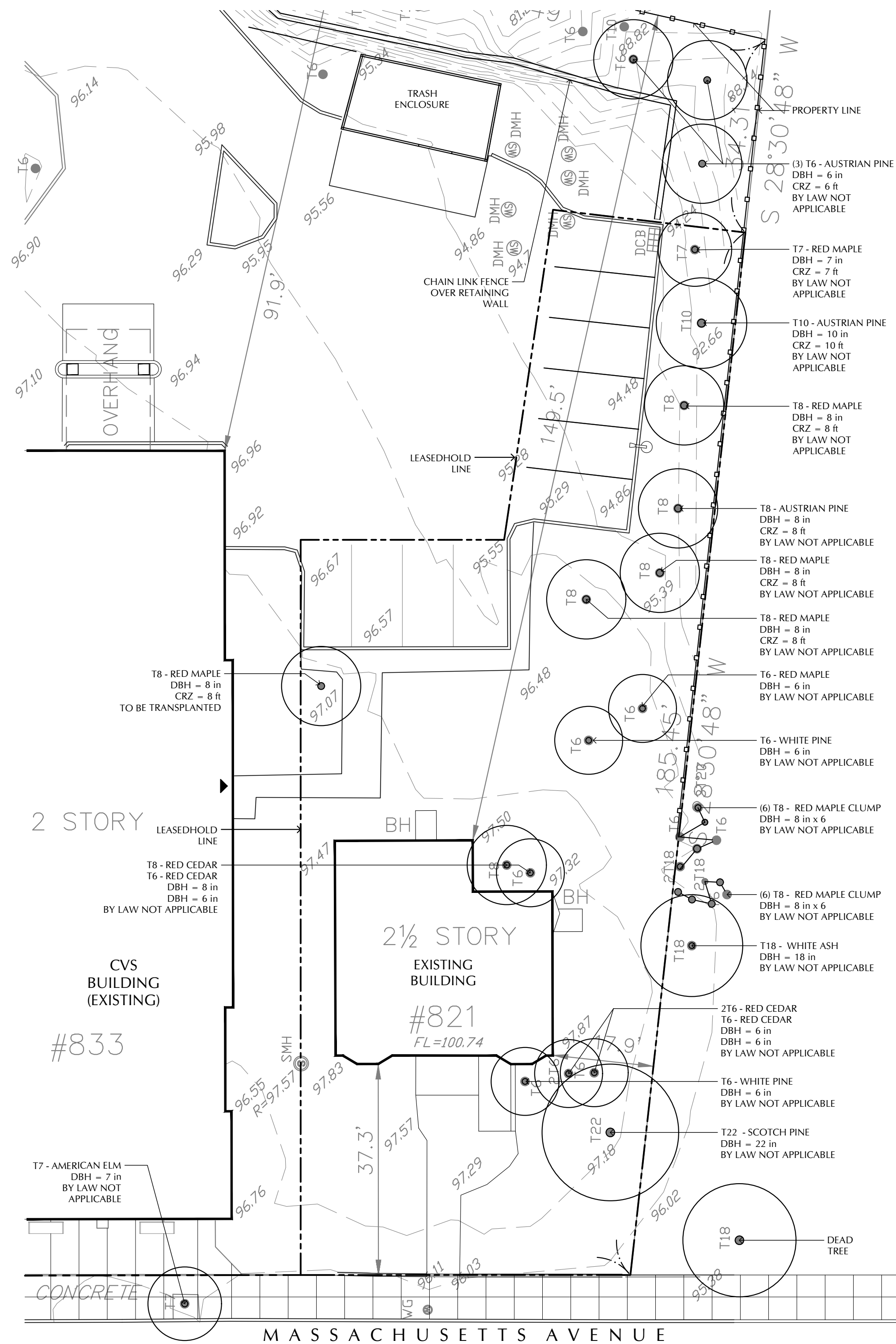
Rojas Design, Inc.  
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 46 Waltham Street -  
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 Boston, MA 02118  
 Landscape Architecture  
 (617) 720-4100

**Rojas**

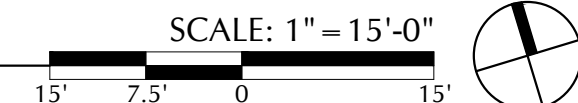
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**EX-01**



**1** SITE PLAN WITH EXISTING BUILDING & TREES





821  
 MASSACHUSETTS  
 AVENUE  
 ARLINGTON MA  
 02476

ARLINGTON  
 REDEVELOPMENT  
 BOARD SUBMISSION

Job: 2958  
 Date: 09/05/2024  
 Scale: AS NOTED  
 Drawn: ISP  
 Checked: ATR

TREE  
 PROTECTION &  
 REMOVAL PLAN  
 & DETAILS

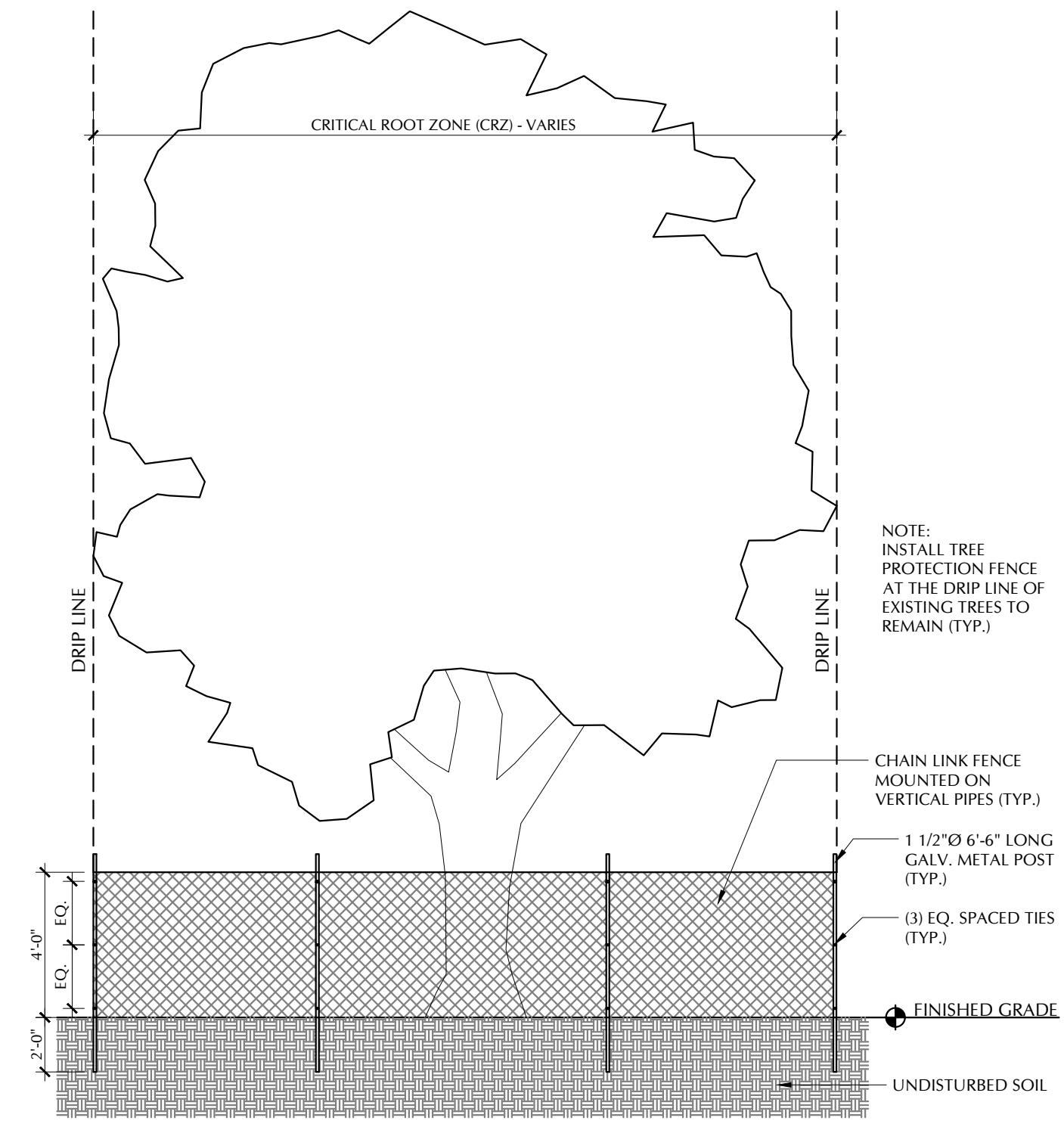
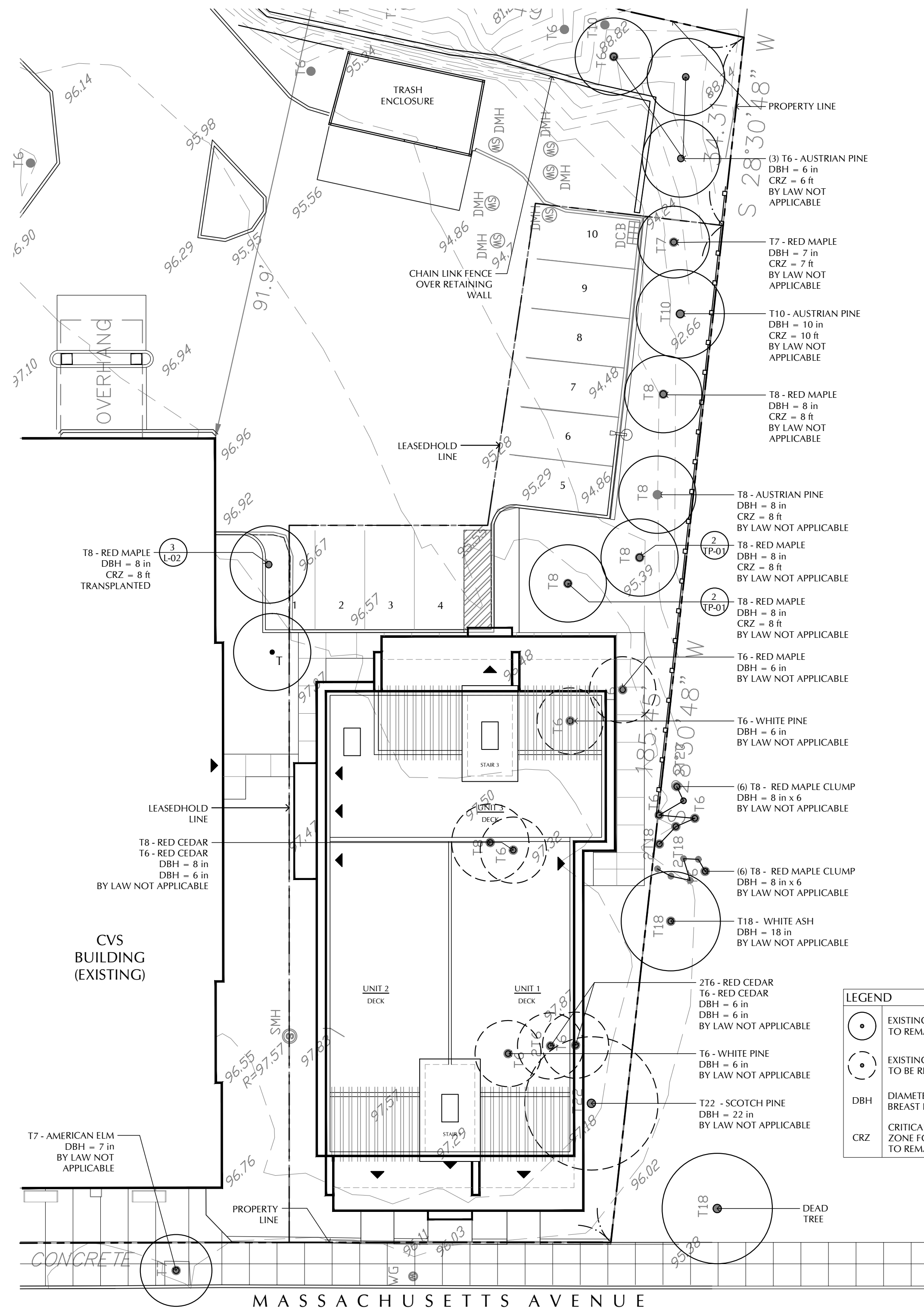
Rojas Design, Inc.  
 Architecture  
 46 Waltham Street -  
 Suite 2A  
 Interior Design  
 Boston MA 02118  
 Landscape Architecture  
 (617) 720-4100

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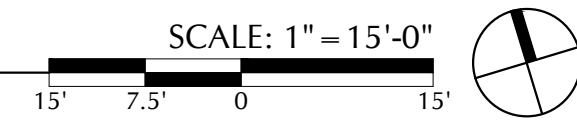
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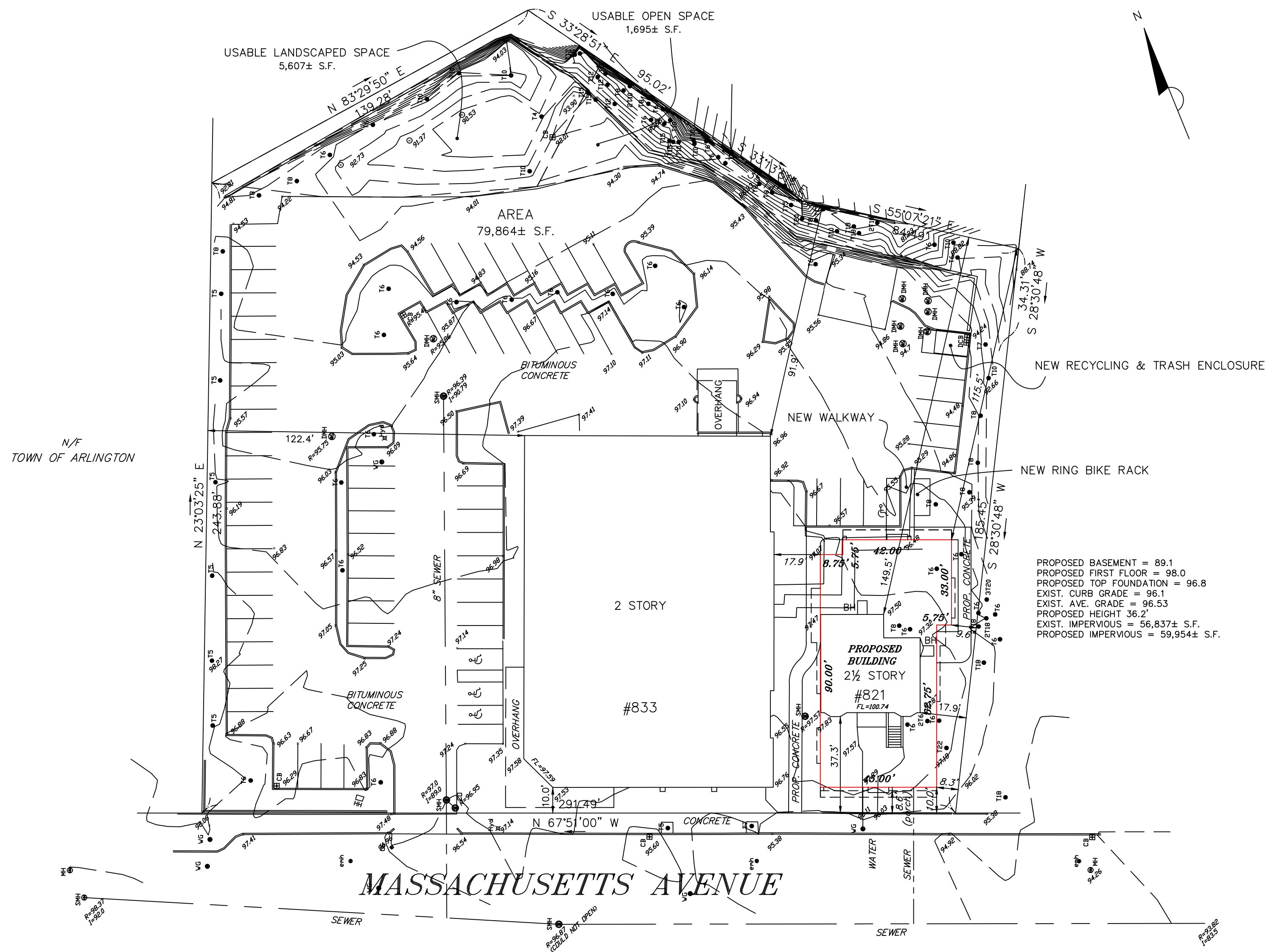
**TP-01**



1 TREE PROTECTION & REMOVAL PLAN

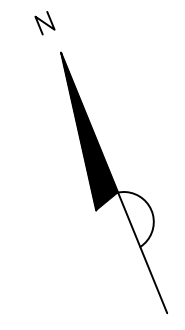
2 TREE PROTECTION DETAIL





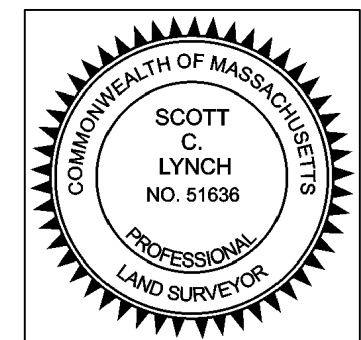
**LEGEND**

- BH BULKHEAD
- CB CATCH BASIN
- CO CLEANOUT
- DCB DOUBLE CATCH BASIN
- DMH DRAIN MANHOLE
- EMH ELECTRIC MANHOLE
- FL FLOOR
- GG GAS GATE
- HH HANDHOLD
- HYD HYDRANT
- SMH SEWER MANHOLE
- T8 8" TREE
- WG WATER GATE
- HP HANDICAP PARKING
- SGE SPOT GRADE ELEVATION



N/F  
TOWN OF ARLINGTON

I HEREBY CERTIFY THAT THE BUILDING IS  
LOCATED AS SHOWN.



*Scott Lynch*

7/25/2023

SCOTT LYNCH, PLS DATE  
THIS PLAN MAY HAVE BEEN ALTERED IF  
THE SIGNATURE IS NOT SIGNED IN BLUE.

PROPOSED BASEMENT = 89.1  
PROPOSED FIRST FLOOR = 98.0  
PROPOSED TOP FOUNDATION = 96.8  
EXIST. CURB GRADE = 96.1  
EXIST. AVE. GRADE = 96.53  
PROPOSED HEIGHT 36.2'  
EXIST. IMPERVIOUS = 56,837± S.F.  
PROPOSED IMPERVIOUS = 59,954± S.F.

UNDERGROUND UTILITIES WERE COMPILED FROM  
AVAILABLE RECORD PLANS OF UTILITY COMPANIES  
AND PUBLIC AGENCIES AND ARE APPROXIMATE ONLY.  
BEFORE DESIGN AND CONSTRUCTION CALL "DIG SAFE"  
1-800-322-4844. SOME DATA IS CONFLICTING  
AND CAN ONLY BE VERIFIED BY EXCAVATION.

PREPARED FOR: GEOFFREY NOYES

PROPOSED PLOT PLAN  
#821-833 MASSACHUSETTS AVENUE  
IN  
ARLINGTON, MA  
(MIDDLESEX COUNTY)

SCALE: 1" = 30' DATE: 7/25/2023



**ROBER SURVEY**  
1072A MASSACHUSETTS AVENUE  
ARLINGTON, MA 02476  
(781) 648-5533  
7239PP2.DWG

821  
 MASSACHUSETTS  
 AVENUE  
 ARLINGTON MA  
 02476

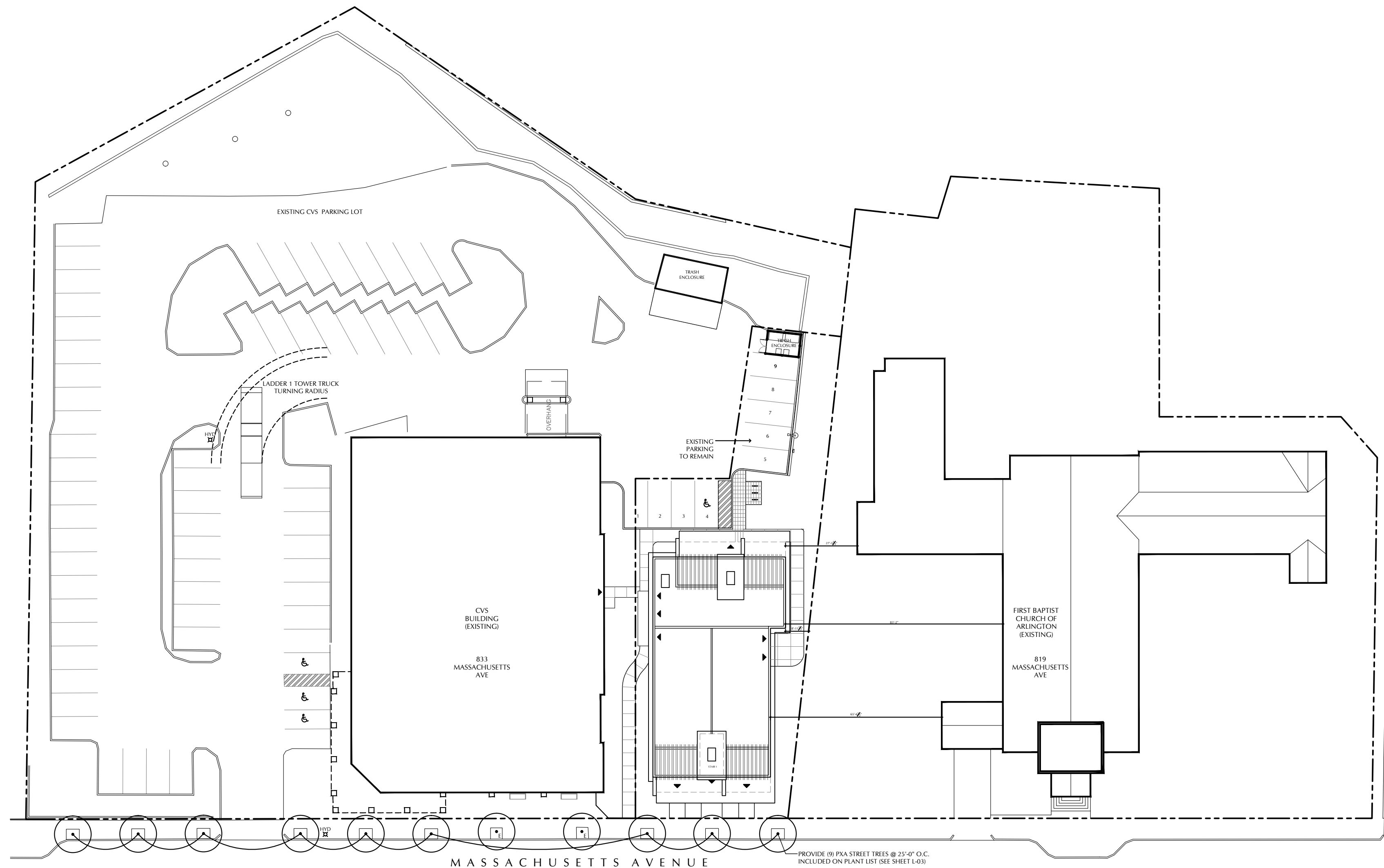
ARLINGTON  
 REDEVELOPMENT  
 BOARD SUBMISSION

Job: 2958  
 Date: 09/05/2024  
 Scale: AS NOTED  
 Drawn: ISP  
 Checked: ATR

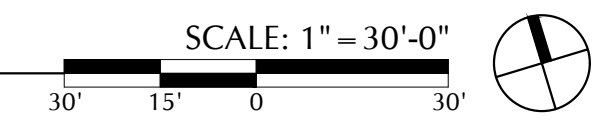
PROPOSED  
 PARTIAL  
 BLOCK PLAN  
 & ELEVATION

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 46 Waltham Street -  
 Suite 2A  
 Interior Design  
 Boston MA 02118  
 Landscape Architecture  
 (617) 720-4100

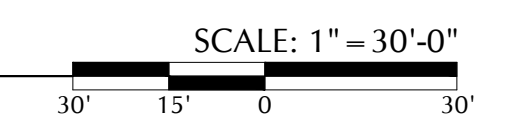
**Rojas**



1 PROPOSED PARTIAL BLOCK PLAN



2 PROPOSED PARTIAL BLOCK ELEVATION



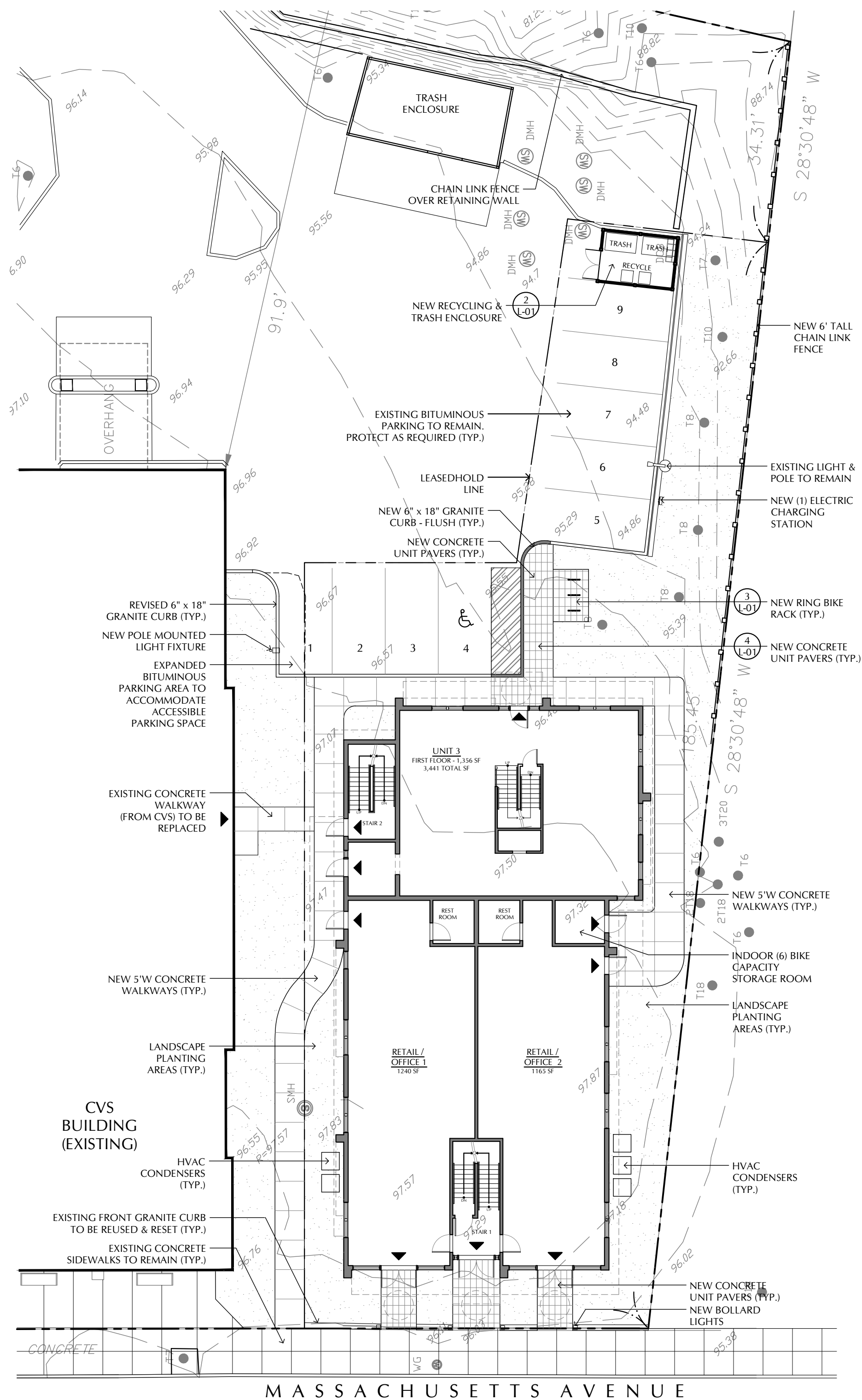
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**L-01**

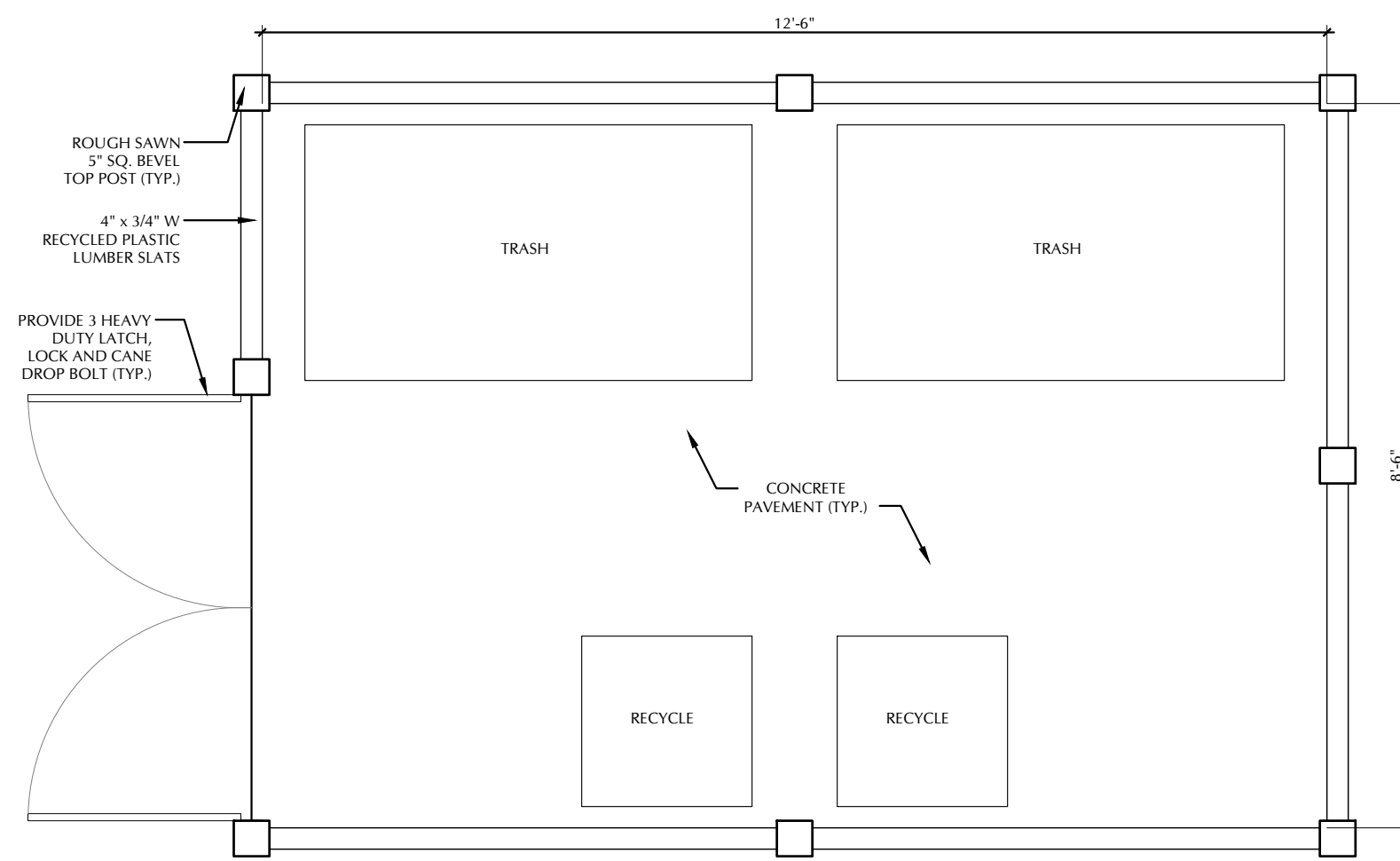
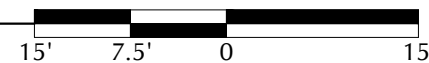
821  
 MASSACHUSETTS  
 AVENUE  
 ARLINGTON MA  
 02476

ARLINGTON  
 REDEVELOPMENT  
 BOARD SUBMISSION

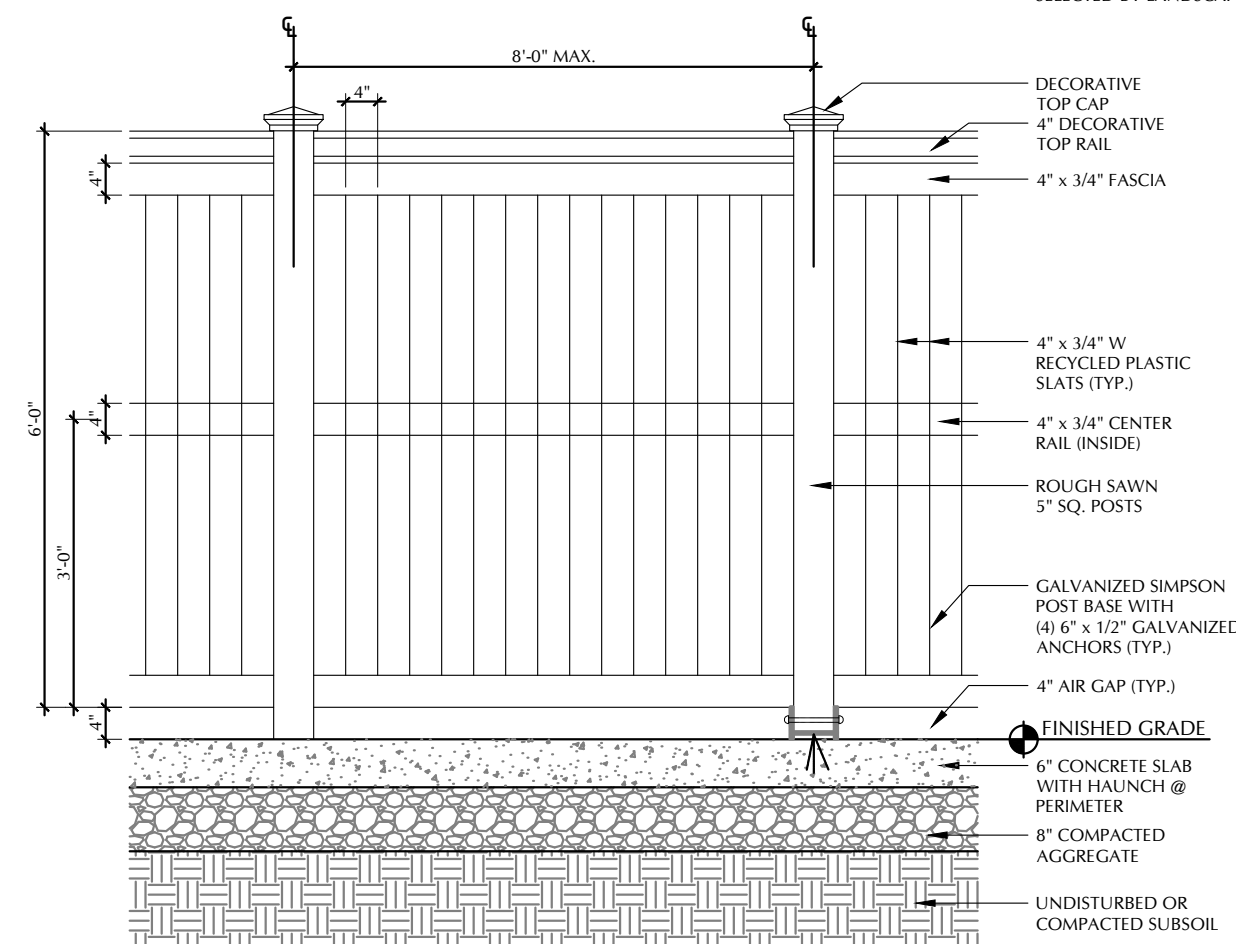


1 PROPOSED SITE LAYOUT & MATERIALS PLAN

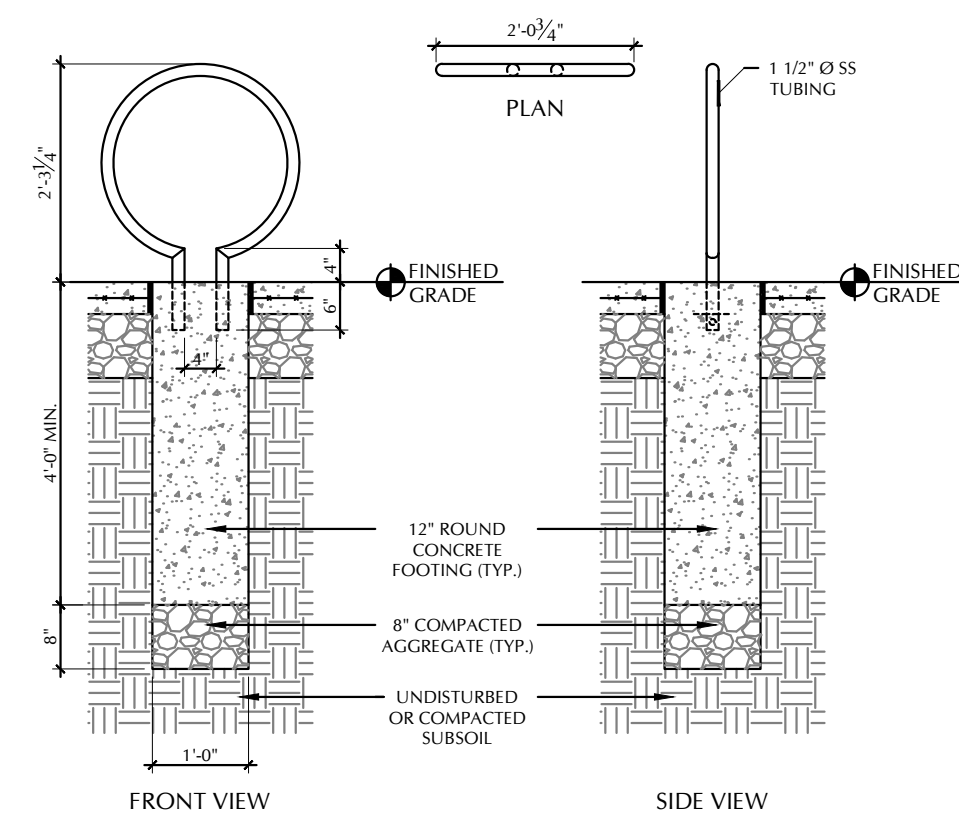
SCALE: 1" = 15'-0"



NOTE:  
 ALL ELEMENTS TO BE RECYCLED  
 PLASTIC LUMBER. COLORS TO BE  
 SELECTED BY LANDSCAPE ARCHITECT



2 TRASH ENCLOSURE PLAN & ELEVATION



3 RING BIKE RACK DETAIL

NTS

Job:	2958
Date:	09/05/2024
Scale:	AS NOTED
Drawn:	ISP
Checked:	ATR

PROPOSED SITE  
 LAYOUT &  
 MATERIALS  
 PLAN & DETAIL

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 Architecture  
 46 Waltham Street -  
 Suite 2A  
 Interior Design  
 Boston, MA 02118  
 Landscape Architecture  
 (617) 720-4100

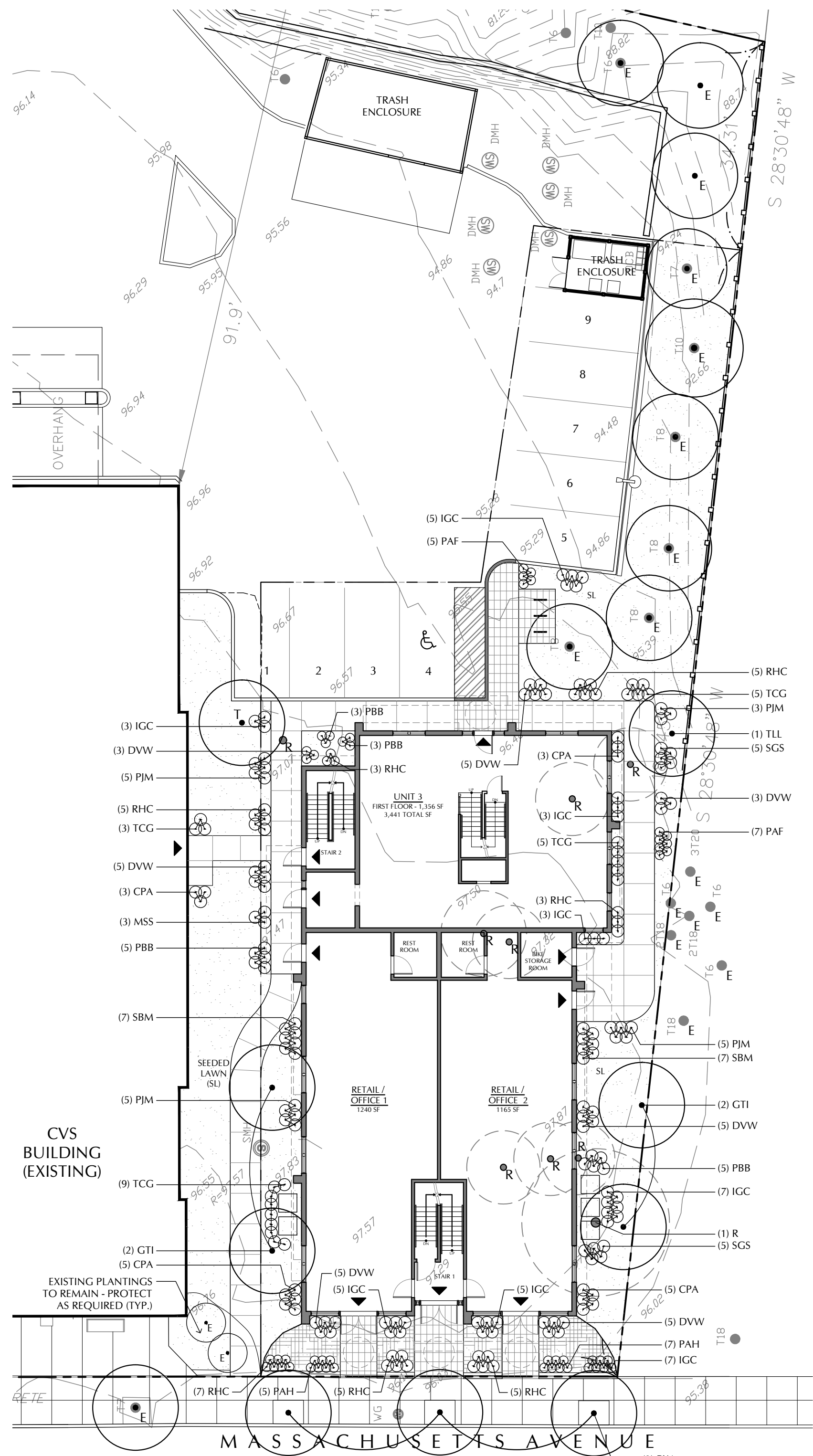
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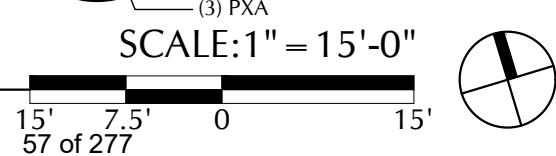
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L-02



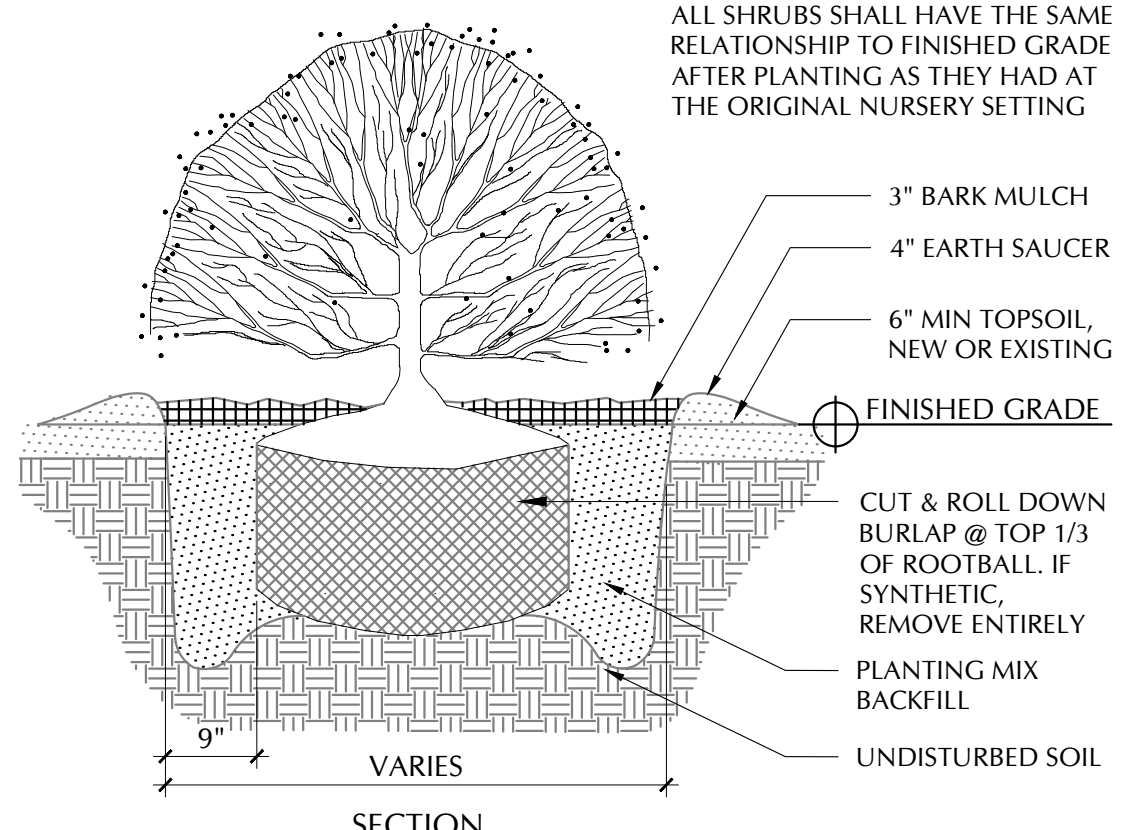


1 PROPOSED PLANTING PLAN



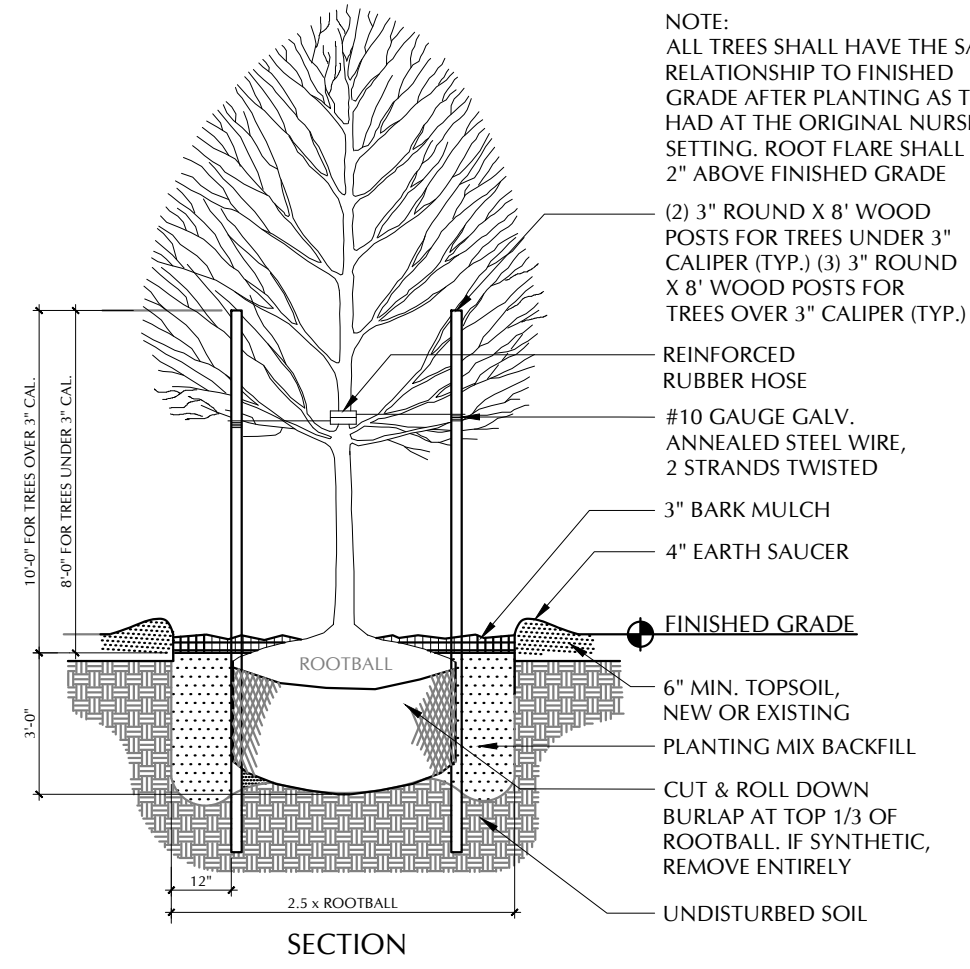
821 MASSACHUSETTS AVENUE, ARLINGTON MA		PLANT LIST		ROJAS DESIGN, INC.		RD 2958	09/05/2024
SYMBOL	QTY	BOTANICAL NAME	COMMON NAME	SIZE	CONDITION	REMARKS	
E	11	EXISTING TREE	EXISTING TREE	IN PLACE	TO REMAIN	PROTECT AS REQUIRED - PROVIDE CLASS 'A' PRUNING AS DIRECTED BY L.A.	
R	8	REMOVE TREE	REMOVE TREE	EXISTING	REMOVE	REMOVE TREE AND STUMP IN THEIR ENTIRETY	
T	1	TRANSPLANTED TREE - MAPLE TREE	TRANSPLANTED TREE	EXISTING	TRANSPLANTED	TRANSPLANT TREE, LOCATION AS SHOWN ON DRAWINGS	
GTI	4	CLEDITSA TRIACANTHOS INERMIS	THORNLESS HONEY LOCUST	3'-3 1/2" CAL.	B & B	PRUNE BRANCHING TO 6'-0" ABOVE FINISHED GRADE	
PXA	9	PLATANUS X ACERIFOLIA	LONDON PLANE TREE	3'-3 1/2" CAL.	B & B	PRUNE BRANCHING TO 6'-0" ABOVE FINISHED GRADE	
TLL	1	TILIA CORDATA	LITTLE LEAF LINDEN	3'-3 1/2" CAL.	B & B	PRUNE BRANCHING TO 6'-0" ABOVE FINISHED GRADE	
CPA	16	CHAMAECYPARIS PISIFERA 'FILIFERA ALUREA'	GOLDEN THREADLEAF CYPRESS	2'-0" - 2'-6" SPREAD	B & B	YELLOW/GOLD COLOR YEAR-ROUND - BROAD DOME FORM - SPACING @ 2'-0" O.C. - EVERGREEN	
DVW	31	RHODODENDRON 'DELAWARE VALLEY WHITE'	'DELAWARE VALLEY WHITE' AZALEA	2'-6" - 3'-0" TALL	B & B	WHITE FLOWERS - BLOOMS APRIL - MAY - SPACING AT 2'-6" O.C. - EVERGREEN	
IGC	38	ILEX GLABRA 'COMPACTA'	COMPACT INKBERRY	2'-6" - 3'-0" TALL	B & B	EVERGREEN DENSE MOUNDED FORM - SPACING AT 2'-6" O.C.	
PBB	16	PERIS 'BROWERS BEAUTY'	BROWER'S BEAUTY ANDROMEDA	2'-6" - 3'-0" TALL	B & B	CREAMY WHITE FLOWER - BLOOMS LATE APRIL SPACING AT 2'-6" O.C.	
PJM	18	RHODODENDRON 'PJM'	'PJM' RHODODENDRON	2'-6" - 3'-0" TALL	B & B	MAGENTA FLOWERS - BLOOMS LATE SPRING - EARLY SUMMER - SPACING AT 2'-6" O.C. - EVERGREEN	
RHC	35	RHODODENDRON 'HINO-CRIMSON'	'HINO-CRIMSON' AZALEA	2'-6" - 3'-0" TALL	B & B	MAGENTA FLOWERS - BLOOMS LATE SPRING - EARLY SUMMER - SPACING AT 2'-6" O.C. - EVERGREEN	
SBM	14	SPIRAEA X BUMALDA 'ANTHONY WATERER'	SPIRAEA BUMALDA 'ANTHONY WATERER'	2'-6" - 3'-0" TALL	B & B	SMALL WHITE FLOWERS - BLOOMS IN MAY SPACING AT 2'-6" O.C.	
TCG	22	TAXUS CUSPIDATA 'GREENWAVE'	'GREENWAVE' JAPANESE YEW	2'-6" - 3'-0" SPREAD	B & B	EVERGREEN WITH LOW MOUNDING FORM SPACING AT 2'-6" O.C.	
LSP	340	LIRIOPE SPICATA	CREeping LIRIOPE	12" SPREAD	1 GAL	FLOWERS LATE SUMMER WITH PALE VIOLET FLOWERS - SPACING 8 PLANTS PER 10 SF OF BED	
MSS	3	MISCANTHUS SINENSIS 'STRICTUS'	ZEBRA GRASS	4'-0" - 7'-0" TALL	3 GAL	GREEN AND YELLOW BANDED BLADES WITH YELLOW FLOWERS - BLOOMS JULY - SEPTEMBER	
PAF	12	PENNISSETUM ALOPECUROIDES	FOUNTAIN GRASS	2'-6" - 5'-0" TALL	3 GAL	FOUNTAIN SHAPED FORM WITH DARK GREEN BLADES AND BUFF WHITE FLOWERS IN JULY - OCTOBER	
PAH	12	PENNISSETUM ALOPECUROIDES 'HAMELIN'	DWARF KARLY ROSE FOUNTAIN GRASS	1'-6" - 2'-6" TALL	3 GAL	DENSE CLUMPED GROWTH WITH UPRIGHT MOUNDS OF PURPLE FLOWERS	
SGS	10	MISCANTHUS SINENSIS 'GRACILLIMUS'	SILVER OR EULALIA GRASS	4'-0" - 7'-0" TALL	3 GAL	UPRIGHT FORM WITH FEATHERY CREAM FLOWERS - BLOOMS IN LATE SEPTEMBER - OCTOBER	
SL	470	SY	SEEDED LAWN	PEARL'S PREMIUM SUN-SHADE MIX	6" CLEAN LOAM MIX	SLICE SEEDING OR HYDROSEEDING FOR FULL COVERAGE OF NOTED AREAS AND ALL AREAS DISTURBED BY CONSTRUCTION AND LANDSCAPING (TYP.)	

NOTE:  
ALL SHRUBS SHALL HAVE THE SAME RELATIONSHIP TO FINISHED GRADE AFTER PLANTING AS THEY HAD AT THE ORIGINAL NURSERY SETTING



2 SHRUB PLANTING DETAIL

NOTE:  
ALL TREES SHALL HAVE THE SAME RELATIONSHIP TO FINISHED GRADE AFTER PLANTING AS THEY HAD AT THE ORIGINAL NURSERY SETTING. ROOT FLARE SHALL BE 2" ABOVE FINISHED GRADE



3 TREE PLANTING PLAN

821  
MASSACHUSETTS  
AVENUE  
ARLINGTON MA  
02476

ARLINGTON  
REDEVELOPMENT  
BOARD SUBMISSION

Job: 2958  
Date: 09/05/2024  
Scale: AS NOTED  
Drawn: ISP  
Checked: ATR

PROPOSED  
PLANTING PLAN  
& PLANT LIST

Rojas Design, Inc.  
Architecture  
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Suite 2A  
Interior Design  
Boston MA 02118  
Landscape Architecture  
(617) 720-4100

Rojas

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L-03

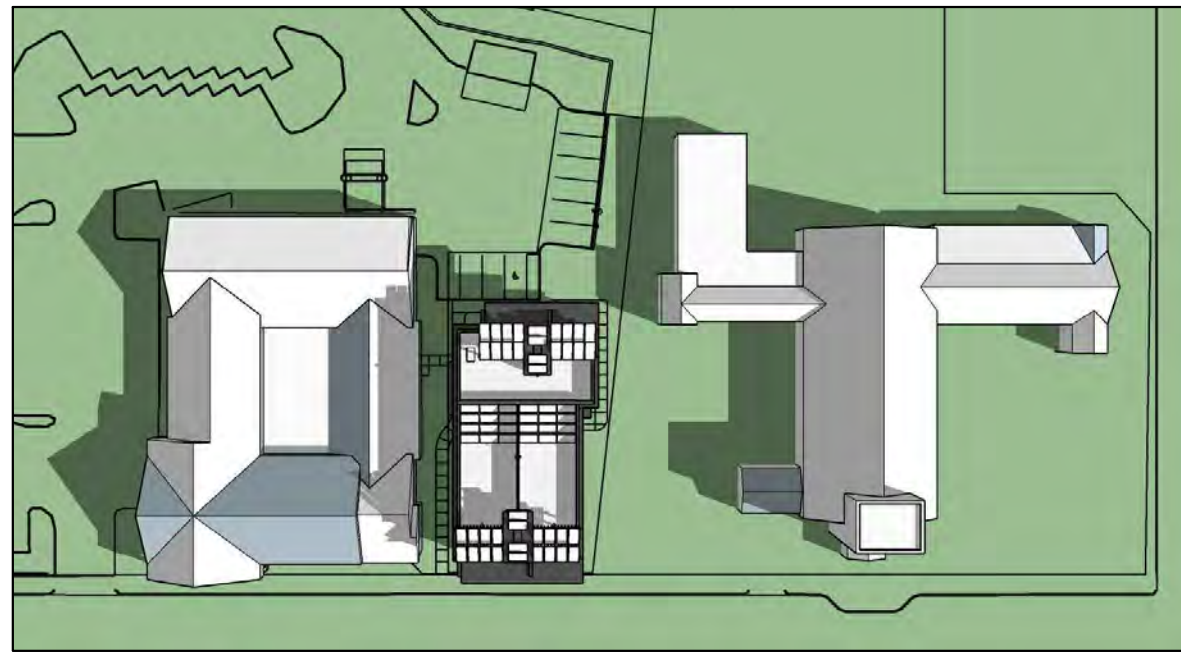


821  
 MASSACHUSETTS  
 AVENUE  
 ARLINGTON MA  
 02476

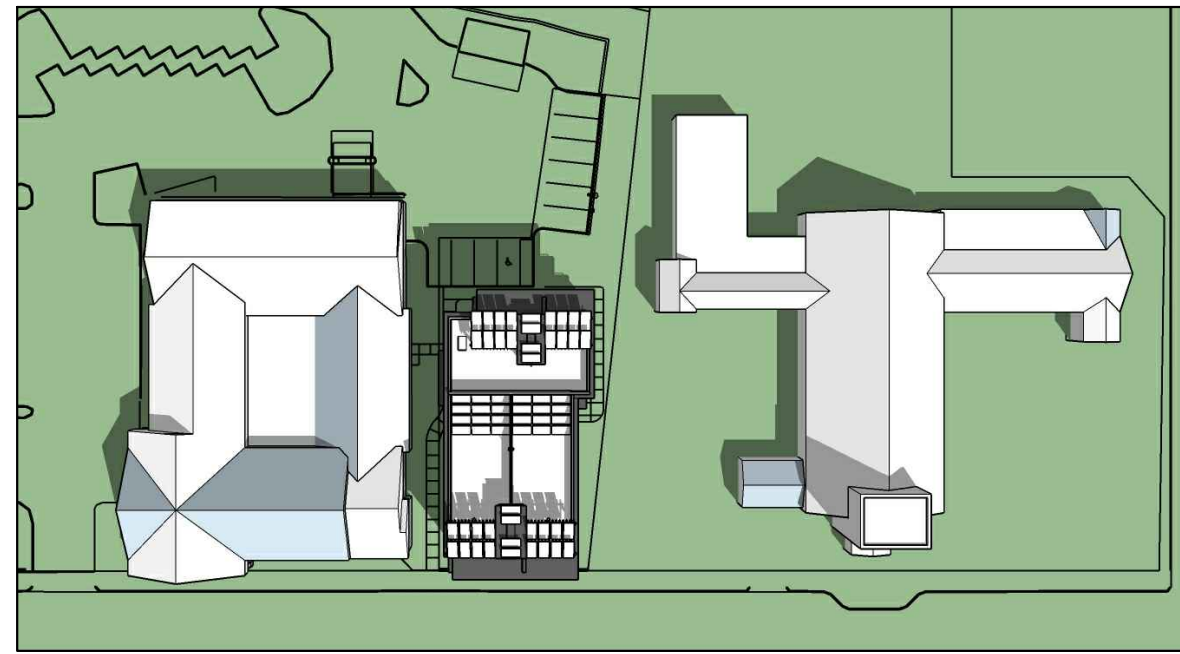
ARLINGTON  
 REDEVELOPMENT  
 BOARD SUBMISSION



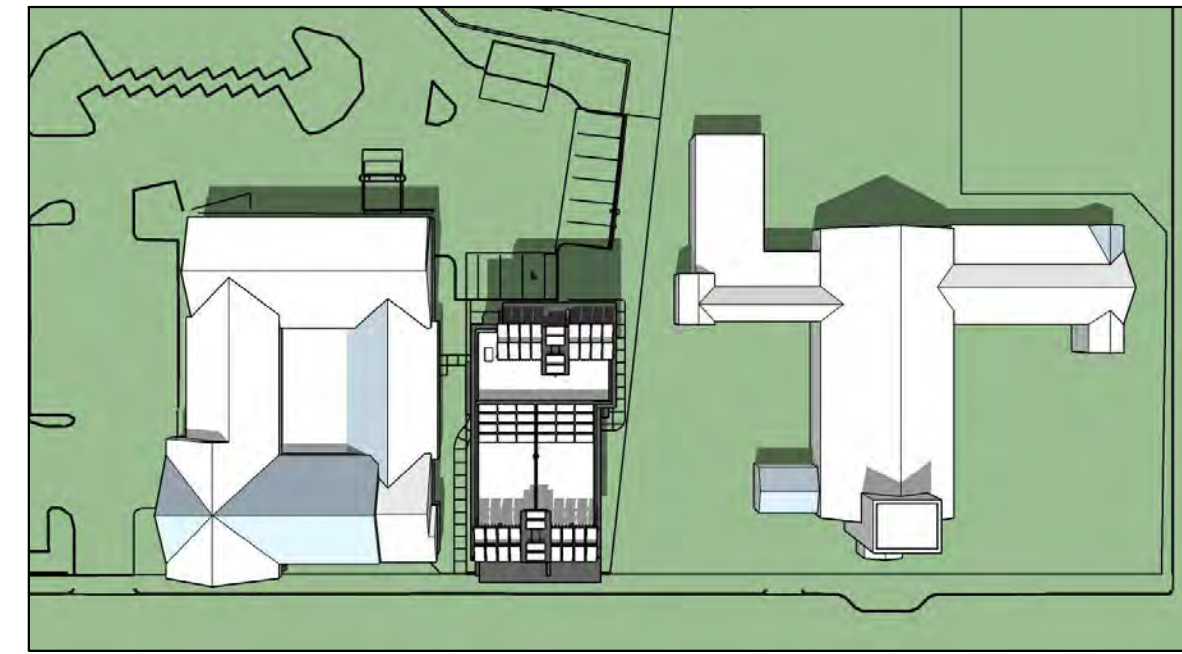
1 FRONT ELEVATION - 3 STORY



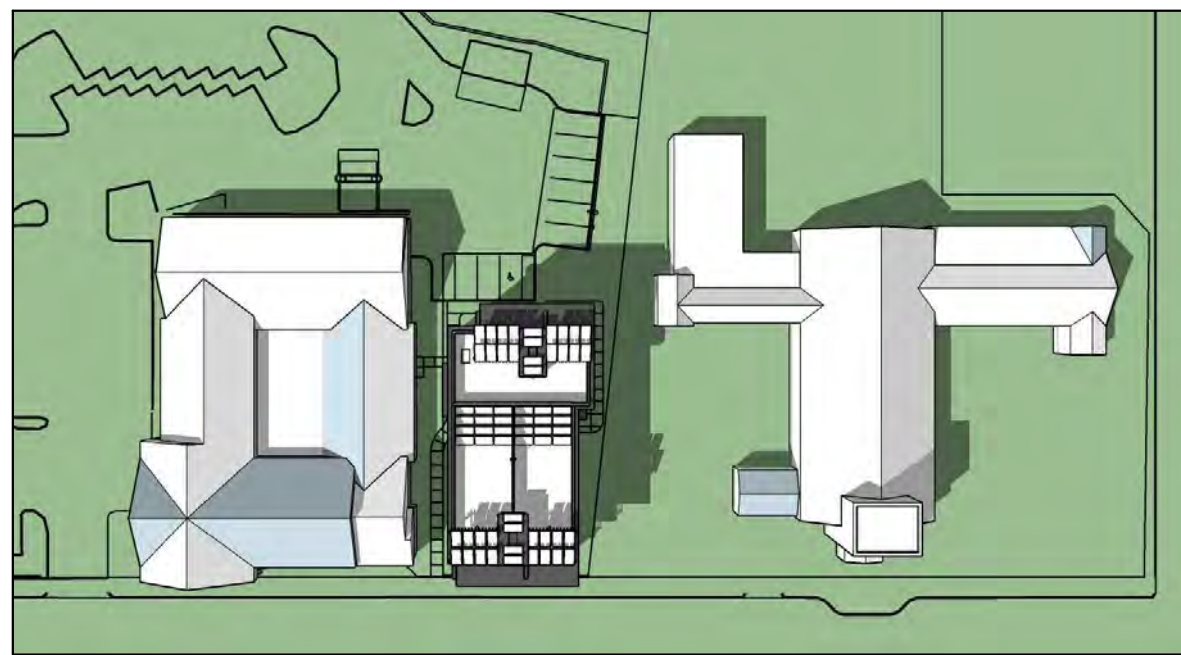
2 SUN SHADOW @ 8:00 AM



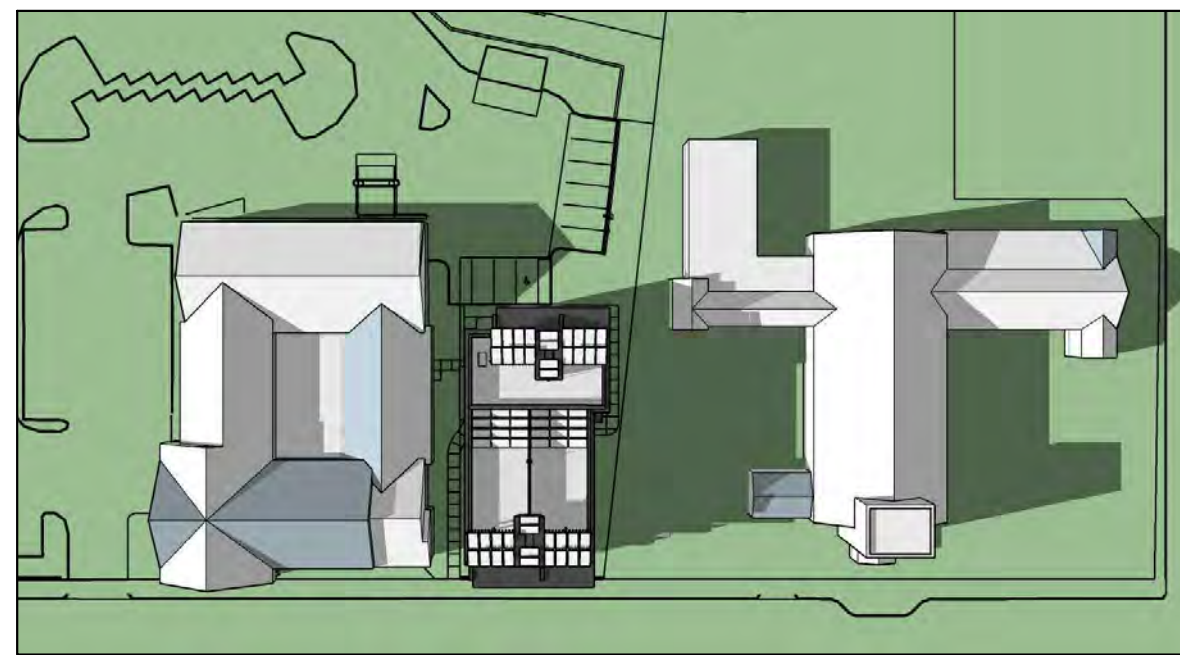
3 @ 10:00 AM



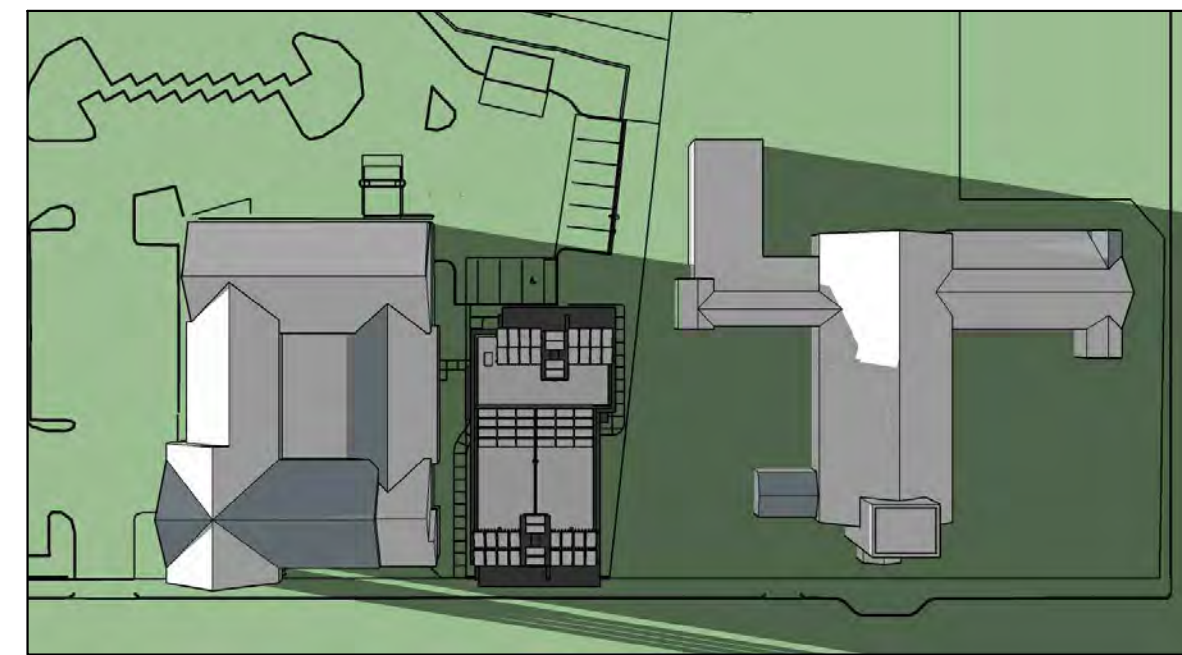
4 @ 12:00 PM



5 SUN SHADOW @ 2:00 PM



6 @ 4:00 PM



7 @ 6:00 PM

Job: 2958  
 Date: 09/05/2024  
 Scale: AS NOTED  
 Drawn: ISP  
 Checked: ATR

3-STORY  
 SHADOW  
 STUDY ON  
 09/04/2024

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**L-04**



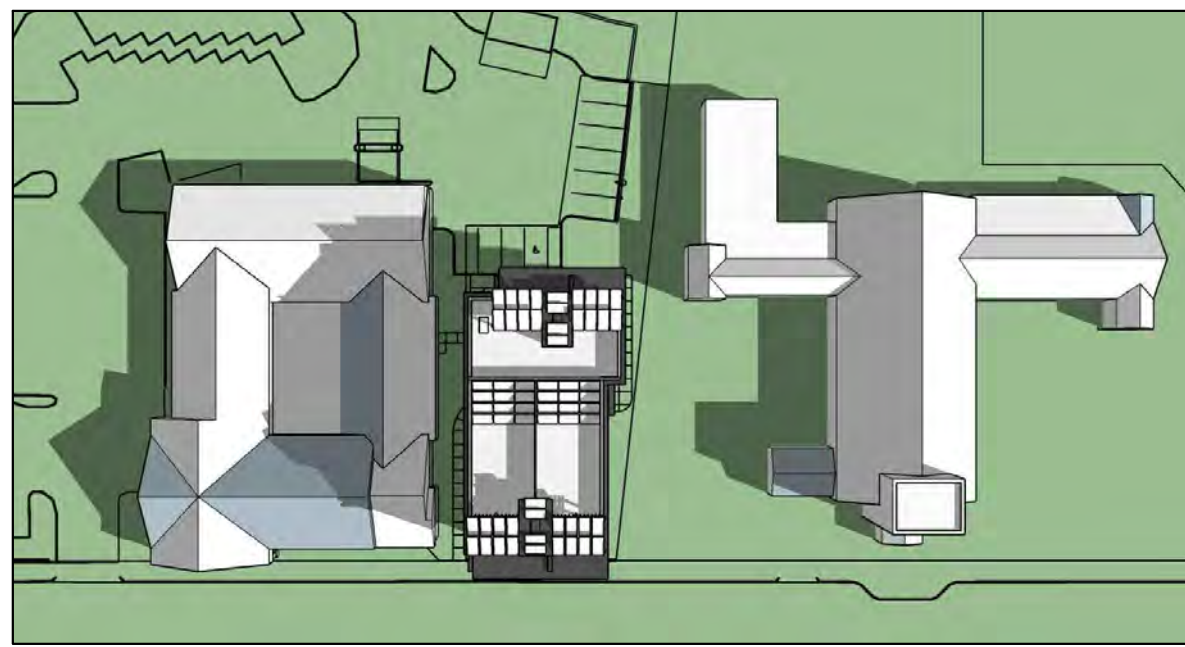
821

MASSACHUSETTS AVENUE  
ARLINGTON MA  
02476

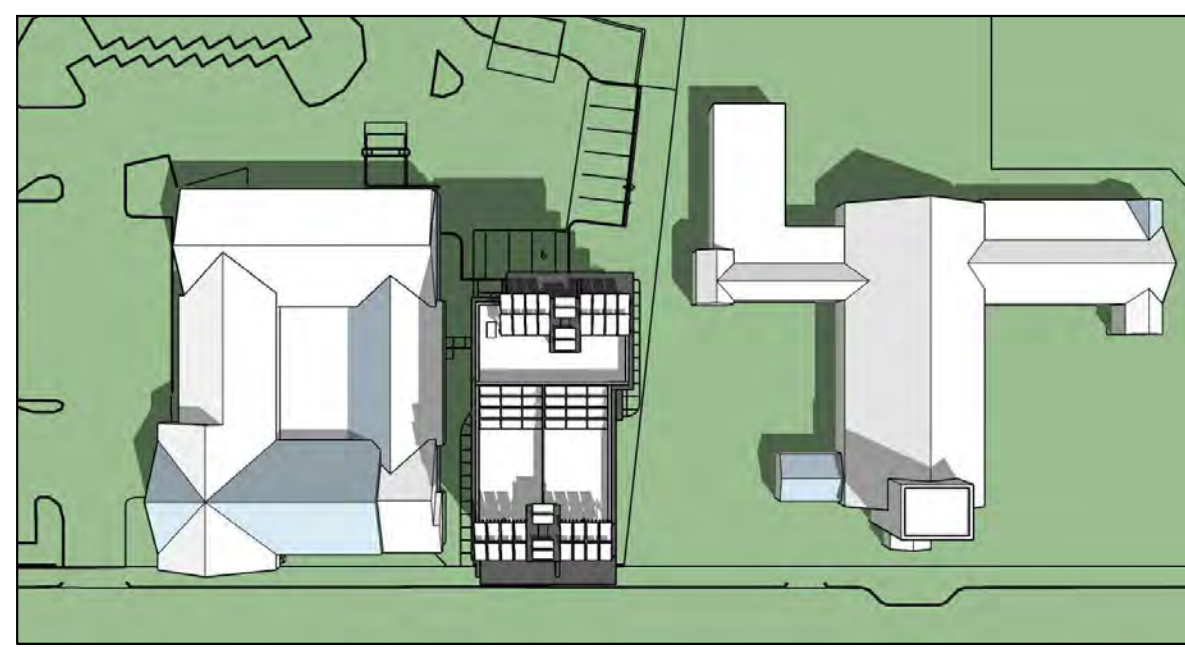
ARLINGTON  
REDEVELOPMENT  
BOARD SUBMISSION



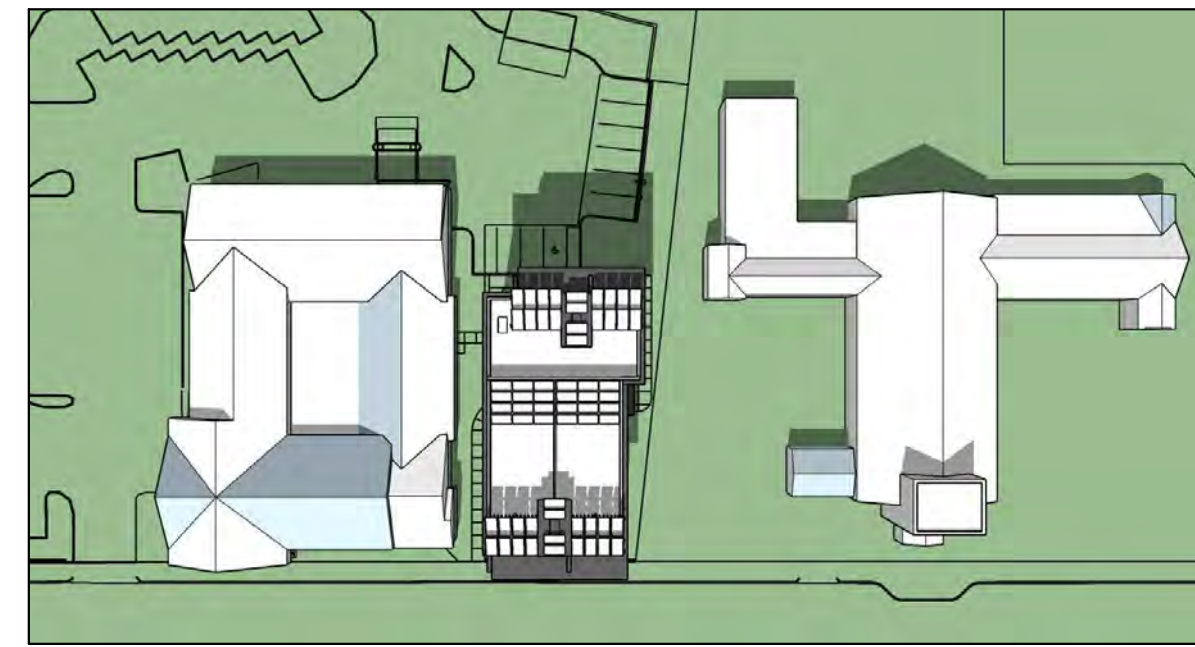
1 FRONT ELEVATION - 5 STORY



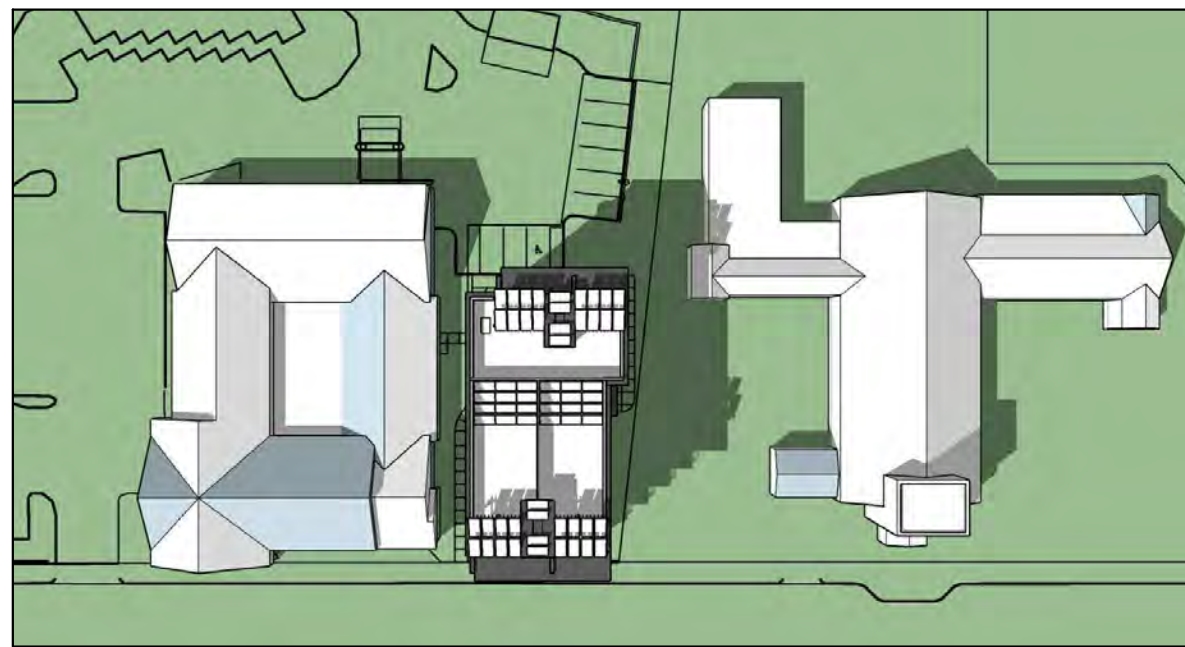
2 SUN SHADOW @ 8:00 AM



3 @ 10:00 AM



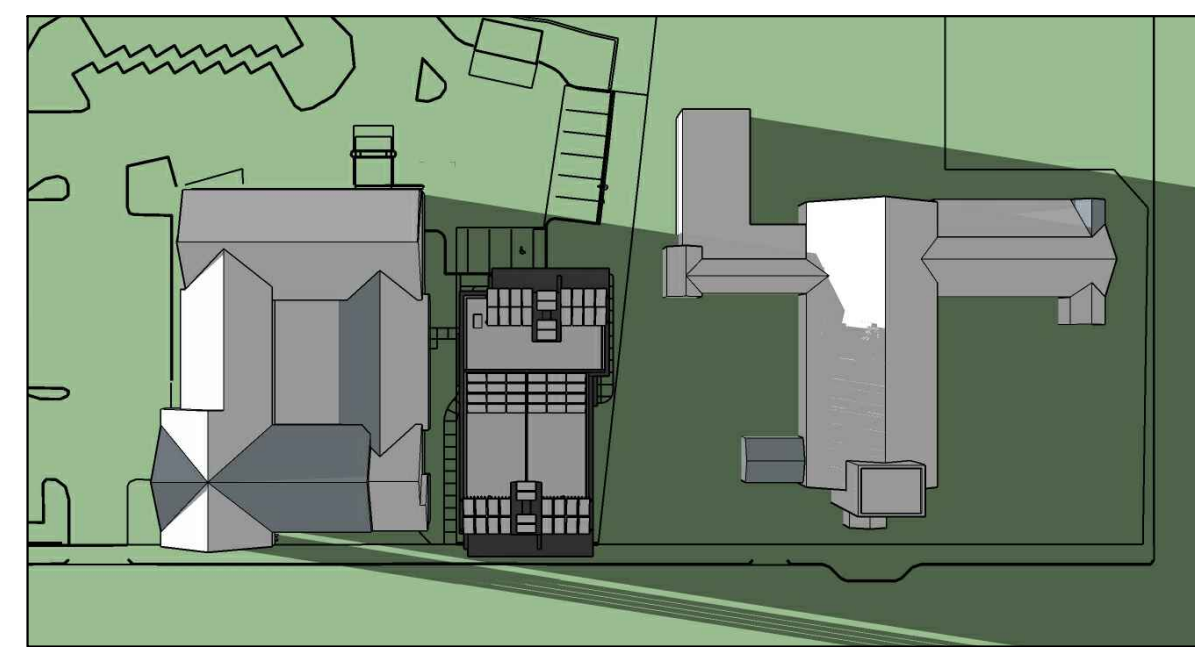
4 @ 12:00 PM



5 SUN SHADOW @ 2:00 PM



6 @ 4:00 PM



7 @ 6:00 PM

Job: 2958  
Date: 09/05/2024  
Scale: AS NOTED  
Drawn: ISP  
Checked: ATR

5-STORY  
SHADOW  
STUDY ON  
09/04/2024

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**L-05**



821  
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 02476

ARLINGTON  
 REDEVELOPMENT  
 BOARD SUBMISSION

Job No.	2958
Date	09/05/2024
Station	AS NOTED
Drawn	ISP
Checked	ATR

RENDERED  
 SITE PLAN

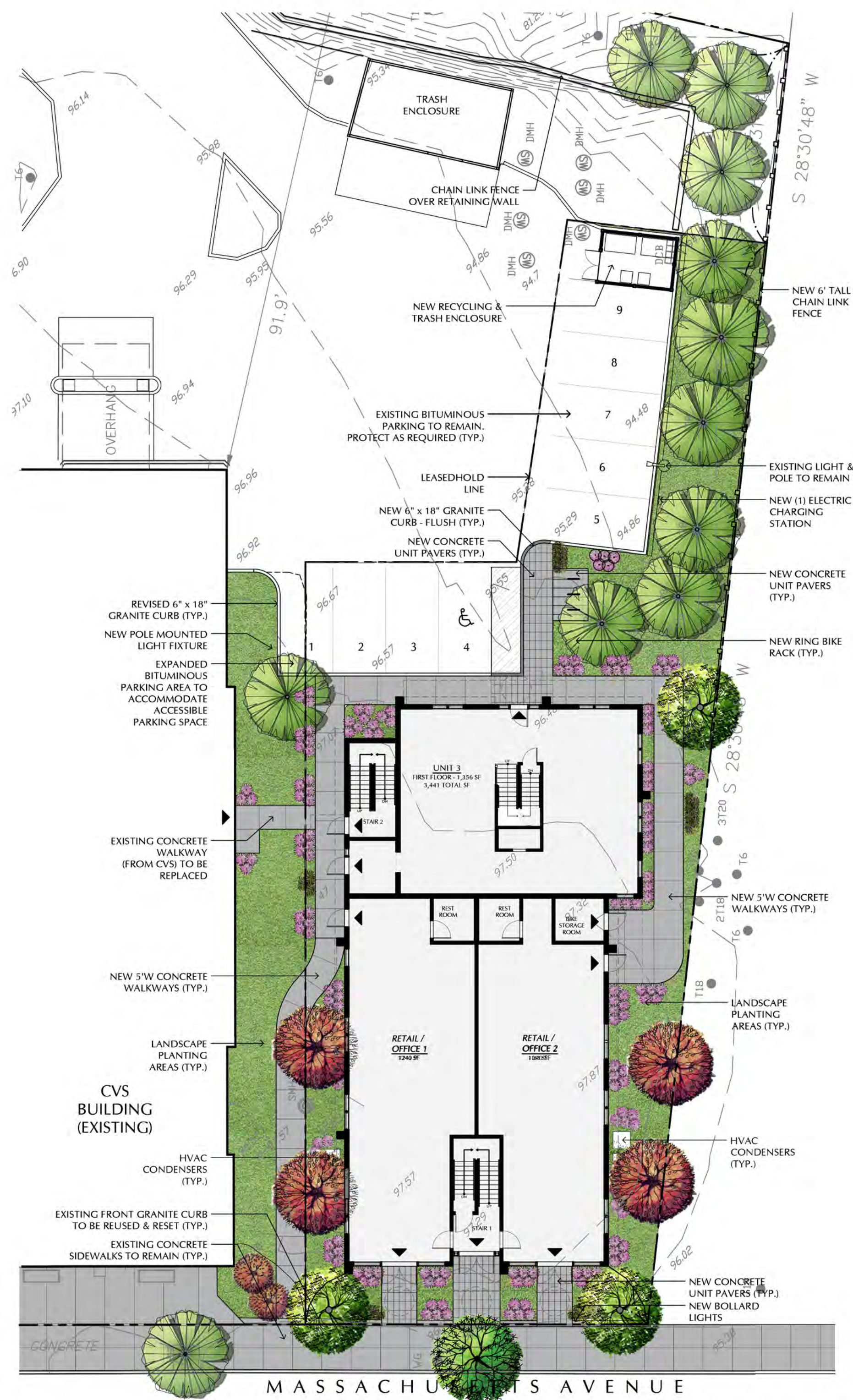
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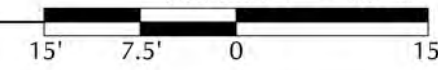
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L-06



1 PROPOSED SITE PLAN

SCALE: 1" = 15'-0"





821  
 MASSACHUSETTS  
 AVENUE  
 ARLINGTON MA  
 02476

ARLINGTON  
 REDEVELOPMENT  
 BOARD SUBMISSION

Job: 2958  
 Date: 09/05/2024  
 Scale: AS NOTED  
 Drawn: ISP  
 Checked: ATR

PROPOSED  
 FIRST FLOOR &  
 SECOND FLOOR  
 PLANS

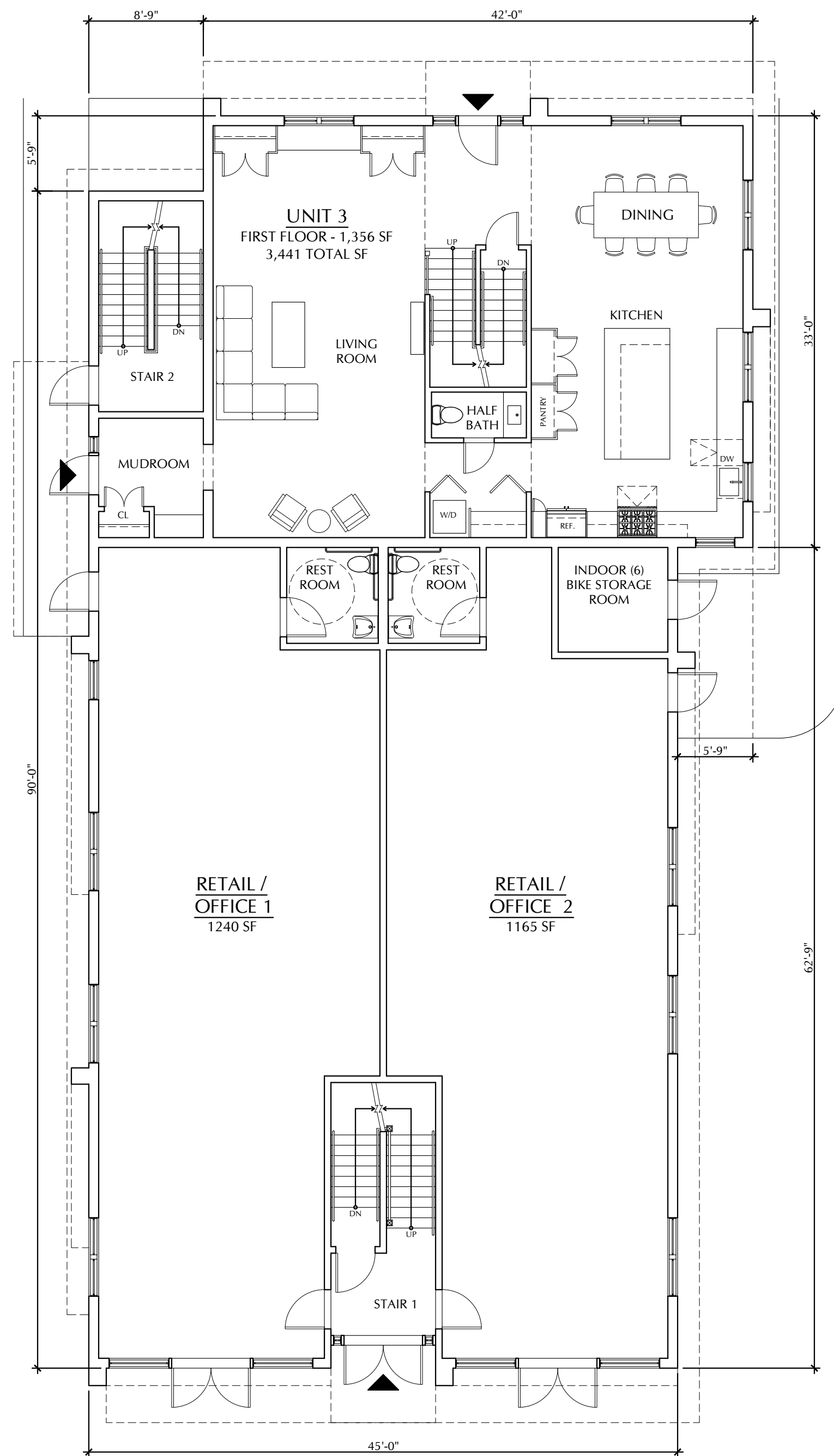
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 Architecture  
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 Suite 2A  
 Interior Design  
 Boston MA 02118  
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**Rojas**

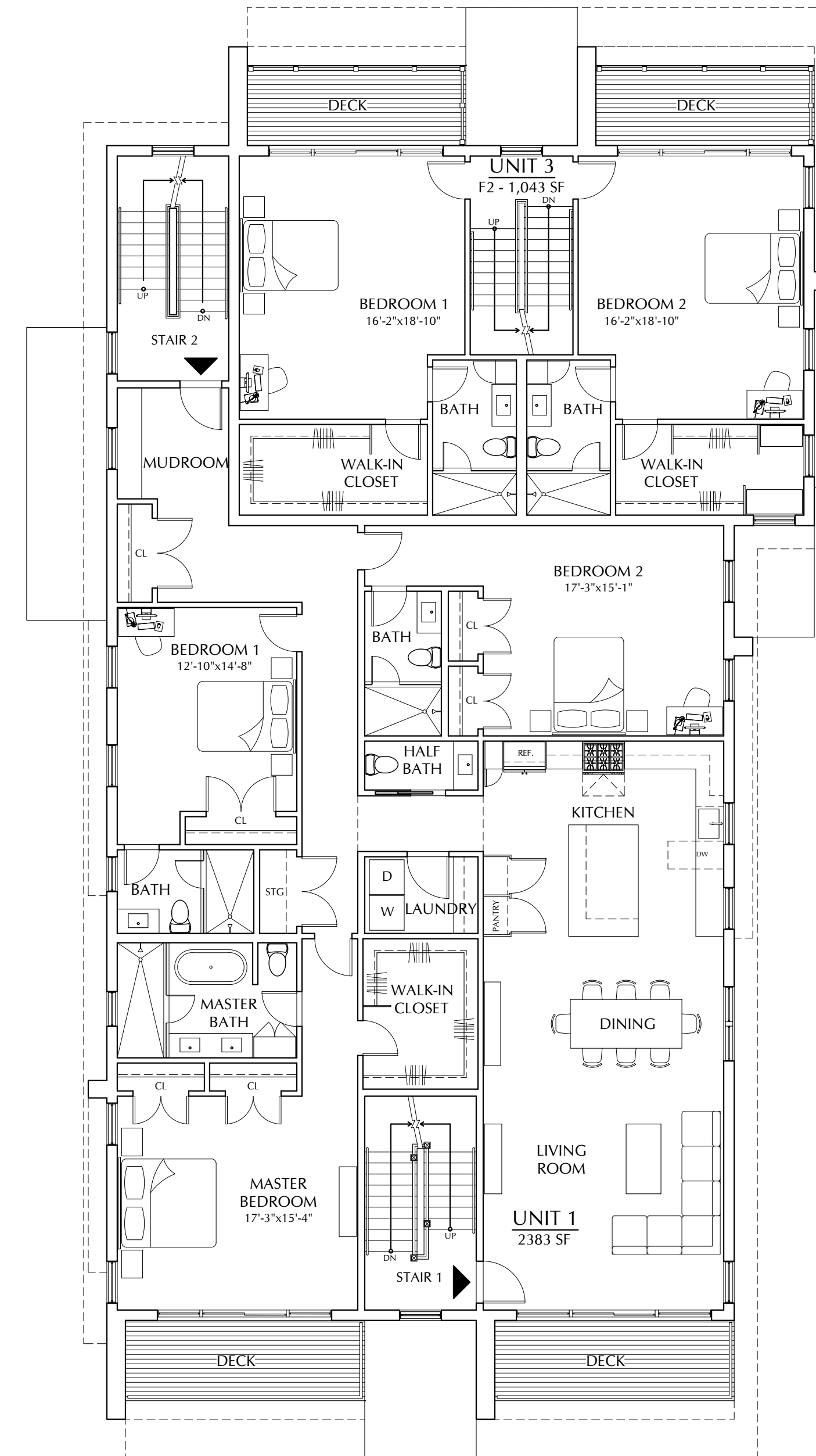
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**A-01**



**1** PROPOSED FIRST FLOOR PLAN SCALE: 1/8" = 1'-0"



**2** PROPOSED SECOND FLOOR PLAN SCALE: 1/8" = 1'-0"

821  
 MASSACHUSETTS  
 AVENUE  
 ARLINGTON MA  
 02476

ARLINGTON  
 REDEVELOPMENT  
 BOARD SUBMISSION

Job: 2958  
 Date: 09/05/2024  
 Scale: AS NOTED  
 Drawn: ISP  
 Checked: ATR

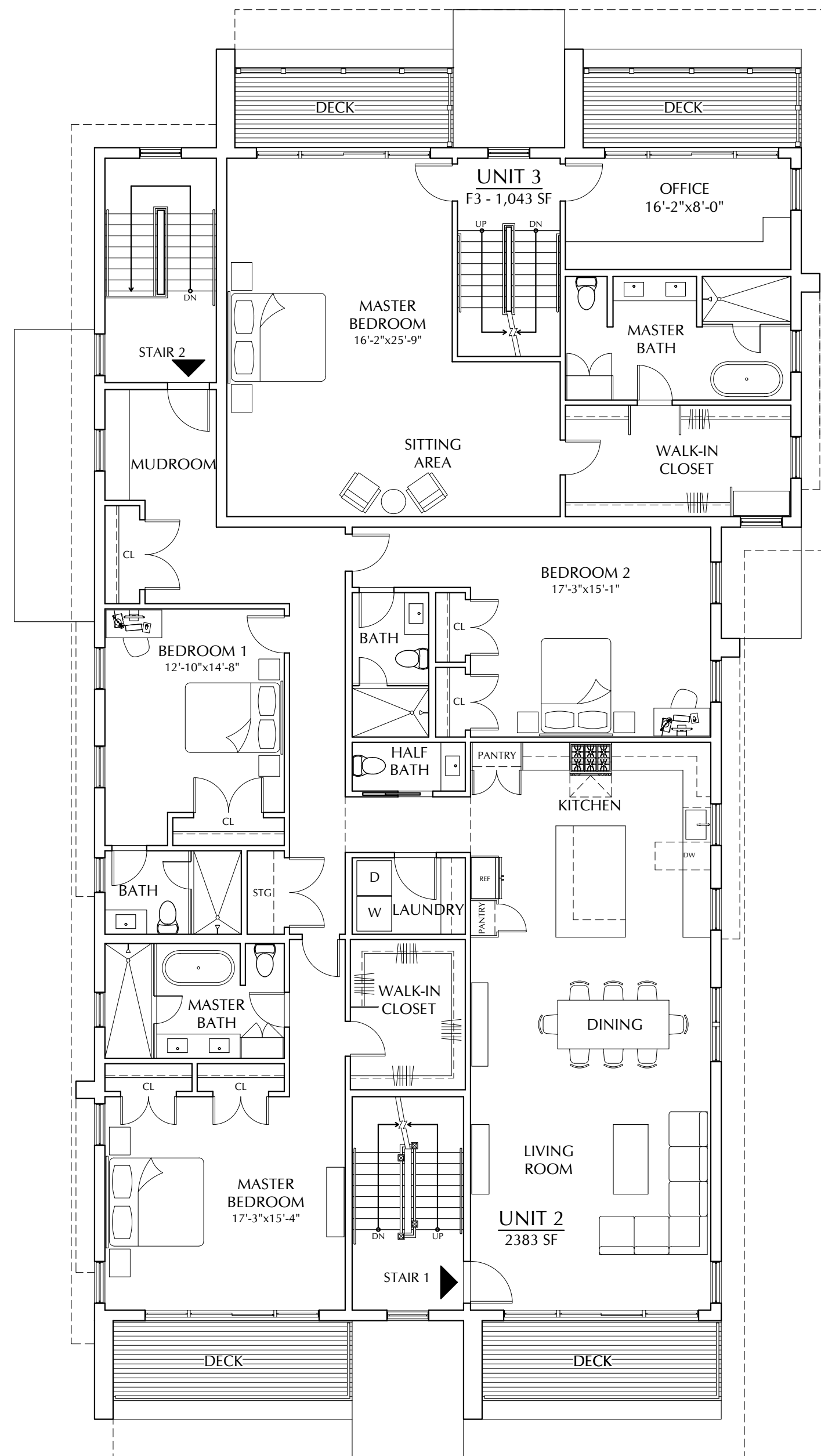
PROPOSED  
 THIRD FLOOR  
 & ROOF PLAN

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 46 Waltham Street -  
 Suite 2A  
 Interior Design  
 Boston, MA 02118  
 Landscape Architecture  
 (617) 720-4100

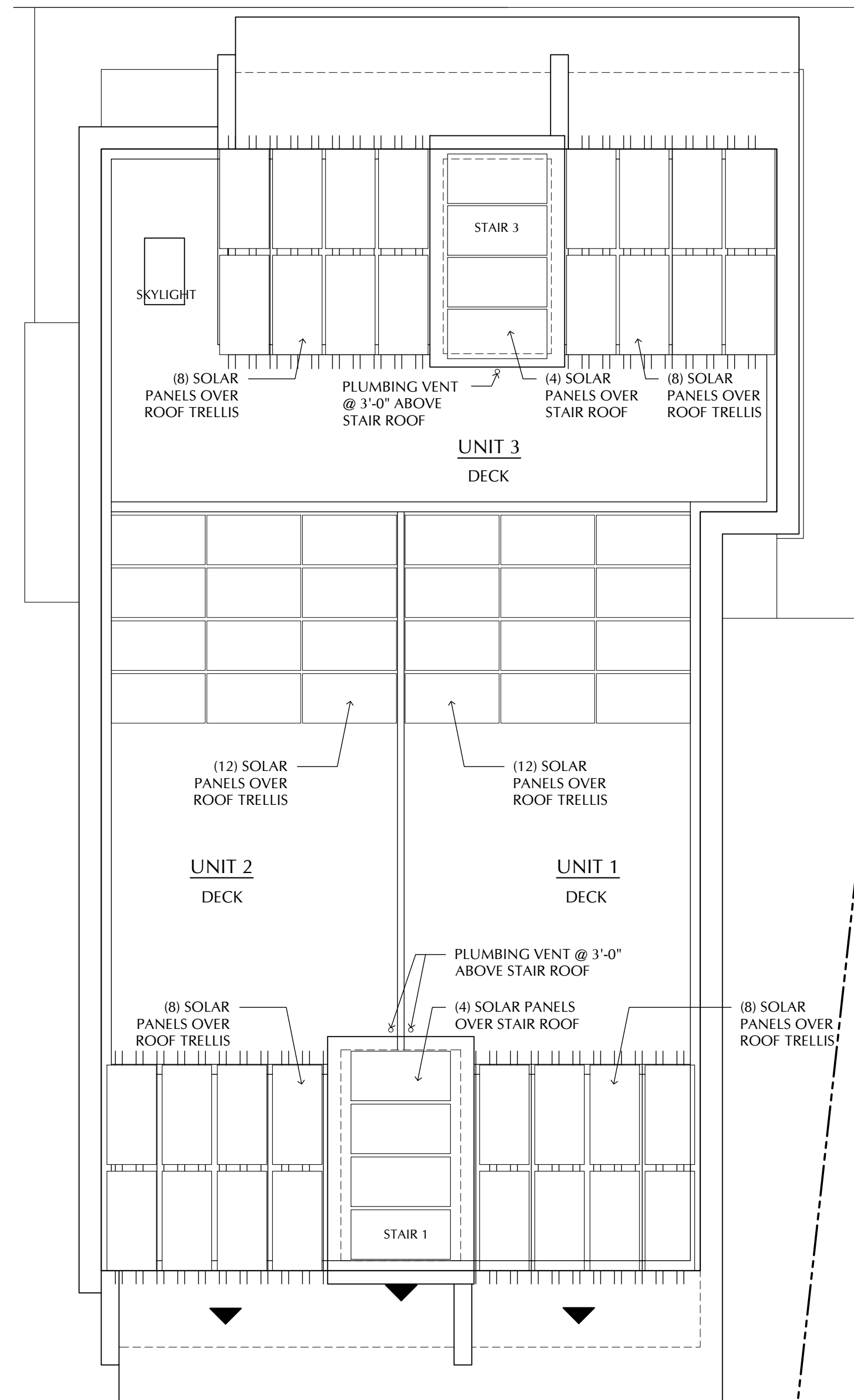
**Rojas**

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**A-02**



**1** PROPOSED THIRD FLOOR PLAN SCALE: 1/8" = 1'-0"



**2** PROPOSED ROOF PLAN REFER TO SOLAR PACKAGE FOR PANEL & SYSTEM SPECIFICS SCALE: 1/8" = 1'-0"

**821**  
**MASSACHUSETTS AVENUE**  
**ARLINGTON MA**  
**02476**

**ARLINGTON**  
**REDEVELOPMENT**  
**BOARD SUBMISSION**

Job: 2958  
 Date: 09/05/2024  
 Scale: AS NOTED  
 Drawn: ISP  
 Checked: ATR

**PROPOSED**  
**BASEMENT PLAN,**  
**FRONT (SOUTH)**  
**ELEVATION &**  
**REAR (NORTH)**  
**ELEVATION**

*Rojas Design, Inc.*  
 Architecture  
 46 Waltham Street -  
 Suite 2A  
 Interior Design  
 Boston, MA 02118  
 Landscape Architecture  
 (617) 720-4100

**Rojas**

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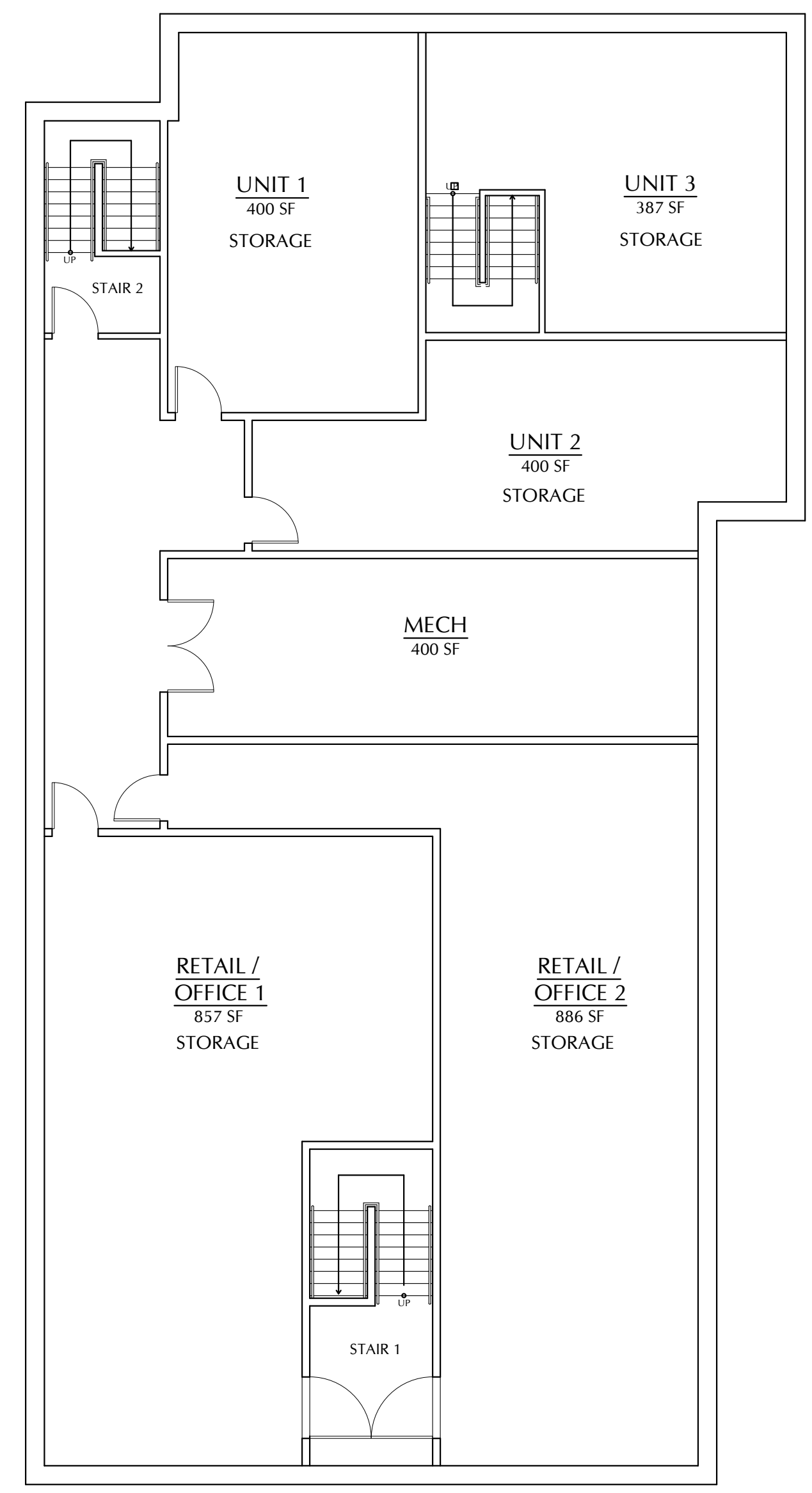
**A-03**



**2** PROPOSED FRONT (SOUTH) ELEVATION  
 MASSACHUSETTS AVENUE  
 SCALE: 1/8" = 1'-0"  
 8' 4' 0' 8'



**3** PROPOSED REAR (NORTH) ELEVATION  
 SCALE: 1/8" = 1'-0"  
 8' 4' 0' 8'



**1** PROPOSED BASEMENT PLAN  
 SCALE: 1/8" = 1'-0"  
 8' 4' 0' 8'

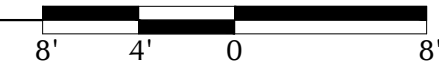
821  
 MASSACHUSETTS  
 AVENUE  
 ARLINGTON MA  
 02476

ARLINGTON  
 REDEVELOPMENT  
 BOARD SUBMISSION



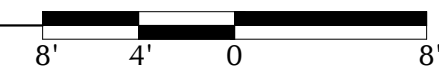
1 PROPOSED SIDE (EAST) ELEVATION

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



2 PROPOSED SIDE (WEST) ELEVATION

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



Job:	2958
Date:	09/05/2024
Scale:	AS NOTED
Drawn:	ISP
Checked:	ATR

PROPOSED  
 SIDE (EAST) &  
 SIDE (WEST)  
 ELEVATIONS

Rojas Design, Inc.  
 Architecture  
 46 Waltham Street -  
 Suite 2A  
 Interior Design  
 Boston MA 02118  
 Landscape Architecture  
 (617) 720-4100

**Rojas**

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A-04



821

MASSACHUSETTS  
AVENUE  
ARLINGTON MA  
02476

ARLINGTON  
REDEVELOPMENT  
BOARD SUBMISSION

Job: 2958  
Date: 09/05/2024  
Scale: AS NOTED  
Drawn: ISP  
Checked: ATR

MATERIAL  
BOARD

Rojas Design, Inc.  
Architecture  
46 Waltham Street -  
Suite 2A  
Interior Design  
Boston MA 02118  
Landscape Architecture  
(617) 720-4100

**Rojas**

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**A-05**

'KAWNEER' - ALUMINUM STOREFRONT  
ENTRANCE SYSTEM, DOORS &  
WINDOWS ' #40 DARK BRONZE'  
ANODIZED FINISH

'RAILCRAFT' - ALUMINUM RAILINGS,  
POWDER COATED ALUMINUM PICKET  
RAILING SYSTEM 'RIDEAU BROWN', PICKETS  
'POWDER COAT SATIN ALUMINUM'

'EQUITONE' - THROUGH-COLORED  
FIBER CEMENT, VENTILATED  
RAINSCREEN FACADE SYSTEM;  
'TECTIVA' TEXTURE, 'TE10'

'EQUITONE' - THROUGH-COLORED  
FIBER CEMENT, VENTILATED  
RAINSCREEN FACADE SYSTEM;  
'PICTURA' TEXTURE, 'PA944'

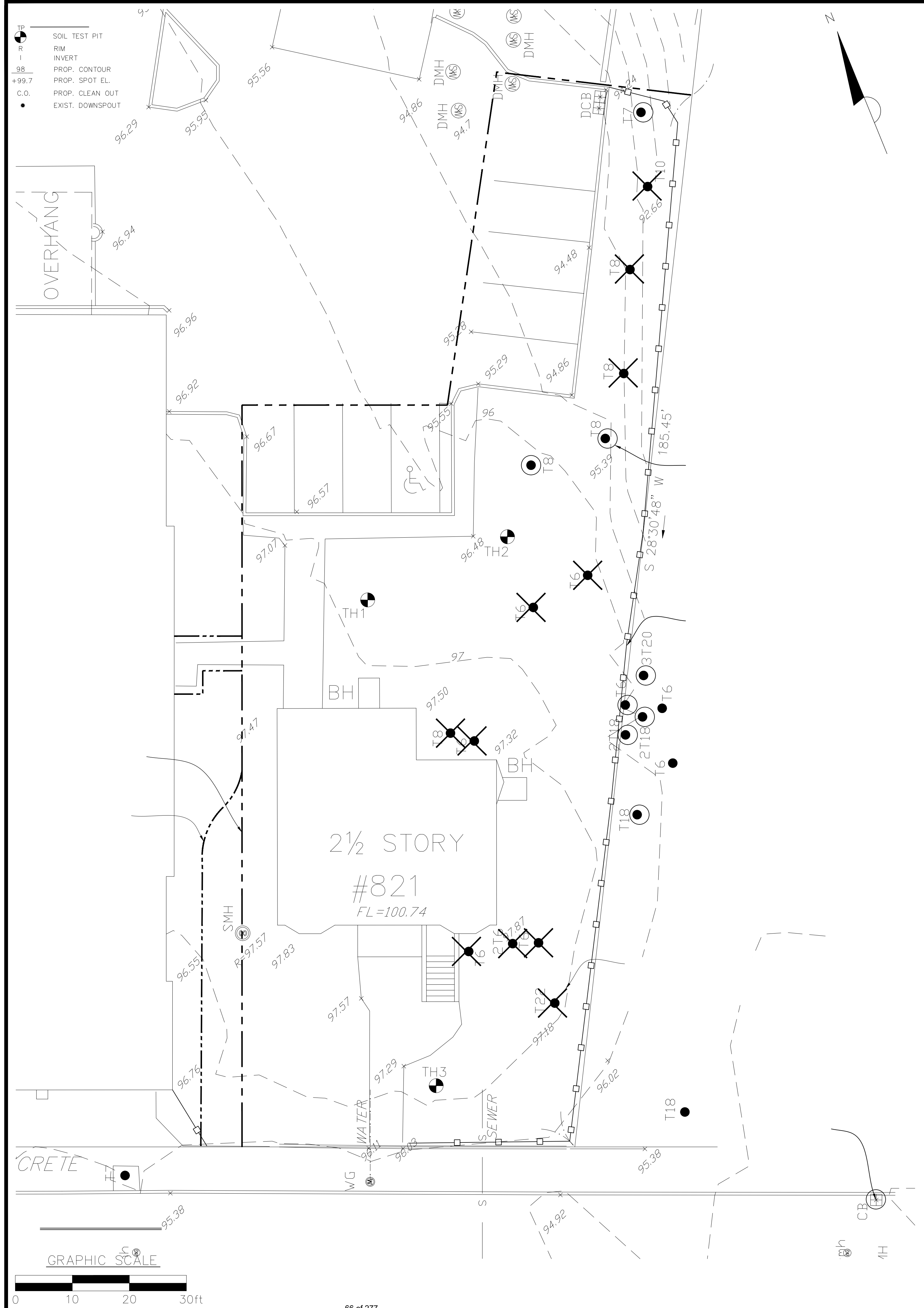


'TREX' - TRANSCEND COMPOSITE  
DECKING 'HAVANA GOLD'

'LONGBOARD ARCHITECTURAL  
PRODUCTS' - EXTRUDED ALUMINUM  
SOFFIT PLANK SYSTEM 'DARK ACACIA'  
WOOD GRAIN FINISH

'LONGBOARD ARCHITECTURAL  
PRODUCTS' - PANELBOARD  
'SMOOTH SATIN ALUMINUM FINISH'

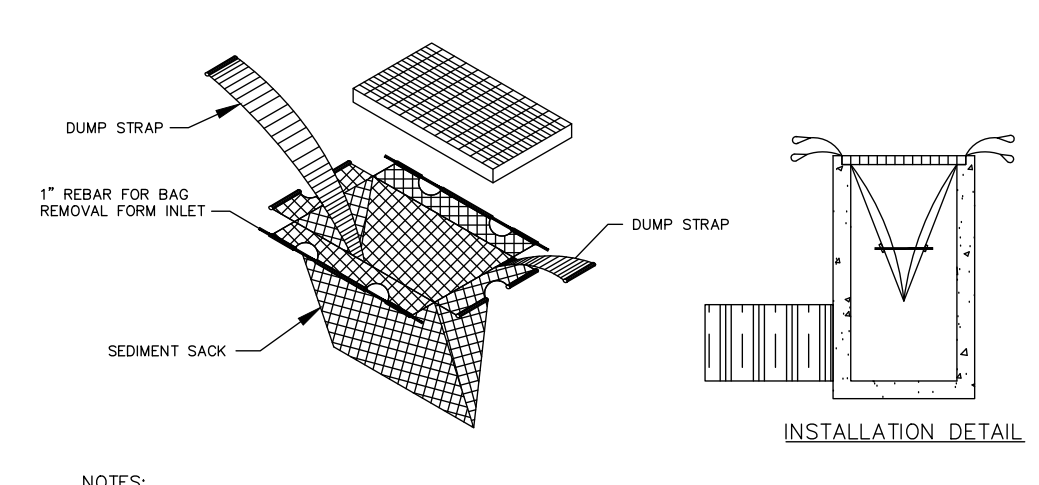




CONTACT THE PROPER AUTHORITIES IN WRITING TO CONFIRM THE LOCATIONS OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK. ANY DAMAGE INCURRED DURING CONSTRUCTION TO ANY UTILITY SHALL BE REPAIRED BY THE CONTRACTOR AT NO CONTRACTOR TO REFER TO A SURVEYOR PLOT PLAN FOR ACCURATE OFFSETS TO PROPERTY

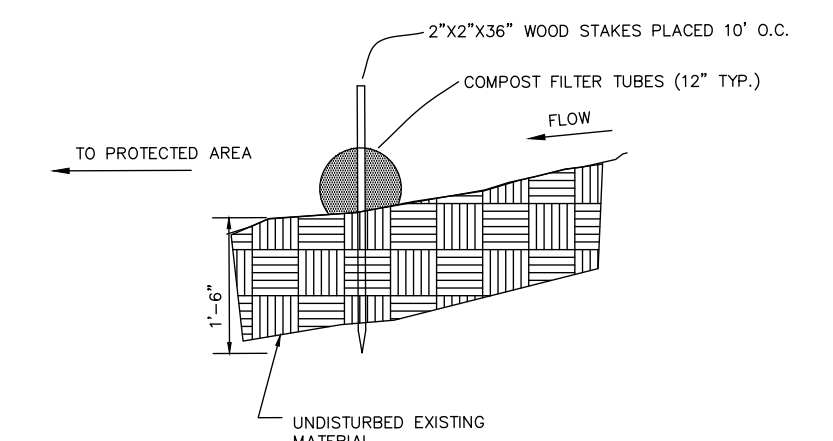
**SOIL TEST DATA**  
Performed by Gala Simon Associates, Inc., on 9/5/24

	Mottles	Other	Elevation
	-	-	86.9
	-	-	86.2
	Mottles	Other	Elevation
	-	-	87.3
	-	-	86.9
	Mottles	Other	Elevation
	-	-	95.0
	-	-	90.7
	-	-	88.8

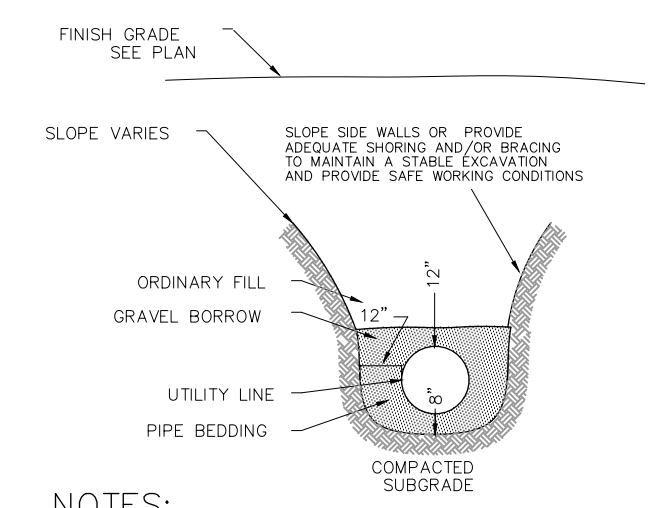


NOTES:  
1. SOME MUNICIPALITIES DO NOT ALLOW GUTTER PROTECTION ON PUBLIC ROADS. SILT BAGS SHOULD BE USED WITH THESE CASES.  
2. BAGS SHOULD BE CLEANED OUT AFTER EVERY RAIN EVENT AND/OR AS NEEDED.

**SAFETY NOTE:**  
CONTRACTOR IS TO IMPLEMENT ALL NECESSARY SAFETY AND CONSTRUCTION MEASURES AND PROCEDURES FOR THE CONSTRUCTION OF THE PROJECT. STRICT COMPLIANCE WITH FEDERAL, STATE AND LOCAL SAFETY AND CONSTRUCTION REQUIREMENTS IS MANDATORY.

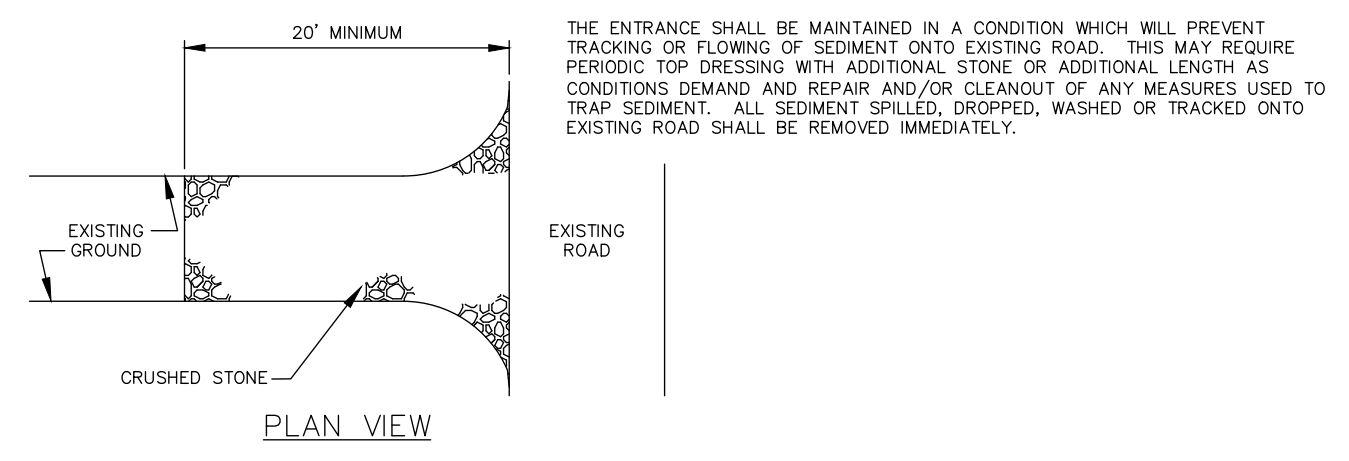
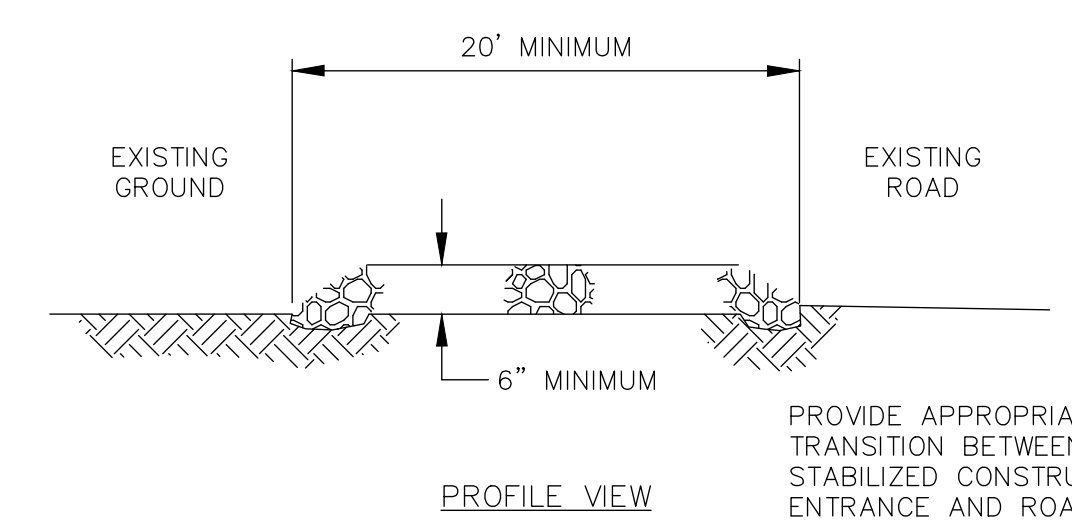


**1 EROSION CONTROL**  
C-0 SCALE: NTS

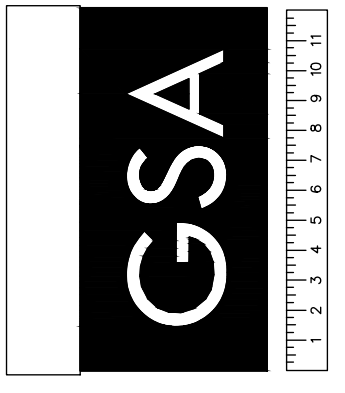


**NOTES:**  
1. 8\"/>

**2 TYP. UTILITY TRENCH**  
C-0 SCALE: NTS



**4 STABILIZED CONSTRUCTION ENTRANCE**  
C-0 SCALE: NTS



EXISTING CONDITIONS

821 MASSACHUSETTS AVENUE  
ARLINGTON, MASSACHUSETTS

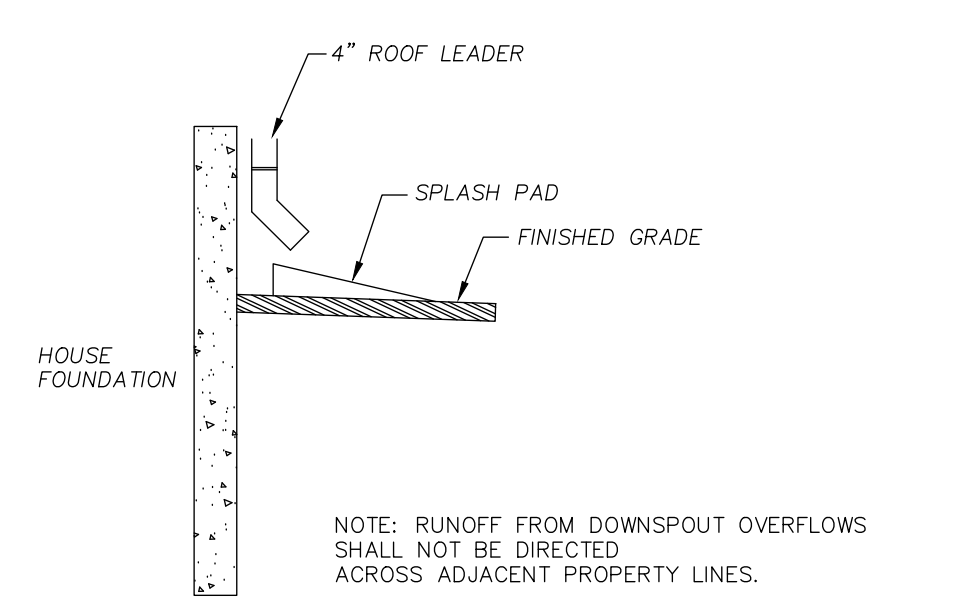
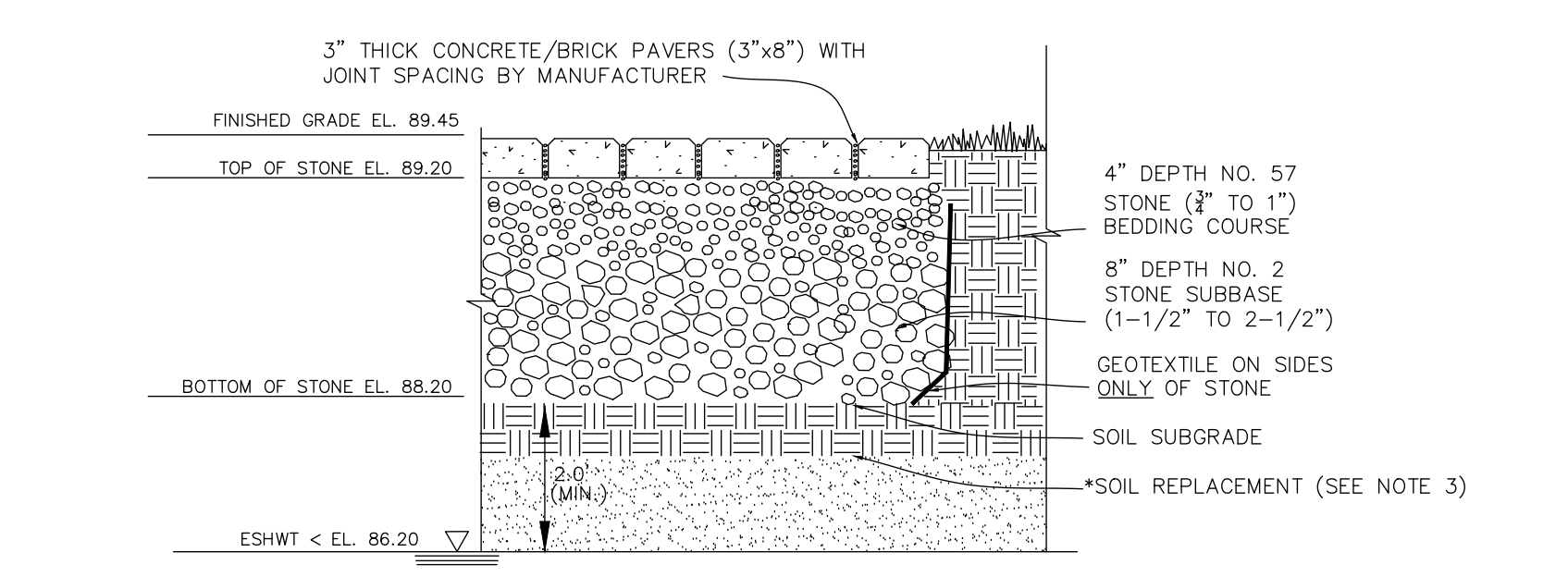
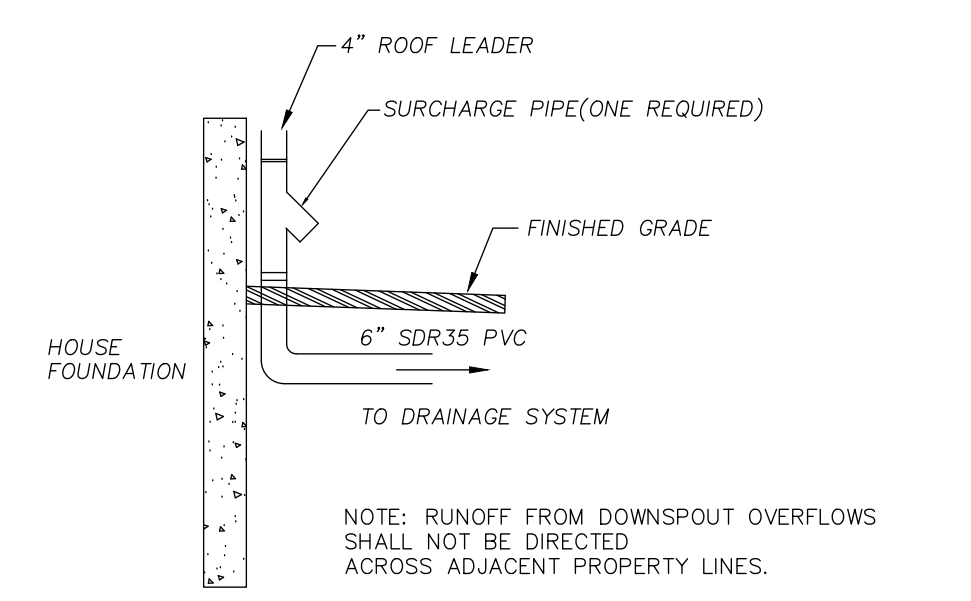
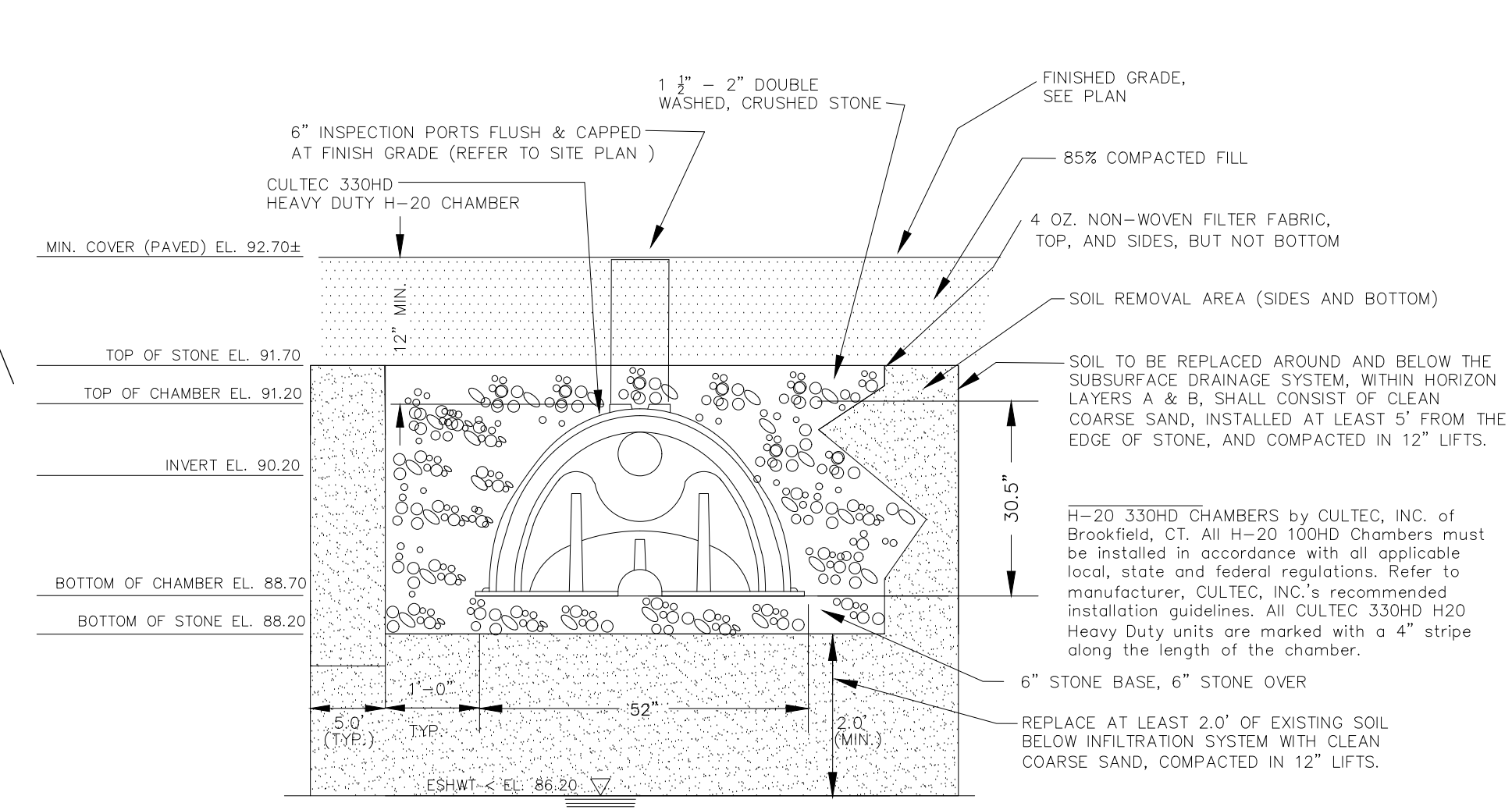
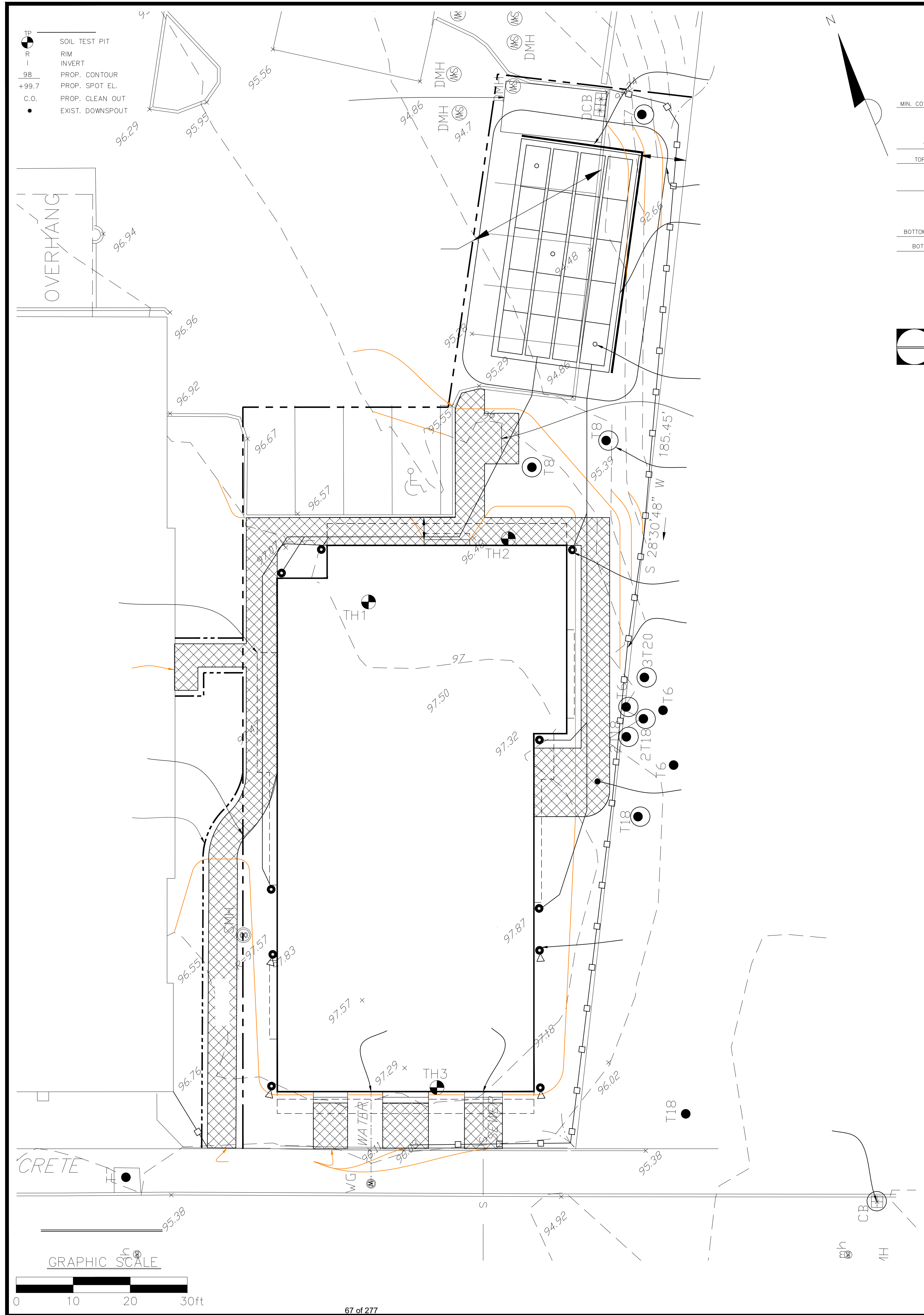
Job No. 2422	Date: 9/6/2024
Drawn By: AG	Scale: AS SHOWN
Rev#	Date: Description:



C-01

NOT FOR CONSTRUCTION



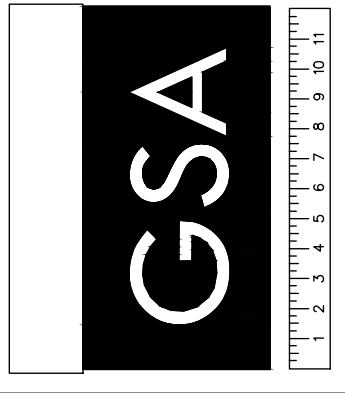


**NOTES:**

- ALL STONE TO BE DOUBLE WASHED AND FREE OF FINES.
- ALL STONE TO BE SET LEVEL TO SUBGRADE. ADDITIONAL STONE DEPTH MAY BE REQUIRED ON HIGH SIDE OF GRADE.
- REPLACE AT LEAST 2.0' OF EXISTING SOIL BELOW PAVERS WITH CLEAN COARSE SAND, COMPACTED IN 12" LIFTS.

**CONCRETE/BRICK PERMEABLE PAVERS (WALKS)**

**4 ROOF LEADER W/SPLASH PAD**  
**C-1 SCALE: NTS**



**PROPOSED CONDITIONS DRAINAGE PLAN**

**821 MASSACHUSETTS AVENUE**  
**ARLINGTON, MASSACHUSETTS**

Job No. 2422	Date: 9/6/2024
Drawn By: AG	Scale: AS SHOWN
Rev#	Date: Description:



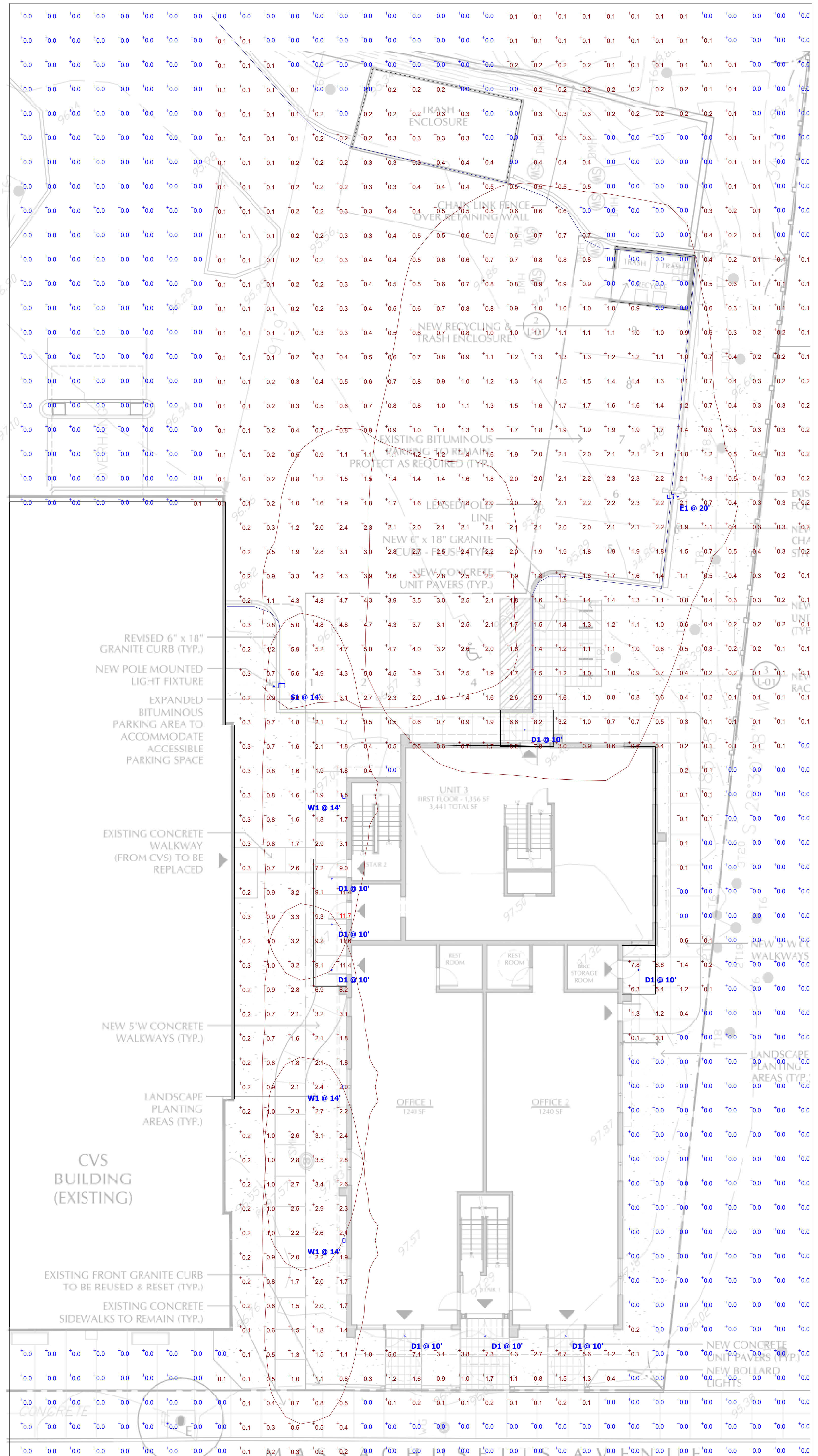
**C-02**

NOT FOR CONSTRUCTION





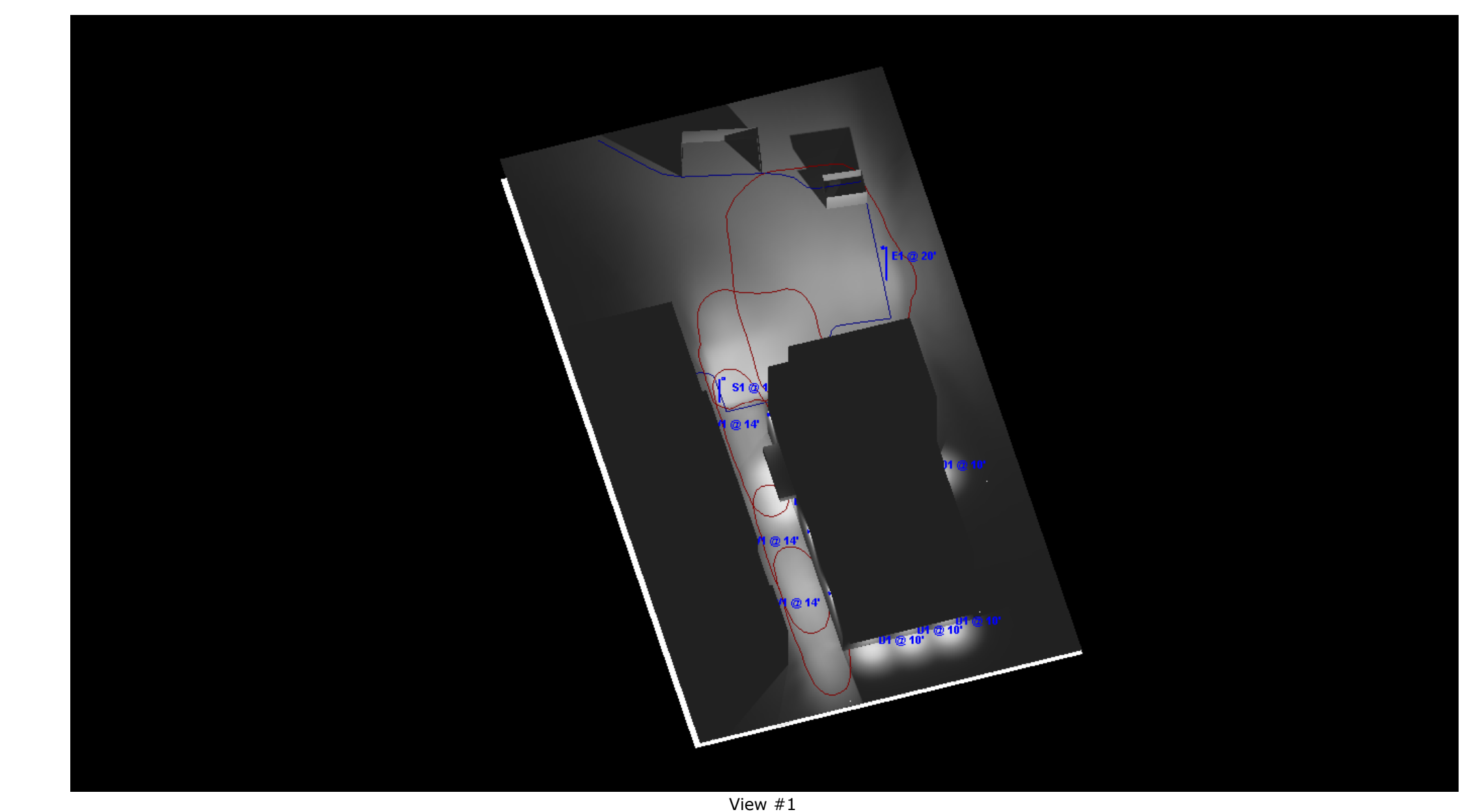
**DISCLAIMER:**  
 THESE DRAWINGS ARE FOR CONCEPTUAL PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION. VALUES REPRESENTED ARE AN APPROXIMATION GENERATED FROM MANUFACTURERS PHOTOMETRIC IN-HOUSE OR INDEPENDANT LAB TEST WITH DATA SUPPLIED BY LAMP MANUFACTURERS.



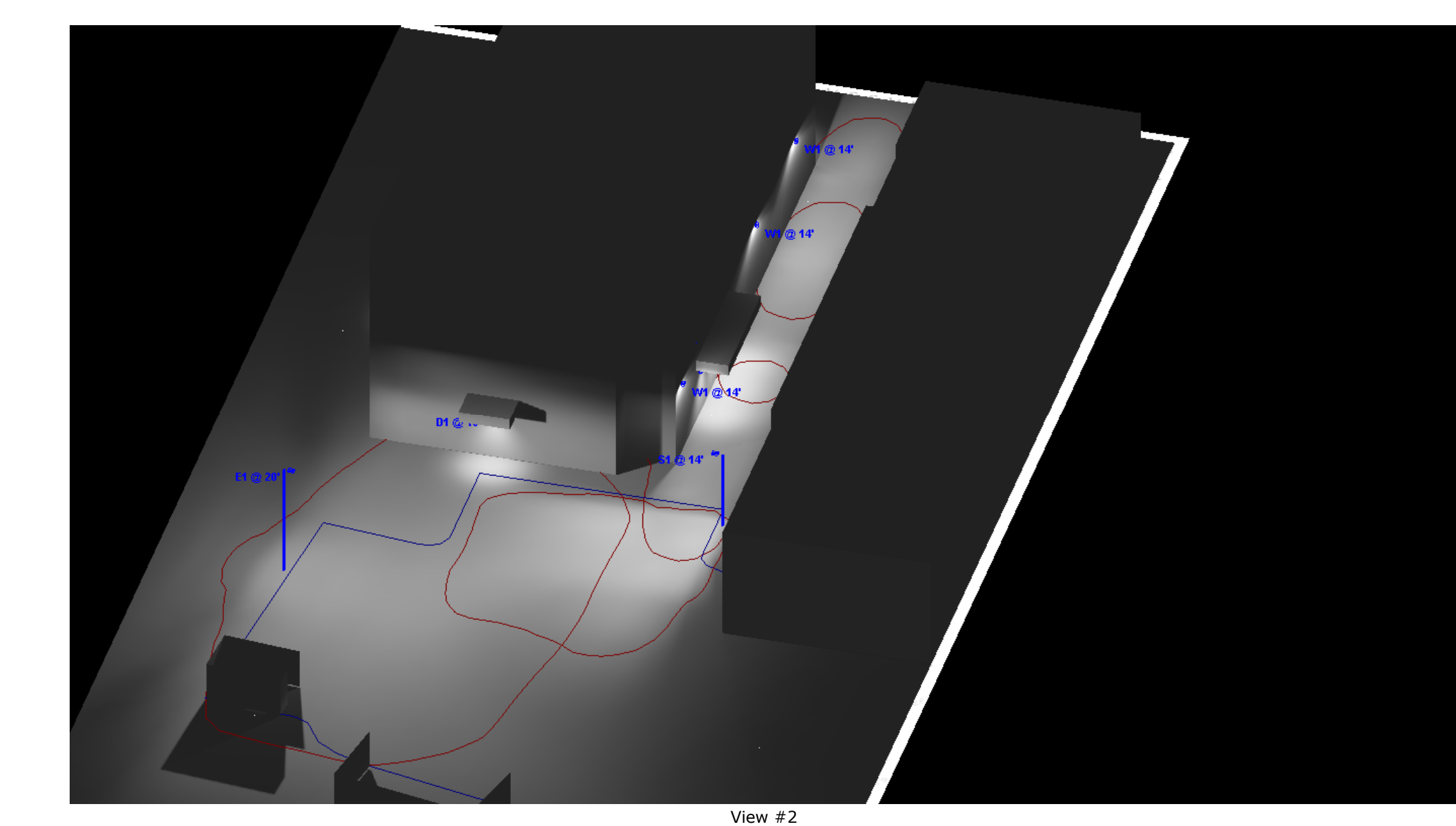
Plan View  
 Scale: 1/8" = 1ft



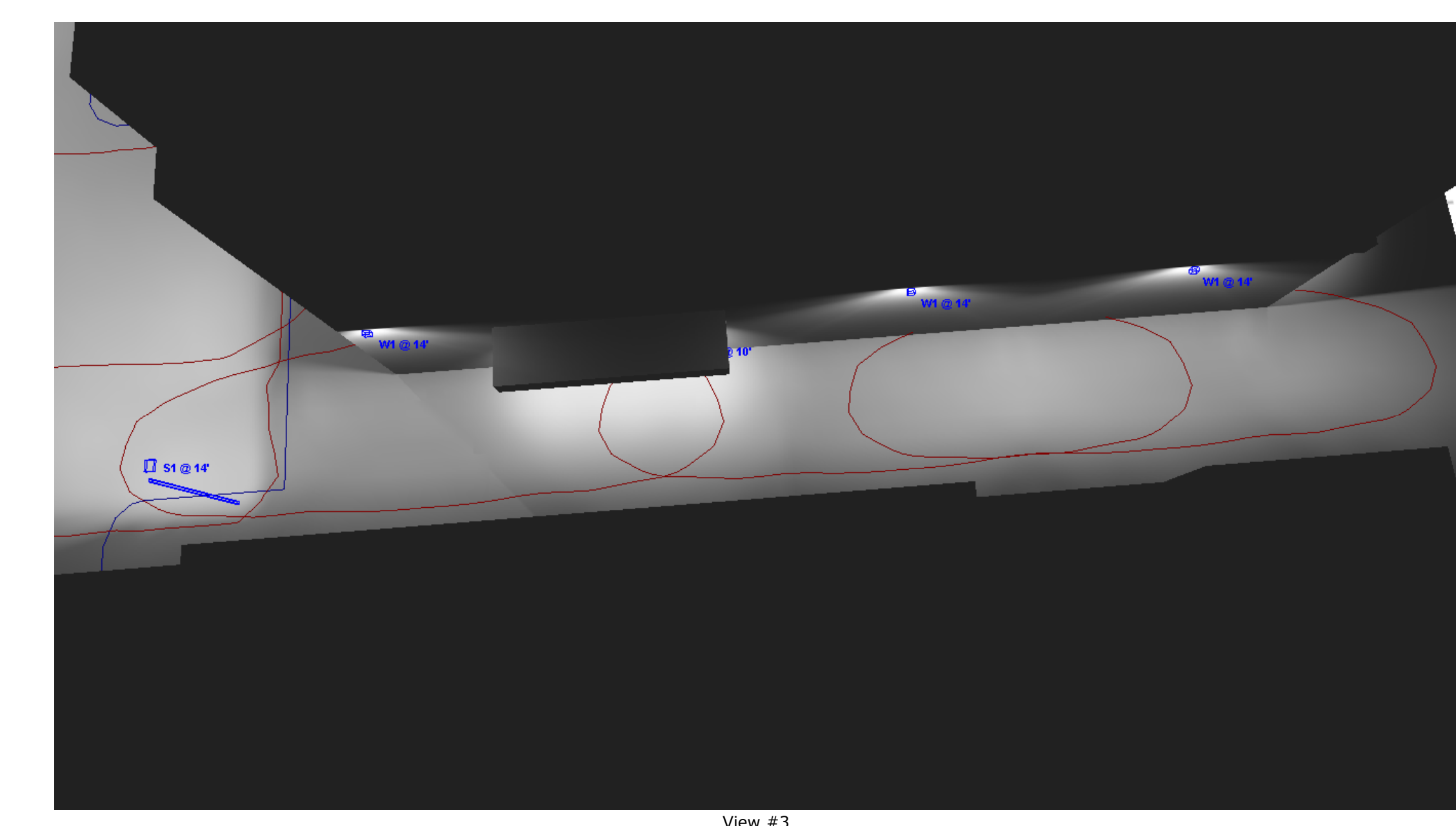
Lithonia DSXO Series



View #1



View #2



View #3

**NOTES:**

- Fixture Mounting Height:  
 E1 @ 20'  
 S1 @ 14'  
 S2 @ 3'  
 W1 @ 12'  
 D1 @ 10'
- Task Height: 0'-0" AFF
- Calculation Point Spacing: 4' x 4' oc

SCHEDULE							
Symbol	Label	Quantity	Manufacturer	Catalog Number	Description	Light Loss Factor	Wattage
	D1	8	Gotham	EVO2 40/07 AR LSS ND GZ10	Recessed 2" diameter LED downlight	0.9	9.6842
	E1	1	Lithonia	DSXO LED P4 30K 80CRI T4M HS (assumed)	Existing Single head area light mounted at 20'	0.9	93.04
	S1	1	Lithonia	DSXO LED P2 40K 80CRI RCCO	New Pole Mounted full cutoff area light with sharp right angle cutoff mounted at 14'	0.9	45.14
	W1	3	Lithonia	WDGE2 LED P3 40K 80CRI T1S	New Wall Mounted full cutoff wall pack with Type I optics	0.5	32.1375

7/31/2024

ROJAS DESIGN, INC.  
46 Waltham Street - Suite 2A  
Boston MA 02118-4101



Dear Mr. Rojas:

Thank you for taking the time to meet with me at 821 Mass Ave Arlington. I've reviewed the Austrian Pine (*Pinus nigra*) located off the front right corner of the current structure. This tree stands at approximately 40 feet tall and has a DBH of 24.5 inches.

- The trunk of this tree shows signs of boring insects as demonstrated by bore holes throughout the trunk. These insects feed on the live tissue under the bark, restricting the flow of nutrients.
- The canopy of this tree is also thinning, which could be a sign of fungal infection. Further investigation would be needed to confirm. This is expressed in second and third tier needles browning and falling. This species of Pine generally holds their needles for three years before dropping. The branches to sample were unattainable.
- This tree has been unbranched in the past, as evident from old pruning scars, and at some point in its history the top was removed either by pruning or breakage.
- These biotic stresses combined with abiotic stresses such as excess heat and drought from an urban environment could lead to the further decline of this tree. This was a visual inspection of the tree, and the tools used were a DBH tape and a sounding hammer.

Please let me know if you have any questions or concerns about this assessment.

Sincerely,

**Daniel Hager**

District Manager Concord MCA# 2639  
ISA# NE-7088A MA Pesticide# 43007

**Hartney Greymont**

2352 Main St  
Concord, MA 01742  
Telephone 781-484-1764 x 6805  
Mobile 978.440.0876  
Fax 978-461-1767  
dhager@hartney.com

---

**From:** Michael Rademacher <MRademacher@town.arlington.ma.us>  
**Sent:** Friday, July 12, 2024 8:50 AM  
**To:** Claire Ricker <cricker@town.arlington.ma.us>  
**Subject:** Fw: 821 Mass Ave Pine Tree

Claire-

Some info below on the Pine tree in questions. It looks like the tree is showing signs of stress and decline likely do to a fungal issue. Testing could confirm and influence a decision on if the tree can be treated.

Thanks

**Michael Rademacher, P.E.**  
Director of Public Works  
781-316-3101

*Arlington values equity, diversity, and inclusion. We are committed to building a community where everyone is heard, respected, and protected.*

---

**From:** Tim Lecuivre <[tlecuivre@town.arlington.ma.us](mailto:tlecuivre@town.arlington.ma.us)>  
**Sent:** Friday, July 12, 2024 8:46 AM  
**To:** Michael Rademacher <[MRademacher@town.arlington.ma.us](mailto:MRademacher@town.arlington.ma.us)>  
**Subject:** RE: 821 Mass Ave Pine Tree

Hello Mike,

Good morning.

I made a site visit to 821 Mass Ave to evaluate the pine tree in question. The pine is not a Scotch Pine it's an Austrian Pine. The tree was mislabeled on the Tree Plan. The pine is showing signs of stress and has a fungus issue. Black banding and fruiting structures are on the needles. It's best to send a live tissue sample to an extension service for it to be tested to determine what pathogen it is, several can infect pine trees. There are different treatment options, however I'm not sure it is feasible due to the close location to Mass Ave.

Thank you,  
Tim

Timothy A. Lecuivre MCA, MQTW  
Arlington Tree Warden  
Department of Public Works  
51 Grove Street  
Arlington, MA 02476  
[TLecuivre@town.arlington.ma.us](mailto:TLecuivre@town.arlington.ma.us)



# Shade Repo - Noyes Realty LLC

Customer  
—

Designer  
Samuel Pierog

Organization  
Great Sky Solar

Address  
821 Massachusetts Ave, Arlington, MA  
02476, USA

Coordinates  
42.4170232, -71.1600909

Date  
9/4/2024

## Annual irradiance



## Summary

Array ID	Panel count	Azimuth	Pitch	Annual TOF	Annual solar access	Annual TSPF
1	4	0°	0°	83%	100%	83%
2	16	0°	0°	83%	99%	82%
3	16	0°	0°	83%	100%	83%
4	4	0°	0°	83%	100%	83%
5	24	190°	5°	87%	97%	85%
Weighted average by panel count:					98.6%	83.5%

## Monthly solar access % across arrays

Array ID	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
1	99	100	100	100	100	100	100	100	100	100	98	99
2	97	99	99	99	100	100	99	99	99	99	97	97

# Shade Repo - Noyes Realty LLC

Customer

—

Designer

Samuel Pierog

Organization

Great Sky Solar

Address

821 Massachusetts Ave, Arlington, MA  
02476, USA

Coordinates

42.4170232, -71.1600909

Date

9/4/2024

Array ID	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
3	99	99	99	99	100	100	100	100	98	99	99	99
4	100	100	99	100	100	100	100	100	99	100	100	100
5	96	96	97	98	98	98	98	98	97	96	96	95



# Shade Repo - Noyes Realty LLC

Customer  
—

Designer  
Samuel Pierog

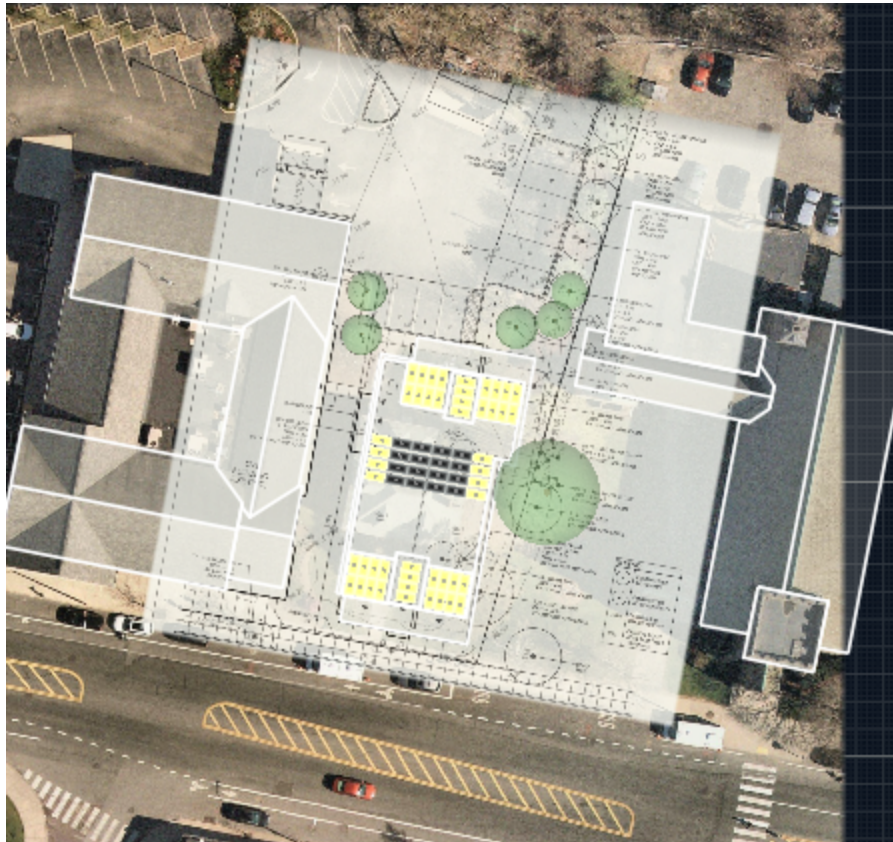
Organization  
Great Sky Solar

Address  
821 Massachusetts Ave, Arlington, MA  
02476, USA

Coordinates  
42.4170232, -71.1600909

Date  
9/4/2024

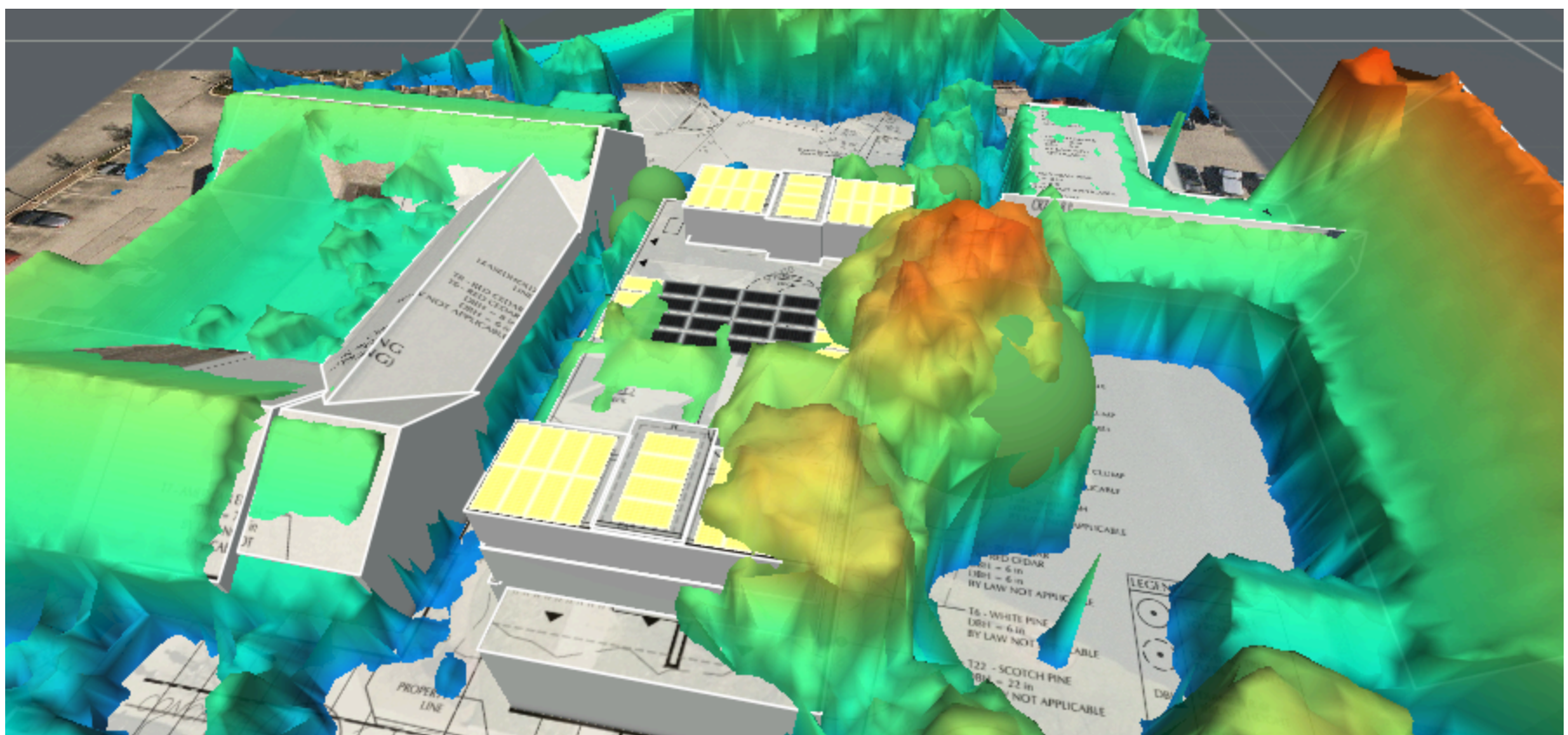
Zoomed out satellite view



3D model



3D model with LIDAR overlay





# Shade Repo - Noyes Realty LLC

Customer  
—

Designer  
Samuel Pierog

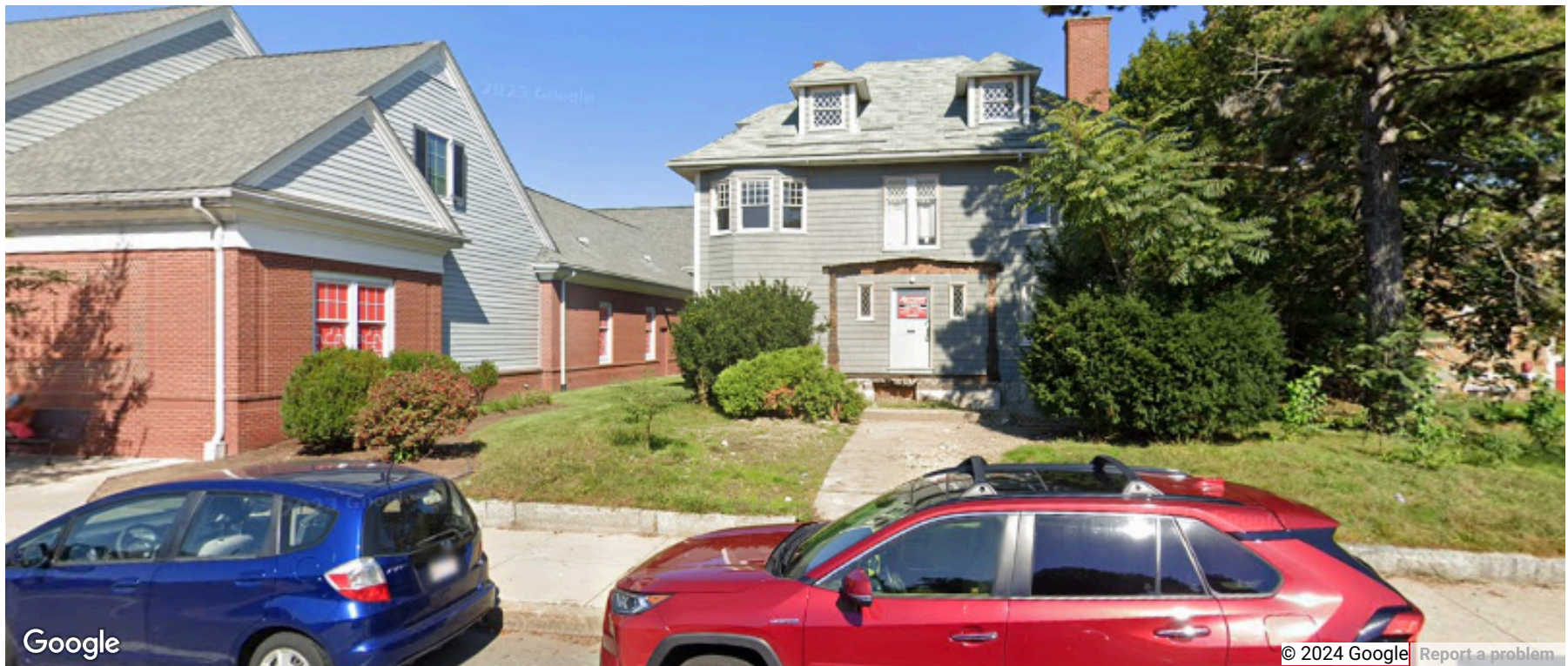
Organization  
Great Sky Solar

Address  
821 Massachusetts Ave, Arlington, MA  
02476, USA

Coordinates  
42.4170232, -71.1600909

Date  
9/4/2024

Street view with corresponding 3D model



I, **Samuel Pierog**, certify that I have generated this shading report to the best of my abilities, and I believe its contents to be accurate.





# LEED v4 for BD+C: New Construction and Major Renovation

## Project Checklist

Project Name: 821 Massachusetts Avenue - Arlington, MA  
Date: September 5, 2024

Y ? N

1			Credit	Integrative Process	1
---	--	--	--------	---------------------	---

<b>11</b>	<b>3</b>	<b>18</b>	<b>Location and Transportation</b>		<b>16</b>
		16	Credit	LEED for Neighborhood Development Location	16
1			Credit	Sensitive Land Protection	1
	2		Credit	High Priority Site	2
3	1	1	Credit	Surrounding Density and Diverse Uses	5
5			Credit	Access to Quality Transit	5
1			Credit	Bicycle Facilities	1
		1	Credit	Reduced Parking Footprint	1
1			Credit	Green Vehicles	1

<b>4</b>	<b>1</b>	<b>4</b>	<b>Sustainable Sites</b>		<b>10</b>
Y			Prereq	Construction Activity Pollution Prevention	Required
	1		Credit	Site Assessment	1
		2	Credit	Site Development - Protect or Restore Habitat	2
		1	Credit	Open Space	1
2		1	Credit	Rainwater Management	3
1			Credit	Heat Island Reduction	2
1			Credit	Light Pollution Reduction	1

<b>9</b>	<b>0</b>	<b>2</b>	<b>Water Efficiency</b>		<b>11</b>
Y			Prereq	Outdoor Water Use Reduction	Required
Y			Prereq	Indoor Water Use Reduction	Required
Y			Prereq	Building-Level Water Metering	Required
2			Credit	Outdoor Water Use Reduction	2
6			Credit	Indoor Water Use Reduction	6
		2	Credit	Cooling Tower Water Use	2
1			Credit	Water Metering	1

<b>16</b>	<b>3</b>	<b>14</b>	<b>Energy and Atmosphere</b>		<b>33</b>
Y			Prereq	Fundamental Commissioning and Verification	Required
Y			Prereq	Minimum Energy Performance	Required
Y			Prereq	Building-Level Energy Metering	Required
Y			Prereq	Fundamental Refrigerant Management	Required
		6	Credit	Enhanced Commissioning	6
11	3	4	Credit	Optimize Energy Performance	18
		1	Credit	Advanced Energy Metering	1
		2	Credit	Demand Response	2
3			Credit	Renewable Energy Production	3
1			Credit	Enhanced Refrigerant Management	1
1		1	Credit	Green Power and Carbon Offsets	2

<b>4</b>	<b>0</b>	<b>9</b>	<b>Materials and Resources</b>		<b>13</b>
Y			Prereq	Storage and Collection of Recyclables	Required
Y			Prereq	Construction and Demolition Waste Management Planning	Required
		5	Credit	Building Life-Cycle Impact Reduction	5
2			Credit	BPD and O - Environmental Product Declarations	2
		2	Credit	Building Product Disclosure and Optimization - Sourcing of Raw Materials	2
		2	Credit	Building Product Disclosure and Optimization - Material Ingredients	2
2			Credit	Construction and Demolition Waste Management	2

<b>6</b>	<b>2</b>	<b>8</b>	<b>Indoor Environmental Quality</b>		<b>16</b>
Y			Prereq	Minimum Indoor Air Quality Performance	Required
Y			Prereq	Environmental Tobacco Smoke Control	Required
		2	Credit	Enhanced Indoor Air Quality Strategies	2
1		2	Credit	Low-Emitting Materials	3
1			Credit	Construction Indoor Air Quality Management Plan	1
	1	1	Credit	Indoor Air Quality Assessment	2
1			Credit	Thermal Comfort	1
1	1		Credit	Interior Lighting	2
1		2	Credit	Daylight	3
1			Credit	Quality Views	1
		1	Credit	Acoustic Performance	1

<b>3</b>	<b>1</b>	<b>2</b>	<b>Innovation</b>		<b>6</b>
2	1	2	Credit	Innovation	5
1			Credit	LEED Accredited Professional	1

<b>3</b>	<b>0</b>	<b>1</b>	<b>Regional Priority</b>		<b>4</b>
1			Credit	Regional Priority: Optimize Energy Performance	1
1			Credit	Regional Priority: Water Use Reduction	1
1			Credit	Regional Priority: Renewable Energy Production	1
		1	Credit	Regional Priority: Rainwater Management	1

<b>57</b>	<b>10</b>	<b>58</b>	<b>TOTALS</b>		<b>Possible Points: 110</b>
-----------	-----------	-----------	---------------	--	-----------------------------

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

***Engineering Drainage Calculations  
for  
821 Massachusetts Avenue  
Arlington, Massachusetts***

***Prepared by***

***Gala Simon Associates, Inc.  
394 Lowell Street, Suite 18  
Lexington, MA 02420  
781-676-2962***

***September 6, 2024***



**Project:** 821 Massachusetts Avenue, Arlington, MA

**Date:** September 6, 2024

***Project Narrative:***

The project consists of the demolition of an existing building and construction of a new one in its place.

Soils on the site are considered Hydrological Soil Type A per USDA soil maps. On-site soil testing performed by Gala Simon Associates, Inc., on September 5, 2024.

The 24-hour rainfall amounts used in the hydrological calculations were obtained from the NOAA Atlas 14, Volume 10, Version 3.

***Summary of Results:***

The following table summarizes the peak flows and volumes from the property under Existing and Proposed Conditions.

***Summary of Stormwater Runoff and Volume***

<b><i>Storm Event</i></b>	<b><i>Existing Conditions Peak</i></b>		<b><i>Proposed Conditions Peak</i></b>		<b><i>Δ</i></b>	
	<b><i>Runoff (cfs)</i></b>	<b><i>Volume (af)</i></b>	<b><i>Runoff (cfs)</i></b>	<b><i>Volume (af)</i></b>	<b><i>Runoff (cfs)</i></b>	<b><i>Volume (af)</i></b>
<b><i>2-Year (4.04 in)</i></b>	0.22	0.019	0.21	0.016	-0.01	-0.003
<b><i>10-Year (6.43 in)</i></b>	0.68	0.050	0.52	0.037	-0.16	-0.013
<b><i>50-Year (9.69 in)</i></b>	1.43	0.104	0.97	0.071	-0.46	-0.033
<b><i>100-Year (11.50 in)</i></b>	1.88	0.136	1.23	0.090	-0.65	-0.046

***Conclusions:***

As analyzed, the peak rates of runoff and volumes will be maintained for the 2, 10, 50 and 100 year storm events.

***NOAA Atlas 14, Volume 10, Version 3  
Point Precipitation Frequency Estimates  
For NOAA 14 Plus Plus  
(Upper bound of 90% confidence interval)***



**POINT PRECIPITATION FREQUENCY ESTIMATES**

Sanja Perica, Sandra Pavlovic, Michael St. Laurent, Carl Trypaluk, Dale Unruh, Orlan Wilhite

NOAA, National Weather Service, Silver Spring, Maryland

[PF\\_tabular](#) | [PF\\_graphical](#) | [Maps & aerals](#)

**PF tabular**

<b>PDS-based point precipitation frequency estimates with 90% confidence intervals (in inches)<sup>1</sup></b>										
Duration	Average recurrence interval (years)									
	1	2	5	10	25	50	100	200	500	1000
5-min	0.304 (0.236-0.386)	0.373 (0.289-0.474)	0.485 (0.376-0.619)	0.578 (0.445-0.742)	0.705 (0.526-0.953)	0.800 (0.586-1.11)	0.901 (0.644-1.30)	1.02 (0.687-1.50)	1.20 (0.779-1.84)	1.36 (0.858-2.11)
10-min	0.431 (0.335-0.547)	0.528 (0.410-0.671)	0.686 (0.531-0.876)	0.817 (0.629-1.05)	0.998 (0.746-1.35)	1.13 (0.830-1.57)	1.28 (0.913-1.85)	1.45 (0.974-2.13)	1.70 (1.10-2.60)	1.92 (1.22-2.99)
15-min	0.507 (0.394-0.644)	0.621 (0.482-0.790)	0.808 (0.625-1.03)	0.962 (0.740-1.24)	1.18 (0.877-1.59)	1.33 (0.976-1.84)	1.50 (1.07-2.17)	1.70 (1.14-2.50)	2.00 (1.30-3.06)	2.26 (1.43-3.52)
30-min	0.694 (0.539-0.881)	0.851 (0.661-1.08)	1.11 (0.858-1.41)	1.32 (1.02-1.70)	1.62 (1.21-2.19)	1.84 (1.35-2.55)	2.07 (1.48-3.00)	2.35 (1.58-3.46)	2.78 (1.80-4.25)	3.15 (1.99-4.91)
60-min	0.881 (0.685-1.12)	1.08 (0.840-1.38)	1.41 (1.09-1.80)	1.68 (1.30-2.16)	2.06 (1.54-2.79)	2.34 (1.72-3.25)	2.64 (1.89-3.83)	3.00 (2.02-4.42)	3.56 (2.31-5.44)	4.04 (2.56-6.31)
2-hr	1.15 (0.897-1.45)	1.41 (1.10-1.78)	1.84 (1.43-2.33)	2.20 (1.70-2.80)	2.68 (2.02-3.62)	3.04 (2.26-4.21)	3.44 (2.49-4.98)	3.94 (2.66-5.75)	4.71 (3.06-7.14)	5.39 (3.42-8.33)
3-hr	1.34 (1.05-1.68)	1.64 (1.29-2.06)	2.14 (1.67-2.70)	2.55 (1.99-3.24)	3.12 (2.36-4.19)	3.54 (2.63-4.88)	4.00 (2.91-5.78)	4.58 (3.10-6.66)	5.50 (3.58-8.28)	6.30 (4.01-9.68)
6-hr	1.73 (1.37-2.16)	2.12 (1.68-2.65)	2.76 (2.17-3.46)	3.29 (2.57-4.15)	4.02 (3.06-5.34)	4.55 (3.40-6.21)	5.14 (3.75-7.34)	5.88 (3.99-8.46)	7.04 (4.59-10.5)	8.05 (5.13-12.2)
12-hr	2.20 (1.76-2.73)	2.70 (2.15-3.35)	3.51 (2.78-4.36)	4.18 (3.29-5.23)	5.10 (3.90-6.72)	5.78 (4.34-7.81)	6.52 (4.78-9.22)	7.44 (5.07-10.6)	8.86 (5.80-13.1)	10.1 (6.46-15.2)
24-hr	2.64 (2.12-3.25)	3.28 (2.63-4.04)	4.31 (3.44-5.33)	5.17 (4.10-6.43)	6.35 (4.89-8.32)	7.22 (5.46-9.69)	8.17 (6.02-11.5)	9.36 (6.41-13.2)	11.2 (7.38-16.4)	12.8 (8.24-19.1)
2-day	3.01 (2.43-3.68)	3.80 (3.07-4.65)	5.10 (4.10-6.26)	6.17 (4.93-7.62)	7.65 (5.94-9.98)	8.73 (6.66-11.7)	9.93 (7.40-13.9)	11.5 (7.89-16.1)	14.0 (9.22-20.3)	16.2 (10.4-23.9)
3-day	3.30 (2.68-4.01)	4.15 (3.37-5.06)	5.55 (4.48-6.78)	6.71 (5.38-8.24)	8.30 (6.47-10.8)	9.46 (7.24-12.6)	10.8 (8.05-15.0)	12.5 (8.57-17.3)	15.2 (10.0-21.9)	17.6 (11.4-25.9)
4-day	3.57 (2.91-4.33)	4.45 (3.62-5.41)	5.90 (4.78-7.19)	7.09 (5.71-8.69)	8.74 (6.83-11.3)	9.94 (7.63-13.2)	11.3 (8.46-15.7)	13.0 (8.99-18.1)	15.9 (10.5-22.8)	18.4 (11.9-26.9)
7-day	4.33 (3.55-5.23)	5.25 (4.30-6.34)	6.75 (5.50-8.18)	8.00 (6.48-9.74)	9.71 (7.63-12.5)	11.0 (8.44-14.4)	12.4 (9.28-17.0)	14.2 (9.81-19.5)	17.1 (11.3-24.3)	19.6 (12.7-28.4)
10-day	5.03 (4.14-6.05)	5.98 (4.91-7.19)	7.52 (6.15-9.08)	8.80 (7.15-10.7)	10.6 (8.31-13.5)	11.9 (9.14-15.5)	13.3 (9.96-18.1)	15.1 (10.5-20.6)	17.9 (11.9-25.3)	20.4 (13.2-29.4)
20-day	7.03 (5.83-8.39)	8.06 (6.67-9.63)	9.74 (8.03-11.7)	11.1 (9.12-13.4)	13.1 (10.3-16.4)	14.5 (11.2-18.6)	16.0 (11.9-21.2)	17.8 (12.4-24.0)	20.3 (13.6-28.4)	22.4 (14.6-31.9)
30-day	8.69 (7.23-10.3)	9.78 (8.13-11.6)	11.6 (9.58-13.8)	13.1 (10.7-15.7)	15.1 (11.9-18.8)	16.7 (12.8-21.1)	18.2 (13.5-23.8)	19.9 (14.0-26.8)	22.2 (14.9-30.9)	24.0 (15.7-34.1)
45-day	10.8 (9.01-12.8)	11.9 (9.97-14.1)	13.8 (11.5-16.5)	15.4 (12.7-18.4)	17.6 (13.9-21.7)	19.3 (14.9-24.2)	20.9 (15.5-27.0)	22.6 (15.9-30.1)	24.7 (16.6-34.0)	26.2 (17.1-36.9)
60-day	12.6 (10.5-14.8)	13.8 (11.5-16.3)	15.8 (13.1-18.7)	17.4 (14.4-20.7)	19.7 (15.6-24.1)	21.4 (16.6-26.7)	23.2 (17.1-29.6)	24.8 (17.5-32.9)	26.7 (18.0-36.7)	28.1 (18.4-39.4)

<sup>1</sup> Precipitation frequency (PF) estimates in this table are based on frequency analysis of partial duration series (PDS).

Numbers in parenthesis are PF estimates at lower and upper bounds of the 90% confidence interval. The probability that precipitation frequency estimates (for a given duration and average recurrence interval) will be greater than the upper bound (or less than the lower bound) is 5%. Estimates at upper bounds are not checked against probable maximum precipitation (PMP) estimates and may be higher than currently valid PMP values.

Please refer to NOAA Atlas 14 document for more information.

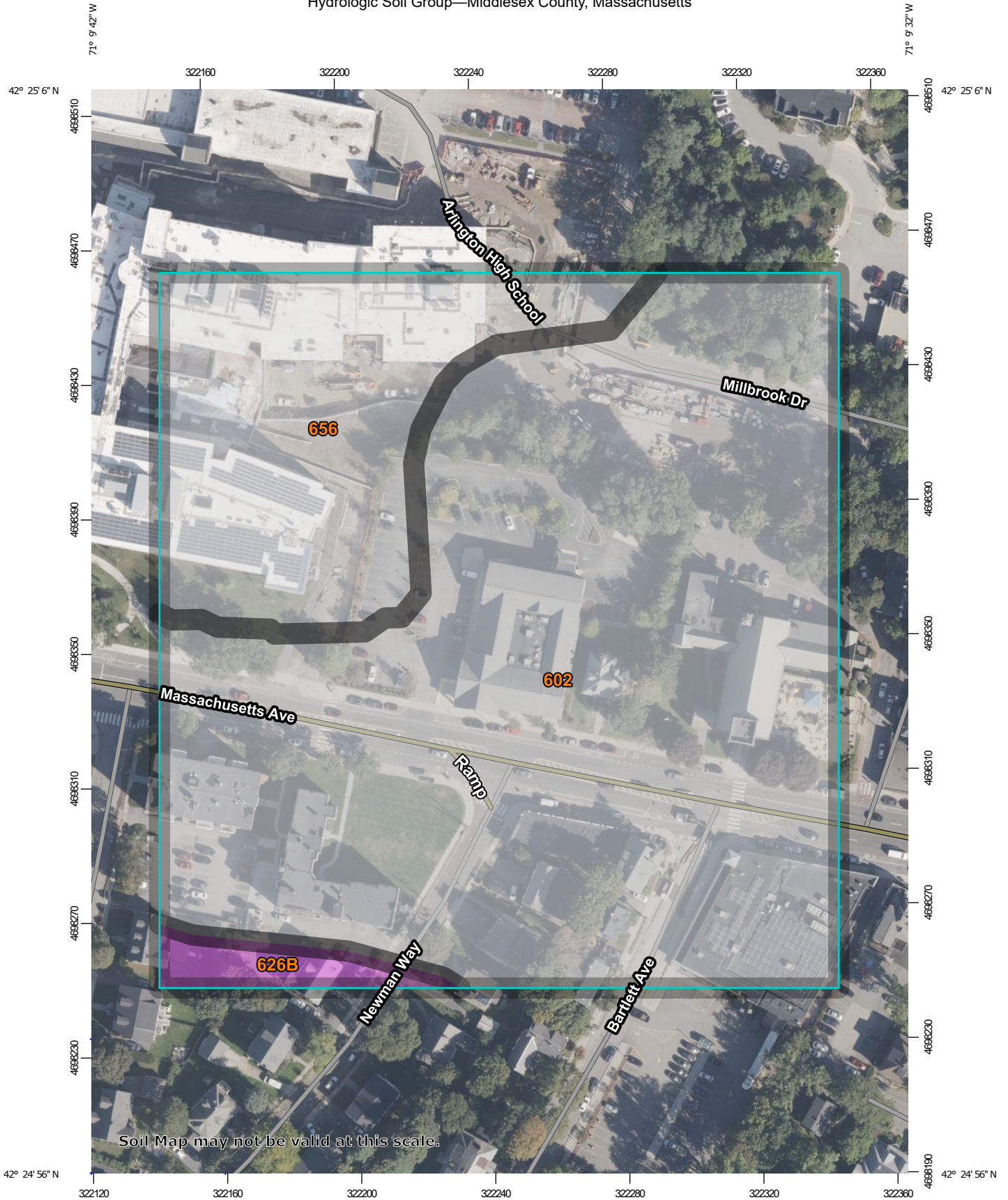
[Back to Top](#)

**PF graphical**

***USDA***  
***Soil Mapping***

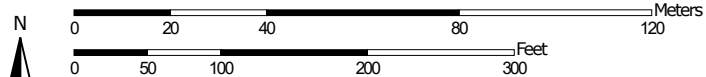


Hydrologic Soil Group—Middlesex County, Massachusetts



Soil Map may not be valid at this scale.

Map Scale: 1:1,570 if printed on A portrait (8.5" x 11") sheet.



Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 19N WGS84



## MAP LEGEND

### Area of Interest (AOI)

 Area of Interest (AOI)

### Soils

#### Soil Rating Polygons





 A  
 A/D  
 B  
 B/D  
 C  
 C/D  
 D  
 Not rated or not available

#### Soil Rating Lines

 A  
 A/D  
 B  
 B/D  
 C  
 C/D  
 D  
 Not rated or not available

#### Soil Rating Points

 A  
 A/D  
 B  
 B/D

 C  
 C/D  
 D  
 Not rated or not available

### Water Features

 Streams and Canals

### Transportation

 Rails  
 Interstate Highways  
 US Routes  
 Major Roads  
 Local Roads

### Background

 Aerial Photography

## MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service  
 Web Soil Survey URL:  
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Middlesex County, Massachusetts  
 Survey Area Data: Version 23, Sep 12, 2023

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Mar 1, 2023—Sep 1, 2023

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.



## Hydrologic Soil Group

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
602	Urban land		8.1	75.4%
626B	Merrimac-Urban land complex, 0 to 8 percent slopes	A	0.2	2.3%
656	Udorthents-Urban land complex		2.4	22.2%
<b>Totals for Area of Interest</b>			<b>10.7</b>	<b>100.0%</b>

### Description

Hydrologic soil groups are based on estimates of runoff potential. Soils are assigned to one of four groups according to the rate of water infiltration when the soils are not protected by vegetation, are thoroughly wet, and receive precipitation from long-duration storms.

The soils in the United States are assigned to four groups (A, B, C, and D) and three dual classes (A/D, B/D, and C/D). The groups are defined as follows:

Group A. Soils having a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.

Group B. Soils having a moderate infiltration rate when thoroughly wet. These consist chiefly of moderately deep or deep, moderately well drained or well drained soils that have moderately fine texture to moderately coarse texture. These soils have a moderate rate of water transmission.

Group C. Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.

Group D. Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, soils that have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

If a soil is assigned to a dual hydrologic group (A/D, B/D, or C/D), the first letter is for drained areas and the second is for undrained areas. Only the soils that in their natural condition are in group D are assigned to dual classes.

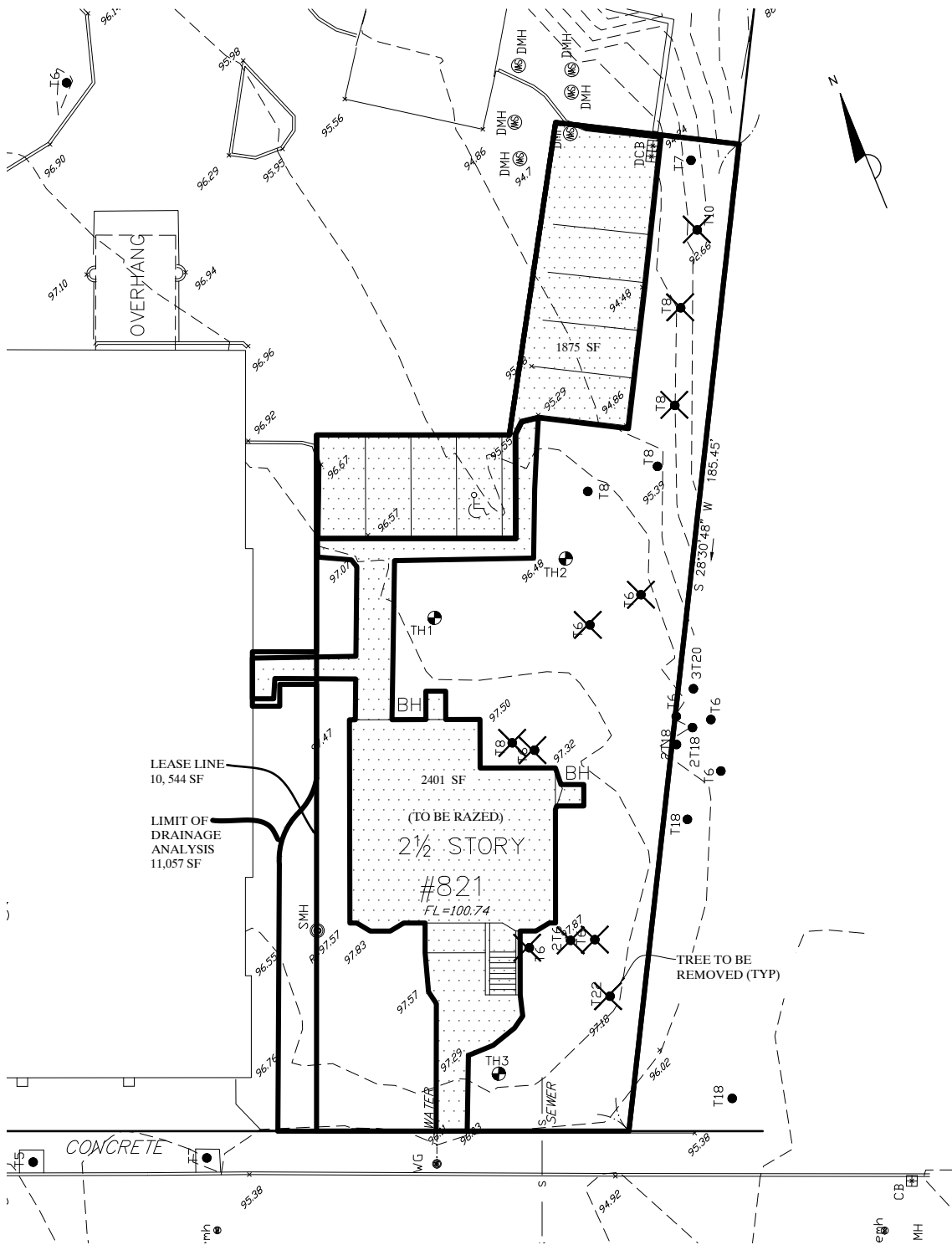
## Rating Options

*Aggregation Method:* Dominant Condition

*Component Percent Cutoff:* None Specified

*Tie-break Rule:* Higher

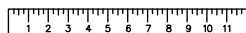
*Drainage Delineation  
Plans*



Gala Simon Associates



394 Lowell Street  
Suite 18  
Lexington, MA 02420



Civil Engineers

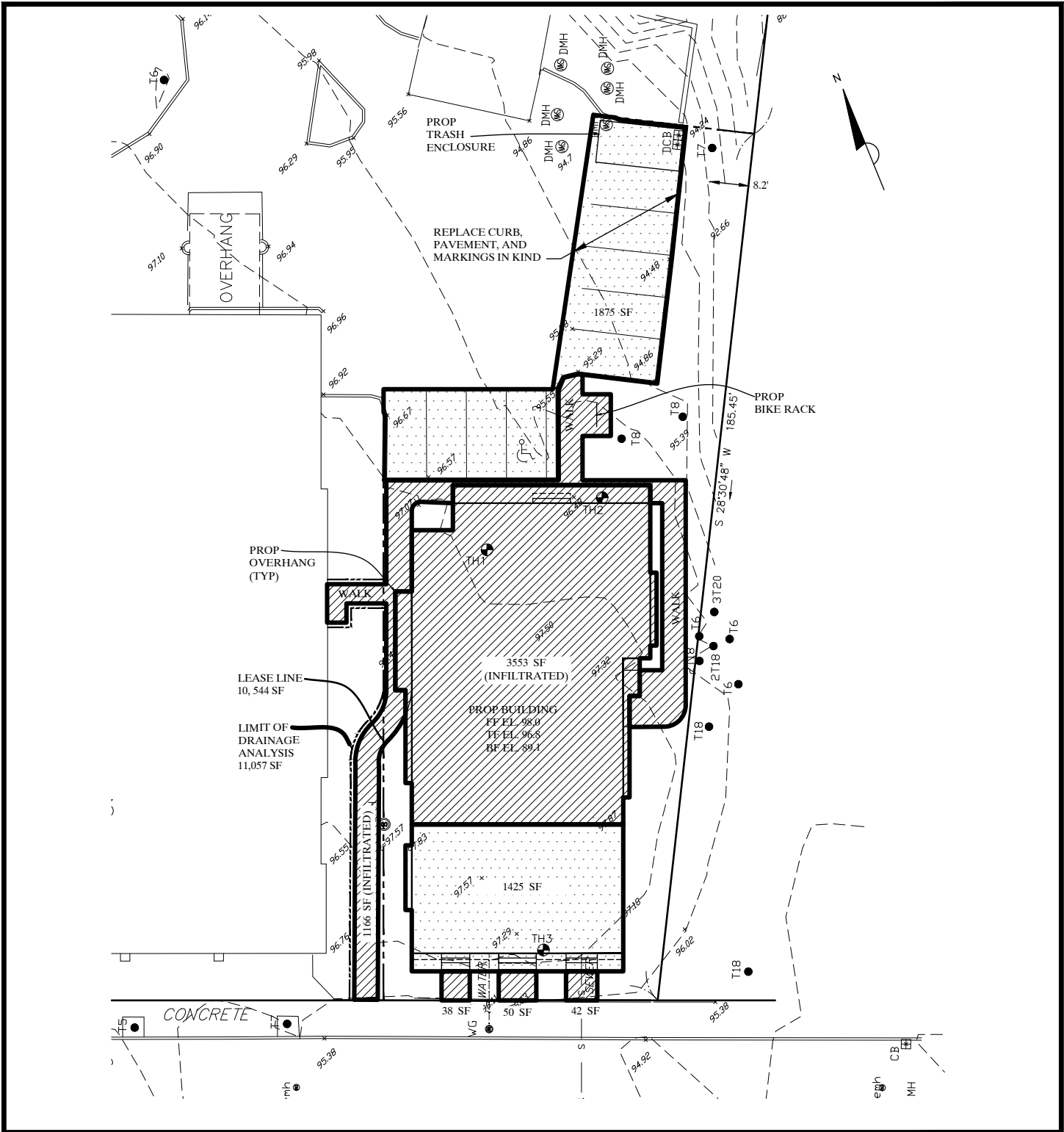
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Drainage Delineation  
Existing Conditions  
821 Massachusetts Avenue – Arlington, MA

Scale: 1"=30'

D-1

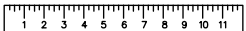
September 6, 2024



Gala Simon Associates



394 Lowell Street  
Suite 18  
Lexington, MA 02420



Civil Engineers

781-676-2962

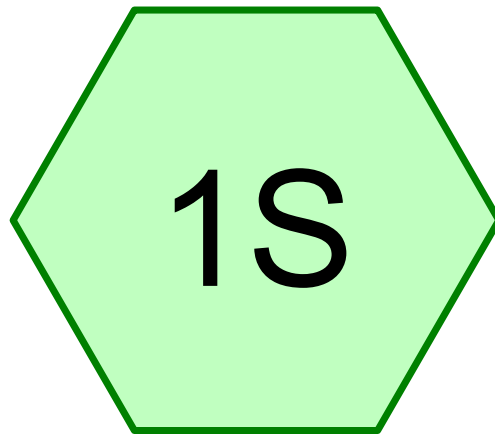
Drainage Delineation  
Proposed Conditions  
821 Massachusetts Avenue - Arlington, MA

Scale: 1"=30'

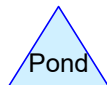
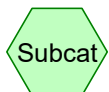
D-2

September 6, 2024

***Existing Conditions  
2, 10, 50 and 100 Year Storm Events***



# Existing Conditions



**Routing Diagram for [2422] Existing Conditions**  
Prepared by Gala Simon Associates Inc, Printed 9/6/2024  
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**[2422] Existing Conditions**

**Area Listing (all nodes)**

Area (acres)	CN	Description (subcatchment-numbers)
0.156	39	>75% Grass cover, Good, HSG A (1S)
0.098	98	Paved parking, HSG A (1S)

**[2422] Existing Conditions**

Type III 24-hr 2-year Storm Event Rainfall=4.04"

Prepared by Gala Simon Associates Inc

Printed 9/6/2024

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Page 3

**Summary for Subcatchment 1S: Existing Conditions**

Runoff = 0.22 cfs @ 12.11 hrs, Volume= 0.019 af, Depth> 0.88"

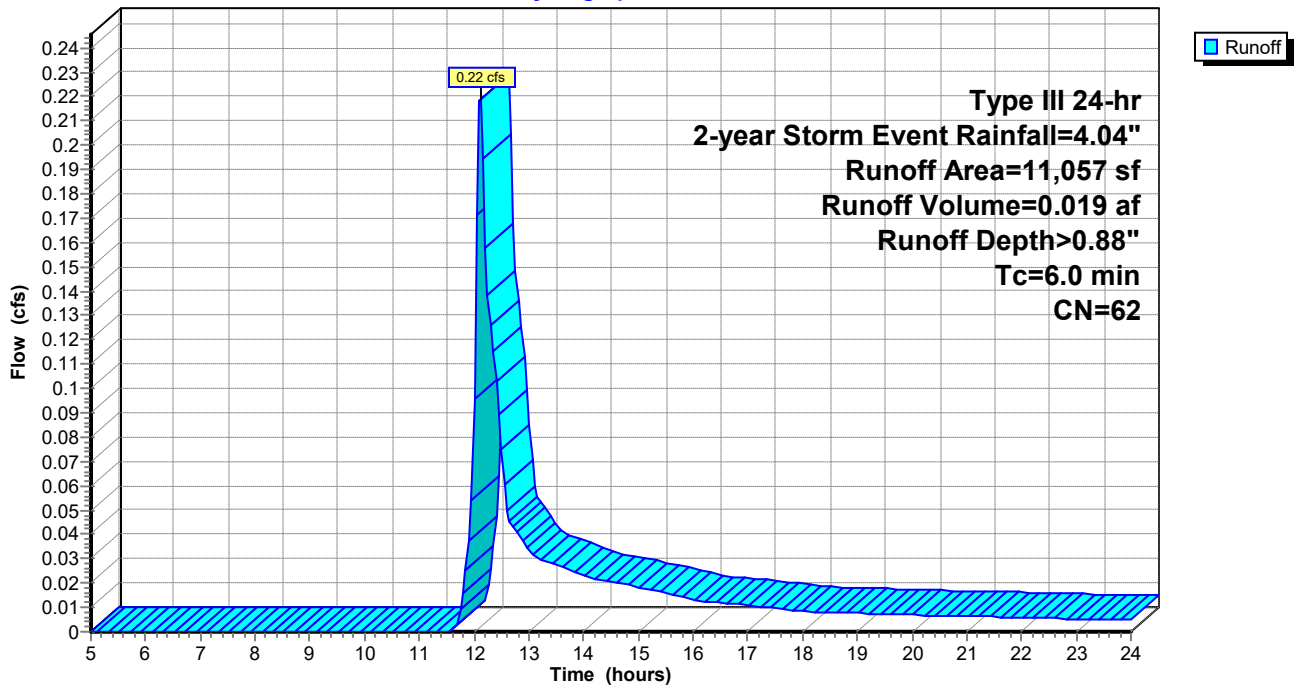
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-24.00 hrs, dt= 0.05 hrs  
 Type III 24-hr 2-year Storm Event Rainfall=4.04"

Area (sf)	CN	Description
6,781	39	>75% Grass cover, Good, HSG A
4,276	98	Paved parking, HSG A
11,057	62	Weighted Average
6,781		61.33% Pervious Area
4,276		38.67% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.0					Direct Entry,

**Subcatchment 1S: Existing Conditions**

Hydrograph



**[2422] Existing Conditions**

Type III 24-hr 10-year Storm Event Rainfall=6.43"

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Printed 9/6/2024

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Page 4

**Summary for Subcatchment 1S: Existing Conditions**

Runoff = 0.68 cfs @ 12.10 hrs, Volume= 0.050 af, Depth> 2.39"

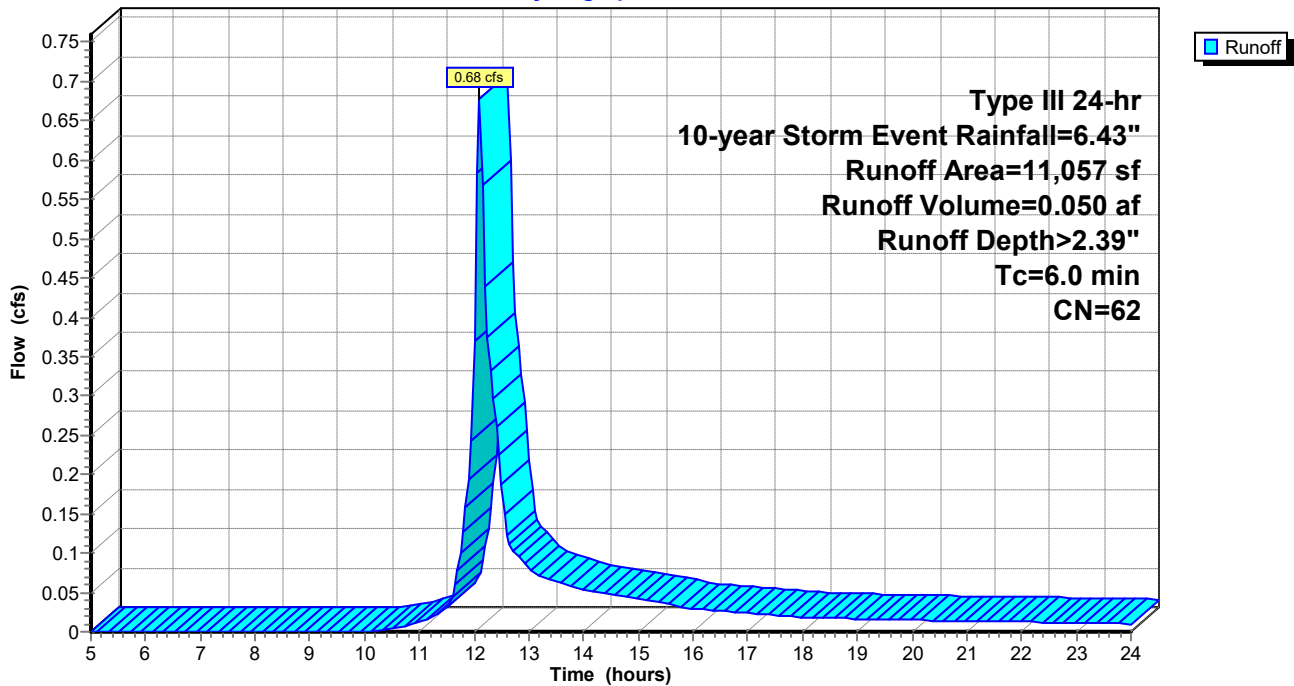
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-24.00 hrs, dt= 0.05 hrs  
 Type III 24-hr 10-year Storm Event Rainfall=6.43"

Area (sf)	CN	Description
6,781	39	>75% Grass cover, Good, HSG A
4,276	98	Paved parking, HSG A
11,057	62	Weighted Average
6,781		61.33% Pervious Area
4,276		38.67% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.0					Direct Entry,

**Subcatchment 1S: Existing Conditions**

Hydrograph



**[2422] Existing Conditions**

Type III 24-hr 50-year Storm Event Rainfall=9.69"

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Printed 9/6/2024

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Page 5

**Summary for Subcatchment 1S: Existing Conditions**

Runoff = 1.43 cfs @ 12.09 hrs, Volume= 0.104 af, Depth> 4.90"

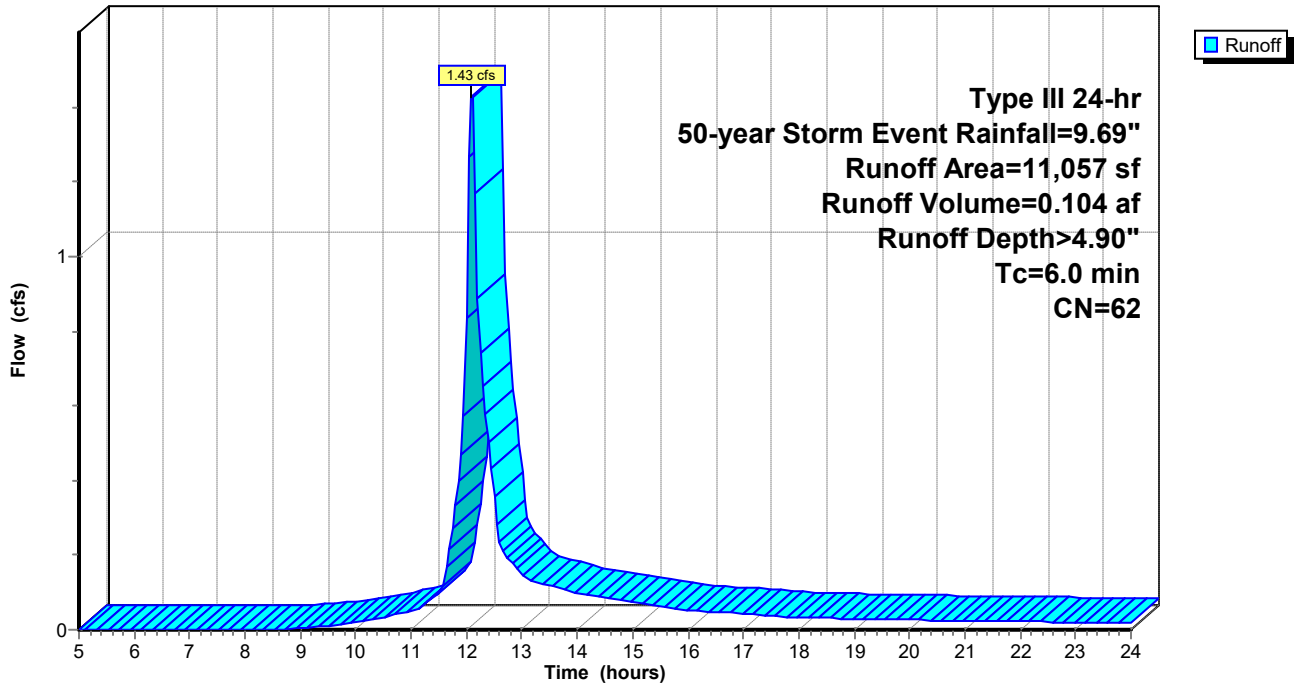
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-24.00 hrs, dt= 0.05 hrs  
 Type III 24-hr 50-year Storm Event Rainfall=9.69"

Area (sf)	CN	Description
6,781	39	>75% Grass cover, Good, HSG A
4,276	98	Paved parking, HSG A
11,057	62	Weighted Average
6,781		61.33% Pervious Area
4,276		38.67% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.0					Direct Entry,

**Subcatchment 1S: Existing Conditions**

Hydrograph



**[2422] Existing Conditions**

Type III 24-hr 100-year Storm Event Rainfall=11.50"

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Page 6

**Summary for Subcatchment 1S: Existing Conditions**

Runoff = 1.88 cfs @ 12.09 hrs, Volume= 0.136 af, Depth> 6.43"

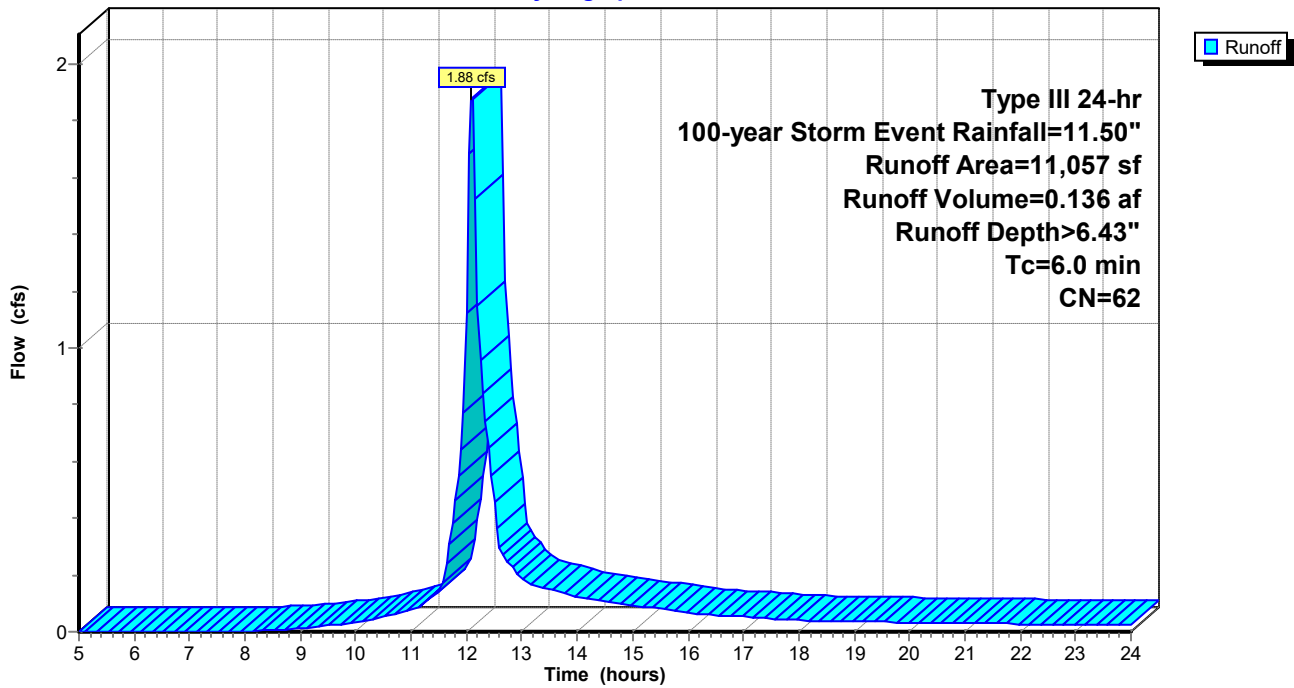
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 Type III 24-hr 100-year Storm Event Rainfall=11.50"

Area (sf)	CN	Description
6,781	39	>75% Grass cover, Good, HSG A
4,276	98	Paved parking, HSG A
11,057	62	Weighted Average
6,781		61.33% Pervious Area
4,276		38.67% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.0					Direct Entry,

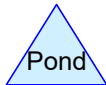
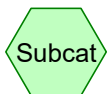
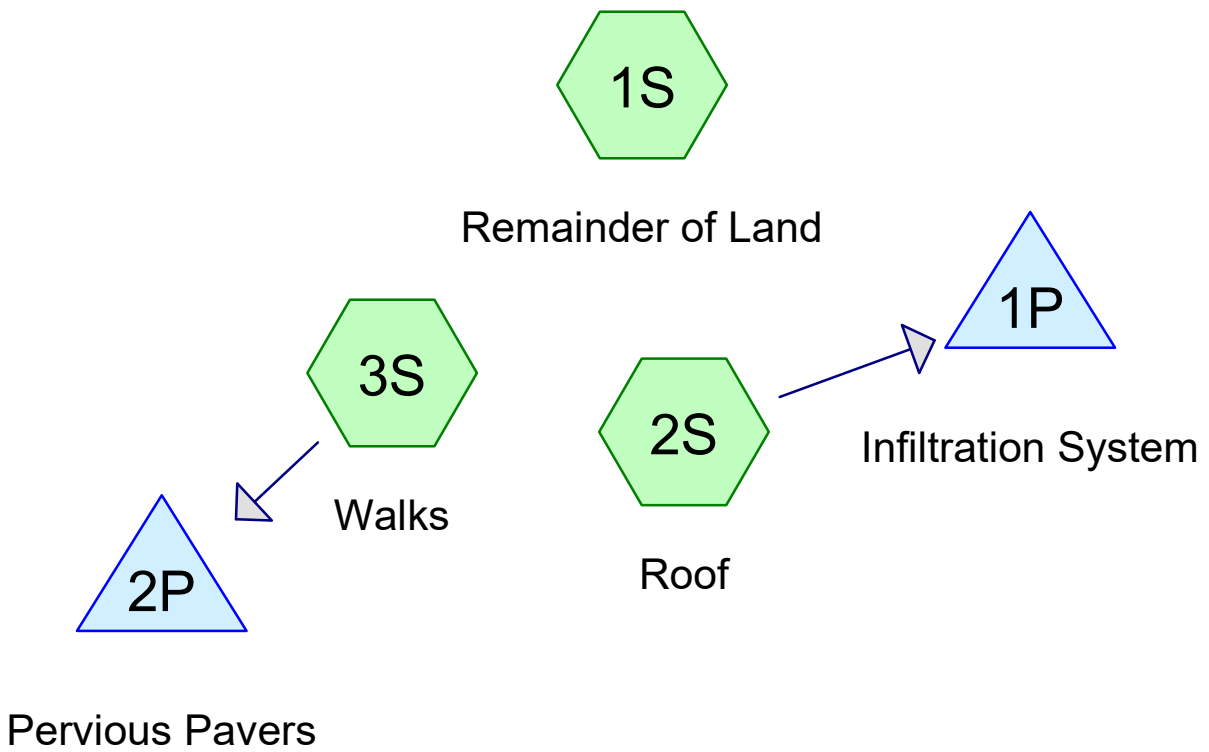
**Subcatchment 1S: Existing Conditions**

Hydrograph



***Proposed Conditions  
2, 10, 50 and 100 Year Storm Events***





**Routing Diagram for [2422] Proposed Conditions**  
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**[2422] Proposed Conditions**

**Area Listing (all nodes)**

Area (acres)	CN	Description (subcatchment-numbers)
0.067	39	>75% Grass cover, Good, HSG A (1S)
0.106	98	Paved parking, HSG A (1S, 3S)
0.082	98	Roofs, HSG A (2S)

**[2422] Proposed Conditions**

Type III 24-hr 2-year Storm Event Rainfall=4.04"

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Page 3

**Summary for Subcatchment 1S: Remainder of Land**

Runoff = 0.21 cfs @ 12.10 hrs, Volume= 0.016 af, Depth> 1.35"

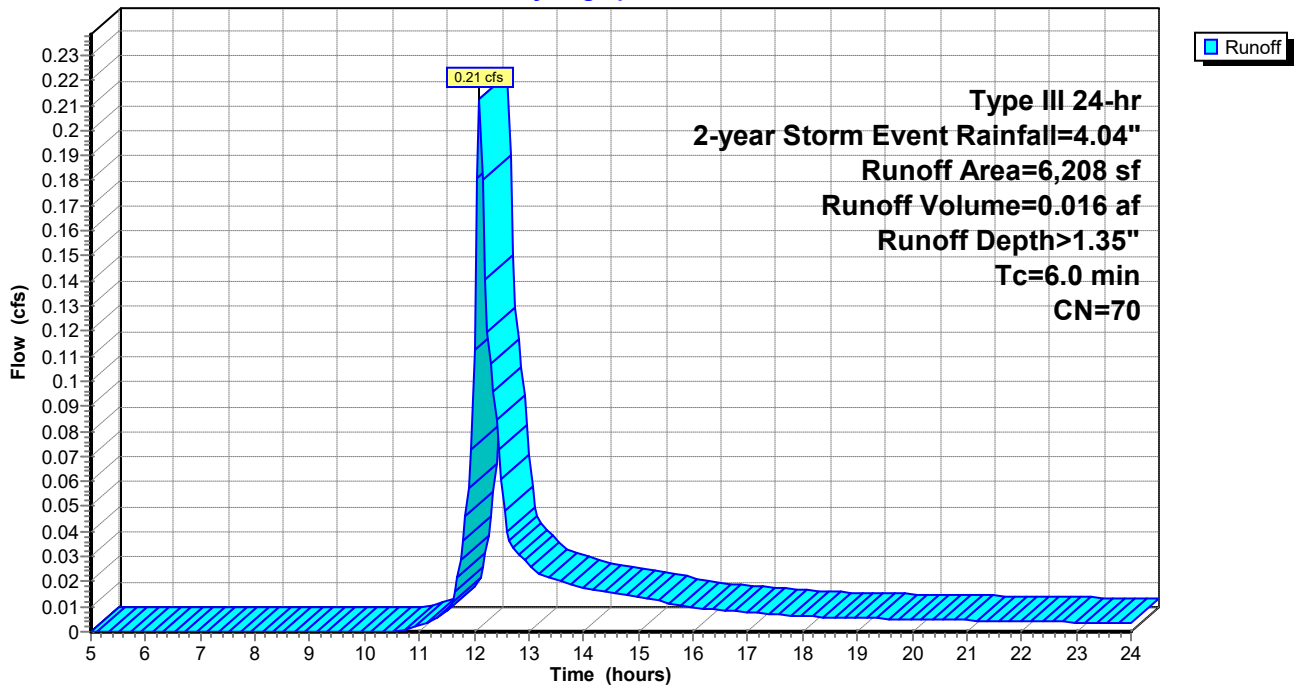
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-24.00 hrs, dt= 0.05 hrs  
 Type III 24-hr 2-year Storm Event Rainfall=4.04"

Area (sf)	CN	Description
2,908	39	>75% Grass cover, Good, HSG A
3,300	98	Paved parking, HSG A
6,208	70	Weighted Average
2,908		46.84% Pervious Area
3,300		53.16% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.0					Direct Entry,

**Subcatchment 1S: Remainder of Land**

Hydrograph



**[2422] Proposed Conditions**

Type III 24-hr 2-year Storm Event Rainfall=4.04"

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**Summary for Subcatchment 2S: Roof**

Runoff = 0.31 cfs @ 12.09 hrs, Volume= 0.025 af, Depth> 3.72"

Routed to Pond 1P : Infiltration System

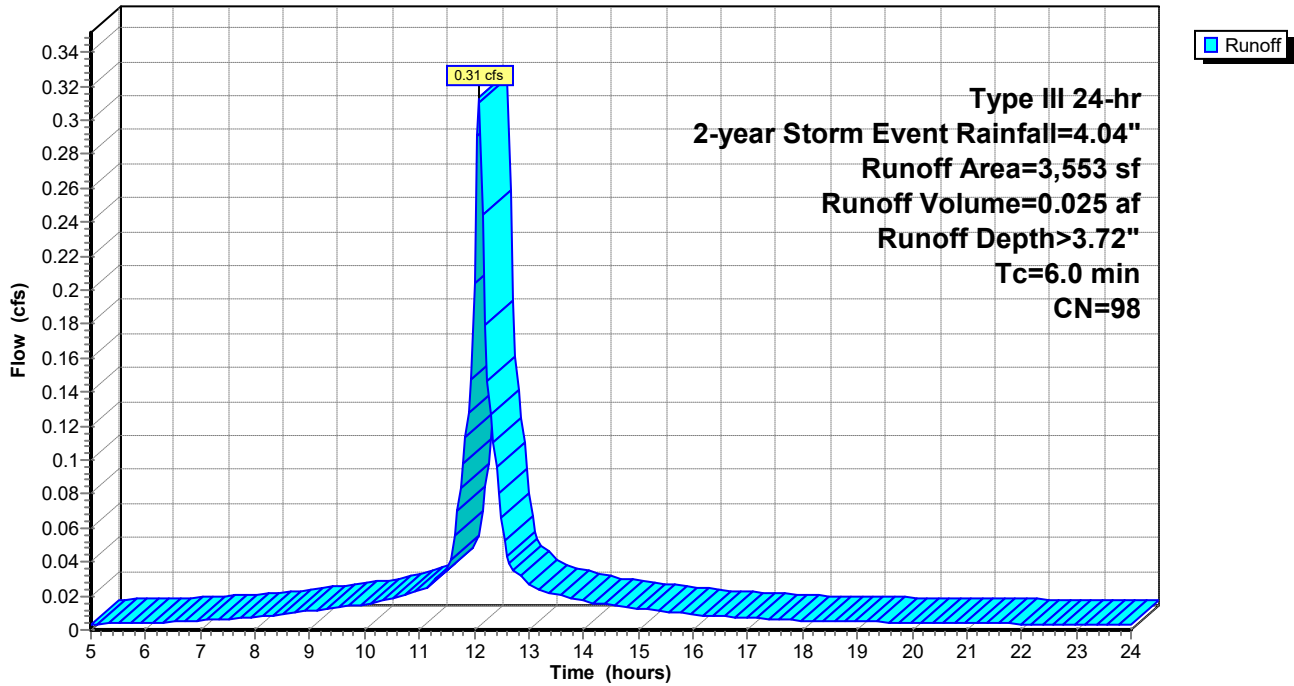
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-24.00 hrs, dt= 0.05 hrs  
Type III 24-hr 2-year Storm Event Rainfall=4.04"

Area (sf)	CN	Description
3,553	98	Roofs, HSG A
3,553		100.00% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.0					Direct Entry,

**Subcatchment 2S: Roof**

Hydrograph



**[2422] Proposed Conditions**

Type III 24-hr 2-year Storm Event Rainfall=4.04"

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**Summary for Subcatchment 3S: Walks**

Runoff = 0.11 cfs @ 12.09 hrs, Volume= 0.009 af, Depth> 3.72"  
Routed to Pond 2P : Pervious Pavers

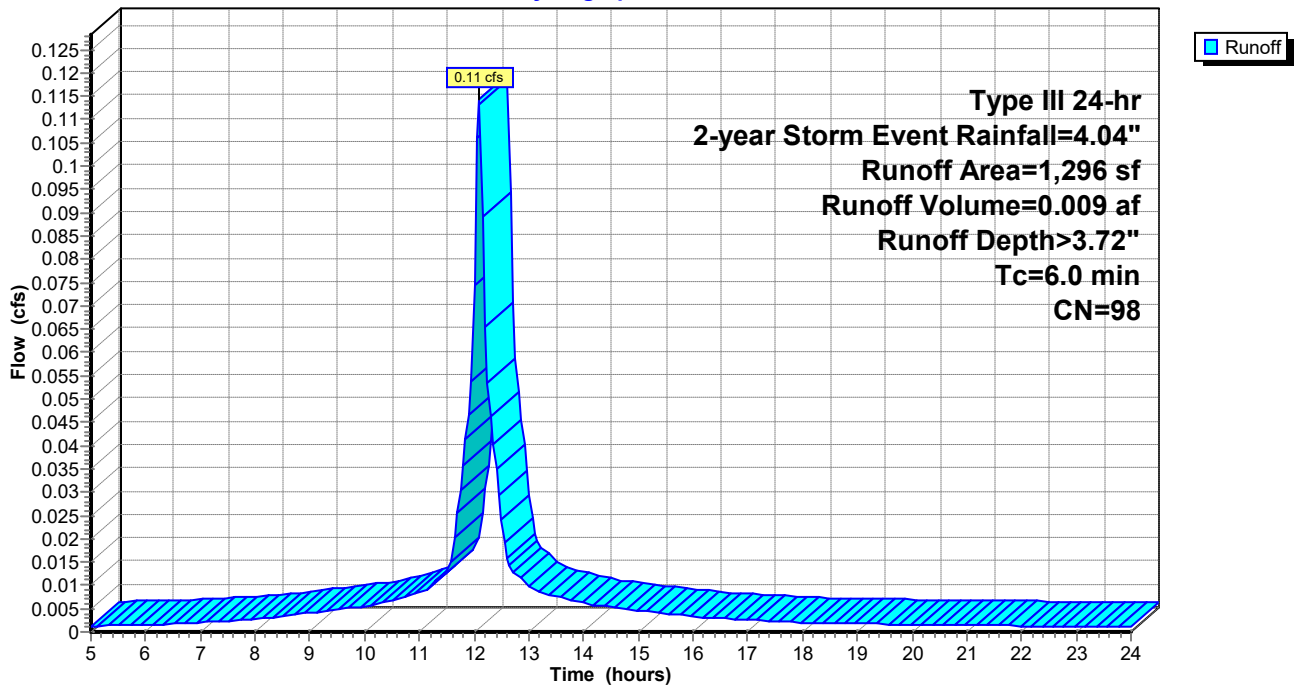
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-24.00 hrs, dt= 0.05 hrs  
Type III 24-hr 2-year Storm Event Rainfall=4.04"

Area (sf)	CN	Description
1,296	98	Paved parking, HSG A
1,296		100.00% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.0					Direct Entry,

**Subcatchment 3S: Walks**

Hydrograph





**[2422] Proposed Conditions**

Type III 24-hr 2-year Storm Event Rainfall=4.04"

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**Summary for Pond 1P: Infiltration System**

Inflow Area = 0.082 ac, 100.00% Impervious, Inflow Depth > 3.72" for 2-year Storm Event event  
 Inflow = 0.31 cfs @ 12.09 hrs, Volume= 0.025 af  
 Outflow = 0.04 cfs @ 11.65 hrs, Volume= 0.025 af, Atten= 86%, Lag= 0.0 min  
 Discarded = 0.04 cfs @ 11.65 hrs, Volume= 0.025 af

Routing by Stor-Ind method, Time Span= 5.00-24.00 hrs, dt= 0.05 hrs  
 Peak Elev= 89.00' @ 12.60 hrs Surf.Area= 802 sf Storage= 324 cf

Plug-Flow detention time= 44.6 min calculated for 0.025 af (100% of inflow)  
 Center-of-Mass det. time= 44.0 min ( 807.6 - 763.6 )

Volume	Invert	Avail.Storage	Storage Description
#1A	88.20'	578 cf	<b>20.83'W x 38.50'L x 3.54'H Field A</b> 2,841 cf Overall - 1,088 cf Embedded = 1,753 cf x 33.0% Voids
#2A	88.70'	1,088 cf	<b>Cultec R-330XLHD x 20 Inside #1</b> Effective Size= 47.8"W x 30.0"H => 7.45 sf x 7.00'L = 52.2 cf Overall Size= 52.0"W x 30.5"H x 8.50'L with 1.50' Overlap Row Length Adjustment= +1.50' x 7.45 sf x 4 rows
		1,666 cf	Total Available Storage

Storage Group A created with Chamber Wizard

Device	Routing	Invert	Outlet Devices
#1	Discarded	88.20'	<b>2.410 in/hr Exfiltration over Surface area</b>

**Discarded OutFlow** Max=0.04 cfs @ 11.65 hrs HW=88.24' (Free Discharge)  
 ↑**1=Exfiltration** (Exfiltration Controls 0.04 cfs)

**[2422] Proposed Conditions**

Type III 24-hr 2-year Storm Event Rainfall=4.04"

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**Pond 1P: Infiltration System - Chamber Wizard Field A**

**Chamber Model = Cultec R-330XLHD (Cultec Recharger® 330XLHD)**

Effective Size= 47.8"W x 30.0"H => 7.45 sf x 7.00'L = 52.2 cf

Overall Size= 52.0"W x 30.5"H x 8.50'L with 1.50' Overlap

Row Length Adjustment= +1.50' x 7.45 sf x 4 rows

52.0" Wide + 6.0" Spacing = 58.0" C-C Row Spacing

5 Chambers/Row x 7.00' Long +1.50' Row Adjustment = 36.50' Row Length +12.0" End Stone x 2 = 38.50' Base Length

4 Rows x 52.0" Wide + 6.0" Spacing x 3 + 12.0" Side Stone x 2 = 20.83' Base Width

6.0" Stone Base + 30.5" Chamber Height + 6.0" Stone Cover = 3.54' Field Height

20 Chambers x 52.2 cf +1.50' Row Adjustment x 7.45 sf x 4 Rows = 1,087.8 cf Chamber Storage

2,840.7 cf Field - 1,087.8 cf Chambers = 1,752.9 cf Stone x 33.0% Voids = 578.4 cf Stone Storage

Chamber Storage + Stone Storage = 1,666.3 cf = 0.038 af

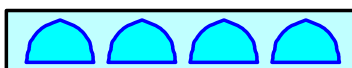
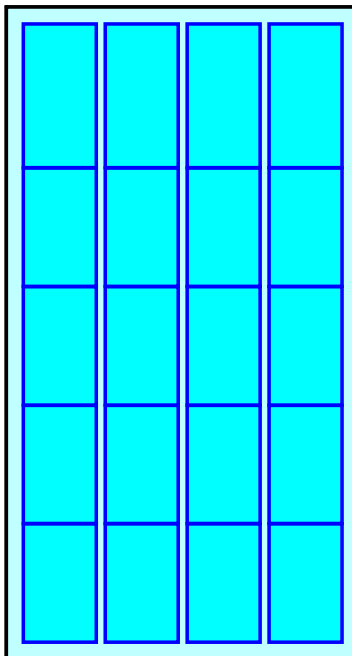
Overall Storage Efficiency = 58.7%

Overall System Size = 38.50' x 20.83' x 3.54'

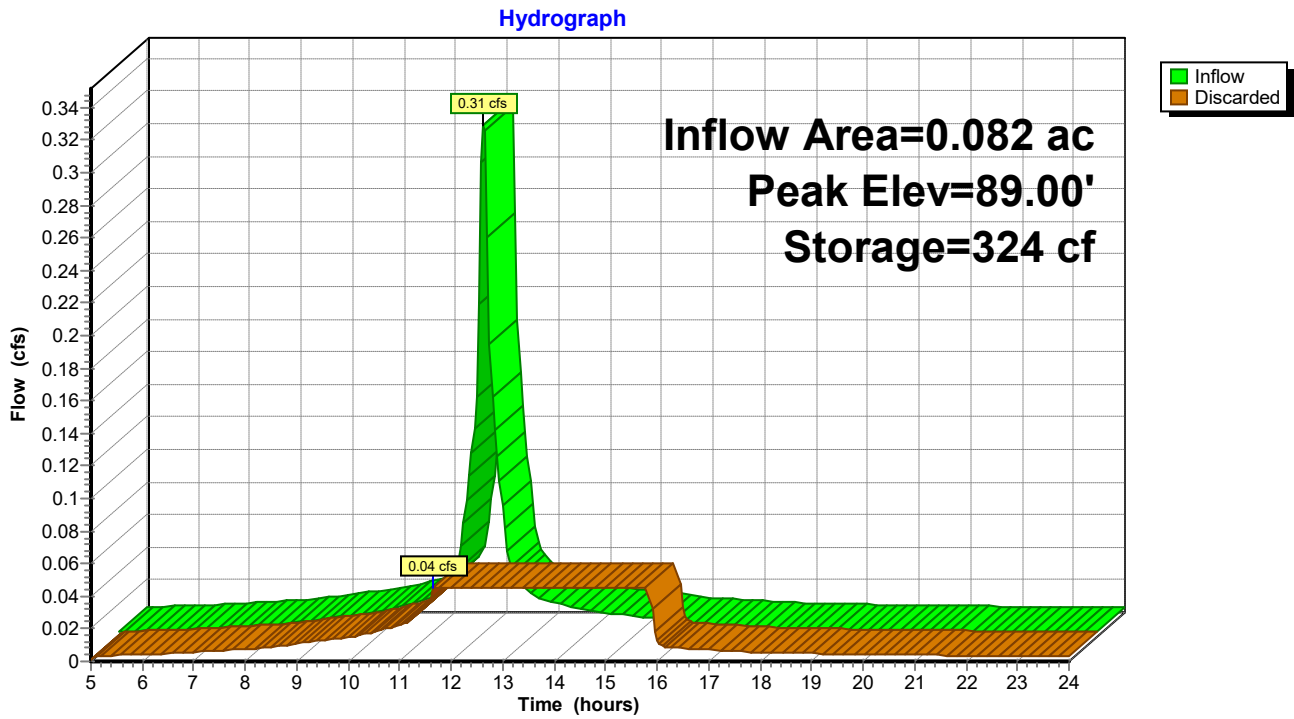
20 Chambers

105.2 cy Field

64.9 cy Stone



### Pond 1P: Infiltration System



**[2422] Proposed Conditions**

Type III 24-hr 2-year Storm Event Rainfall=4.04"

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**Summary for Pond 2P: Pervious Pavers**

Inflow Area = 0.030 ac, 100.00% Impervious, Inflow Depth > 3.72" for 2-year Storm Event event  
 Inflow = 0.11 cfs @ 12.09 hrs, Volume= 0.009 af  
 Outflow = 0.07 cfs @ 12.05 hrs, Volume= 0.009 af, Atten= 37%, Lag= 0.0 min  
 Discarded = 0.07 cfs @ 12.05 hrs, Volume= 0.009 af

Routing by Stor-Ind method, Time Span= 5.00-24.00 hrs, dt= 0.05 hrs  
 Peak Elev= 88.25' @ 12.19 hrs Surf.Area= 1,296 sf Storage= 21 cf

Plug-Flow detention time= 1.7 min calculated for 0.009 af (100% of inflow)  
 Center-of-Mass det. time= 1.4 min ( 765.1 - 763.6 )

Volume	Invert	Avail.Storage	Storage Description
#1	88.20'	428 cf	<b>Custom Stage Data (Prismatic)</b> Listed below 1,296 cf Overall x 33.0% Voids

Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
88.20	1,296	0	0
89.20	1,296	1,296	1,296

Device	Routing	Invert	Outlet Devices
#1	Discarded	88.20'	<b>2.410 in/hr Exfiltration over Surface area</b>

**Discarded OutFlow** Max=0.07 cfs @ 12.05 hrs HW=88.22' (Free Discharge)  
 ↑1=Exfiltration (Exfiltration Controls 0.07 cfs)

**[2422] Proposed Conditions**

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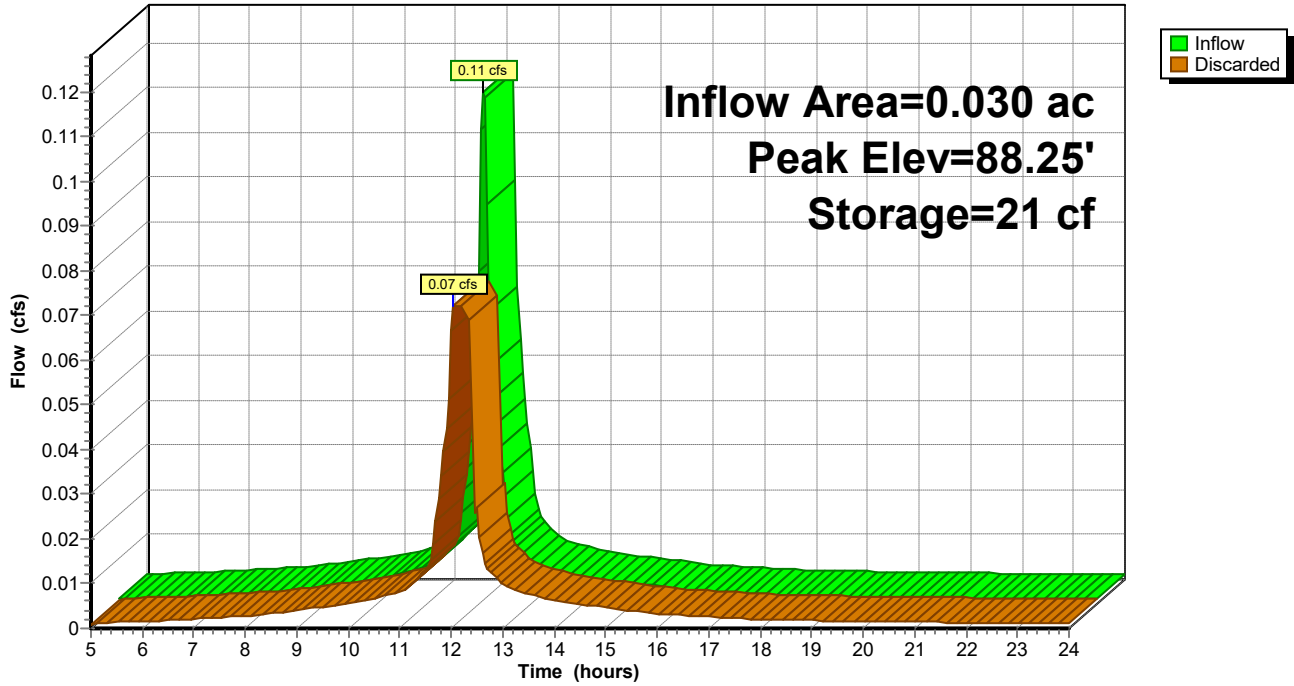
Type III 24-hr 2-year Storm Event Rainfall=4.04"

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**Pond 2P: Pervious Pavers**

Hydrograph





**[2422] Proposed Conditions**

Type III 24-hr 10-year Storm Event Rainfall=6.43"

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**Summary for Subcatchment 1S: Remainder of Land**

Runoff = 0.52 cfs @ 12.09 hrs, Volume= 0.037 af, Depth> 3.15"

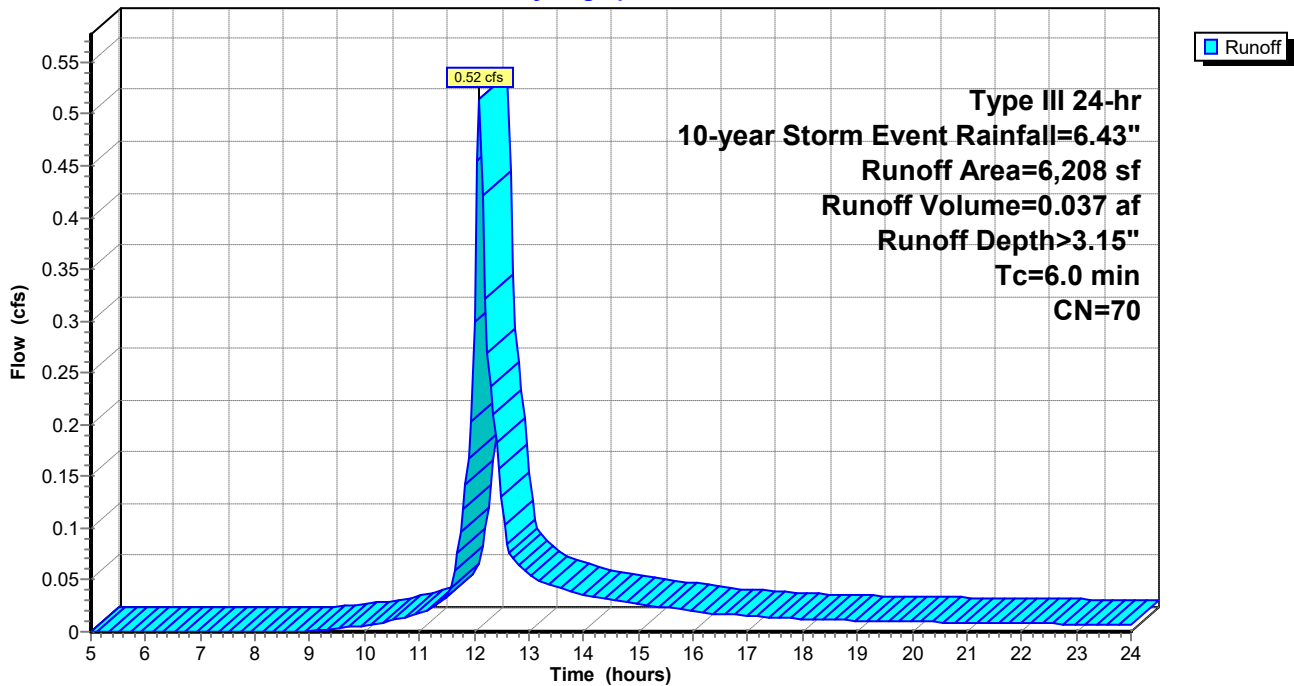
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-24.00 hrs, dt= 0.05 hrs  
 Type III 24-hr 10-year Storm Event Rainfall=6.43"

Area (sf)	CN	Description
2,908	39	>75% Grass cover, Good, HSG A
3,300	98	Paved parking, HSG A
6,208	70	Weighted Average
2,908		46.84% Pervious Area
3,300		53.16% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.0					Direct Entry,

**Subcatchment 1S: Remainder of Land**

Hydrograph



**[2422] Proposed Conditions**

Type III 24-hr 10-year Storm Event Rainfall=6.43"

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**Summary for Subcatchment 2S: Roof**

Runoff = 0.50 cfs @ 12.09 hrs, Volume= 0.041 af, Depth> 6.00"

Routed to Pond 1P : Infiltration System

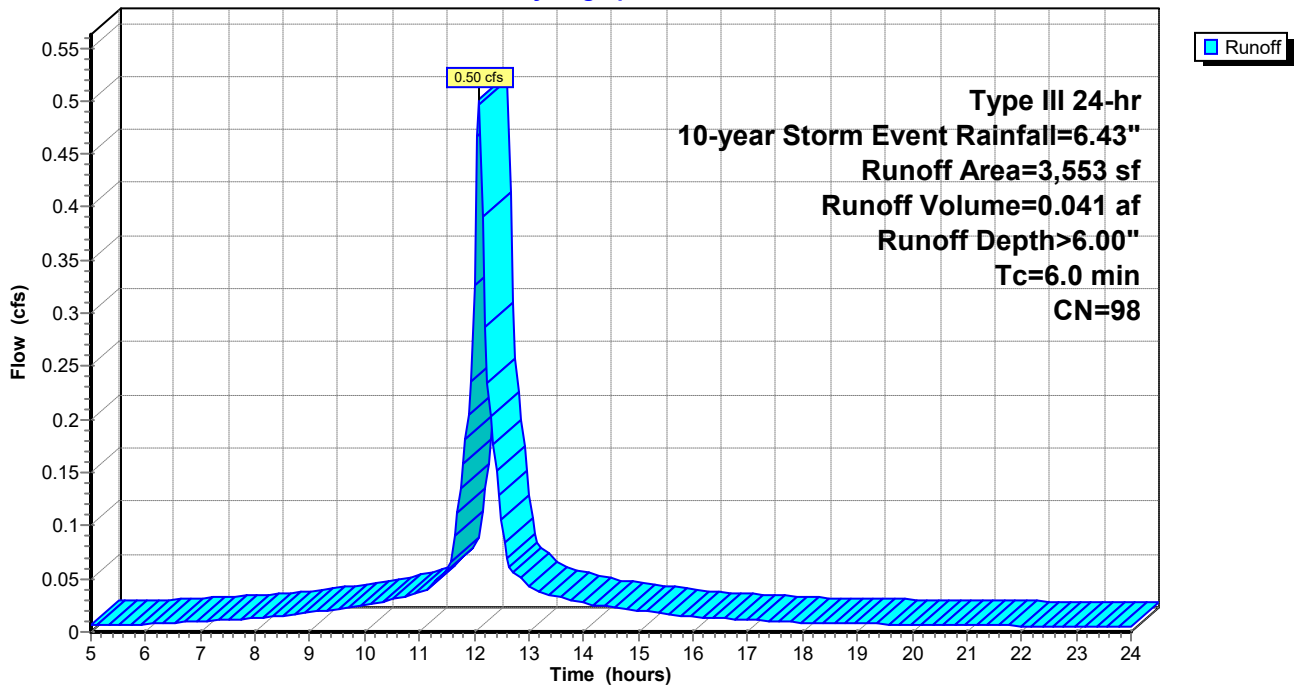
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-24.00 hrs, dt= 0.05 hrs  
Type III 24-hr 10-year Storm Event Rainfall=6.43"

Area (sf)	CN	Description
3,553	98	Roofs, HSG A
3,553		100.00% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.0					Direct Entry,

**Subcatchment 2S: Roof**

Hydrograph



**[2422] Proposed Conditions**

Type III 24-hr 10-year Storm Event Rainfall=6.43"

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**Summary for Subcatchment 3S: Walks**

Runoff = 0.18 cfs @ 12.09 hrs, Volume= 0.015 af, Depth> 6.00"  
 Routed to Pond 2P : Pervious Pavers

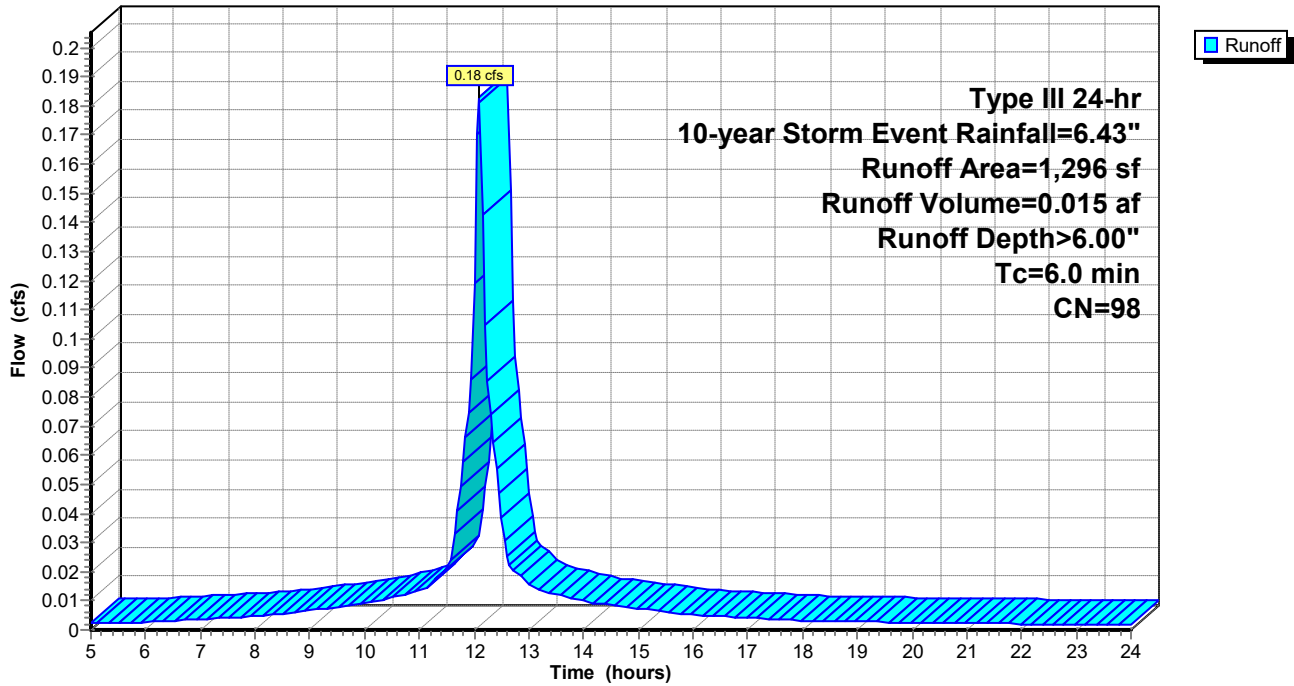
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-24.00 hrs, dt= 0.05 hrs  
 Type III 24-hr 10-year Storm Event Rainfall=6.43"

Area (sf)	CN	Description
1,296	98	Paved parking, HSG A
1,296		100.00% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.0					Direct Entry,

**Subcatchment 3S: Walks**

Hydrograph



**[2422] Proposed Conditions**

Type III 24-hr 10-year Storm Event Rainfall=6.43"

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**Summary for Pond 1P: Infiltration System**

Inflow Area = 0.082 ac, 100.00% Impervious, Inflow Depth > 6.00" for 10-year Storm Event event  
 Inflow = 0.50 cfs @ 12.09 hrs, Volume= 0.041 af  
 Outflow = 0.04 cfs @ 11.30 hrs, Volume= 0.041 af, Atten= 91%, Lag= 0.0 min  
 Discarded = 0.04 cfs @ 11.30 hrs, Volume= 0.041 af

Routing by Stor-Ind method, Time Span= 5.00-24.00 hrs, dt= 0.05 hrs  
 Peak Elev= 89.49' @ 12.96 hrs Surf.Area= 802 sf Storage= 637 cf

Plug-Flow detention time= 101.7 min calculated for 0.041 af (100% of inflow)  
 Center-of-Mass det. time= 101.0 min ( 861.7 - 760.7 )

Volume	Invert	Avail.Storage	Storage Description
#1A	88.20'	578 cf	<b>20.83'W x 38.50'L x 3.54'H Field A</b> 2,841 cf Overall - 1,088 cf Embedded = 1,753 cf x 33.0% Voids
#2A	88.70'	1,088 cf	<b>Cultec R-330XLHD x 20 Inside #1</b> Effective Size= 47.8"W x 30.0"H => 7.45 sf x 7.00'L = 52.2 cf Overall Size= 52.0"W x 30.5"H x 8.50'L with 1.50' Overlap Row Length Adjustment= +1.50' x 7.45 sf x 4 rows
		1,666 cf	Total Available Storage

Storage Group A created with Chamber Wizard

Device	Routing	Invert	Outlet Devices
#1	Discarded	88.20'	<b>2.410 in/hr Exfiltration over Surface area</b>

**Discarded OutFlow** Max=0.04 cfs @ 11.30 hrs HW=88.24' (Free Discharge)  
 ↑**1=Exfiltration** (Exfiltration Controls 0.04 cfs)

**[2422] Proposed Conditions**

Type III 24-hr 10-year Storm Event Rainfall=6.43"

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**Pond 1P: Infiltration System - Chamber Wizard Field A**

**Chamber Model = Cultec R-330XLHD (Cultec Recharger® 330XLHD)**

Effective Size= 47.8"W x 30.0"H => 7.45 sf x 7.00'L = 52.2 cf

Overall Size= 52.0"W x 30.5"H x 8.50'L with 1.50' Overlap

Row Length Adjustment= +1.50' x 7.45 sf x 4 rows

52.0" Wide + 6.0" Spacing = 58.0" C-C Row Spacing

5 Chambers/Row x 7.00' Long +1.50' Row Adjustment = 36.50' Row Length +12.0" End Stone x 2 = 38.50' Base Length

4 Rows x 52.0" Wide + 6.0" Spacing x 3 + 12.0" Side Stone x 2 = 20.83' Base Width

6.0" Stone Base + 30.5" Chamber Height + 6.0" Stone Cover = 3.54' Field Height

20 Chambers x 52.2 cf +1.50' Row Adjustment x 7.45 sf x 4 Rows = 1,087.8 cf Chamber Storage

2,840.7 cf Field - 1,087.8 cf Chambers = 1,752.9 cf Stone x 33.0% Voids = 578.4 cf Stone Storage

Chamber Storage + Stone Storage = 1,666.3 cf = 0.038 af

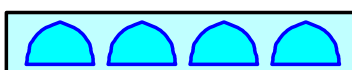
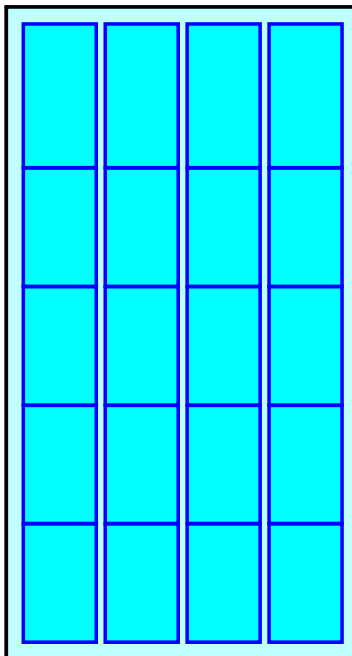
Overall Storage Efficiency = 58.7%

Overall System Size = 38.50' x 20.83' x 3.54'

20 Chambers

105.2 cy Field

64.9 cy Stone





**[2422] Proposed Conditions**

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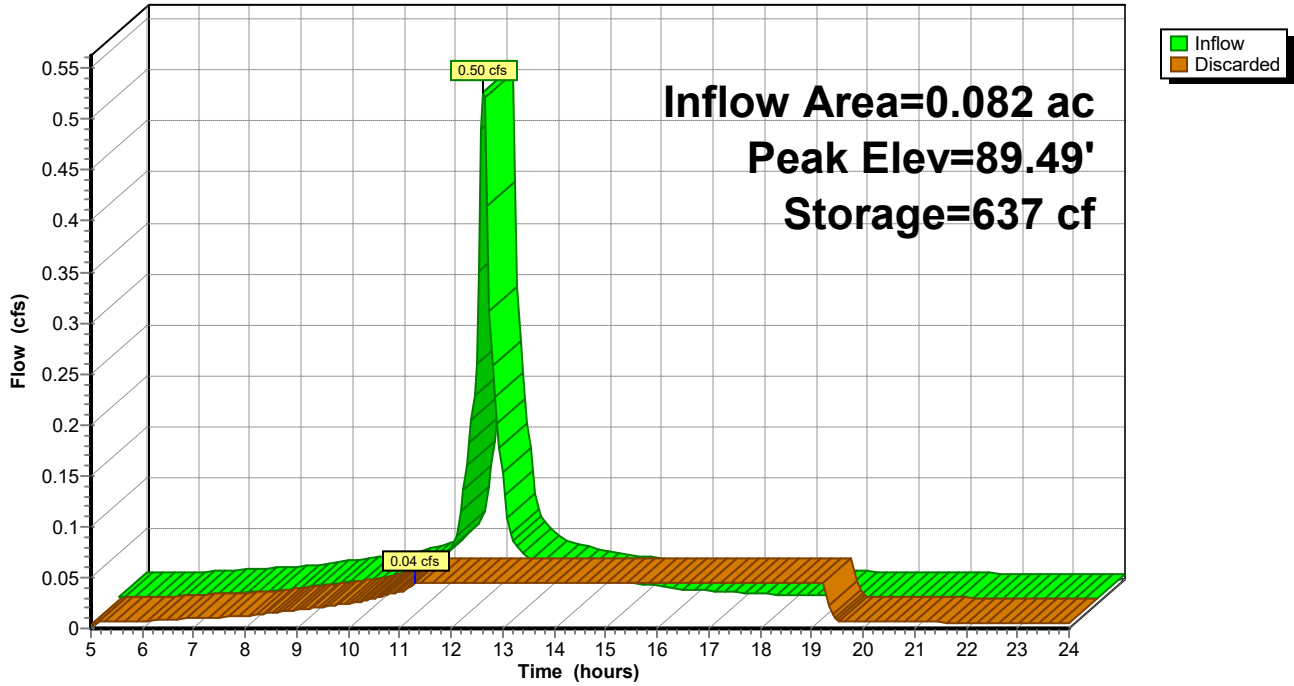
Type III 24-hr 10-year Storm Event Rainfall=6.43"

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**Pond 1P: Infiltration System**

Hydrograph



**[2422] Proposed Conditions**

Type III 24-hr 10-year Storm Event Rainfall=6.43"

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**Summary for Pond 2P: Pervious Pavers**

Inflow Area = 0.030 ac, 100.00% Impervious, Inflow Depth > 6.00" for 10-year Storm Event event  
 Inflow = 0.18 cfs @ 12.09 hrs, Volume= 0.015 af  
 Outflow = 0.07 cfs @ 11.95 hrs, Volume= 0.015 af, Atten= 61%, Lag= 0.0 min  
 Discarded = 0.07 cfs @ 11.95 hrs, Volume= 0.015 af

Routing by Stor-Ind method, Time Span= 5.00-24.00 hrs, dt= 0.05 hrs  
 Peak Elev= 88.37' @ 12.31 hrs Surf.Area= 1,296 sf Storage= 74 cf

Plug-Flow detention time= 4.6 min calculated for 0.015 af (100% of inflow)  
 Center-of-Mass det. time= 4.4 min ( 765.1 - 760.7 )

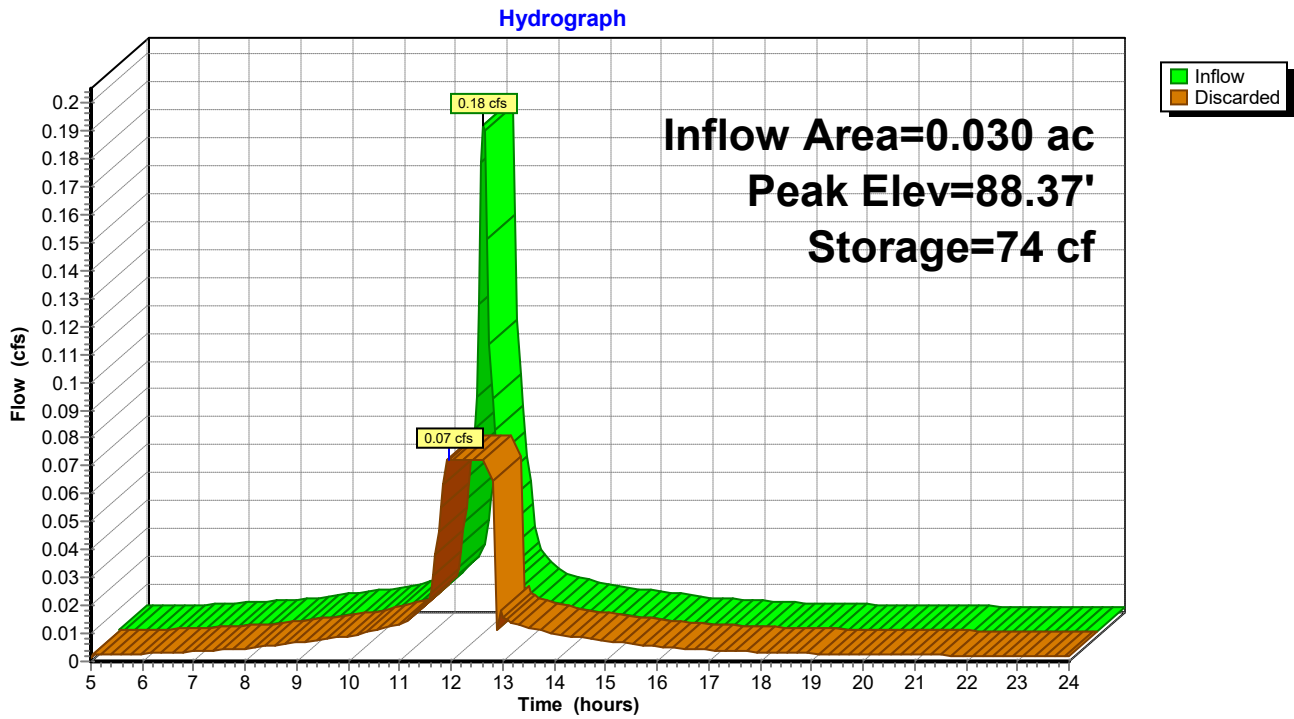
Volume	Invert	Avail.Storage	Storage Description
#1	88.20'	428 cf	<b>Custom Stage Data (Prismatic)</b> Listed below 1,296 cf Overall x 33.0% Voids

Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
88.20	1,296	0	0
89.20	1,296	1,296	1,296

Device	Routing	Invert	Outlet Devices
#1	Discarded	88.20'	<b>2.410 in/hr Exfiltration over Surface area</b>

**Discarded OutFlow** Max=0.07 cfs @ 11.95 hrs HW=88.21' (Free Discharge)  
 ↑1=Exfiltration (Exfiltration Controls 0.07 cfs)

### Pond 2P: Pervious Pavers



**[2422] Proposed Conditions**

Type III 24-hr 50-year Storm Event Rainfall=9.69"

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**Summary for Subcatchment 1S: Remainder of Land**

Runoff = 0.97 cfs @ 12.09 hrs, Volume= 0.071 af, Depth> 5.94"

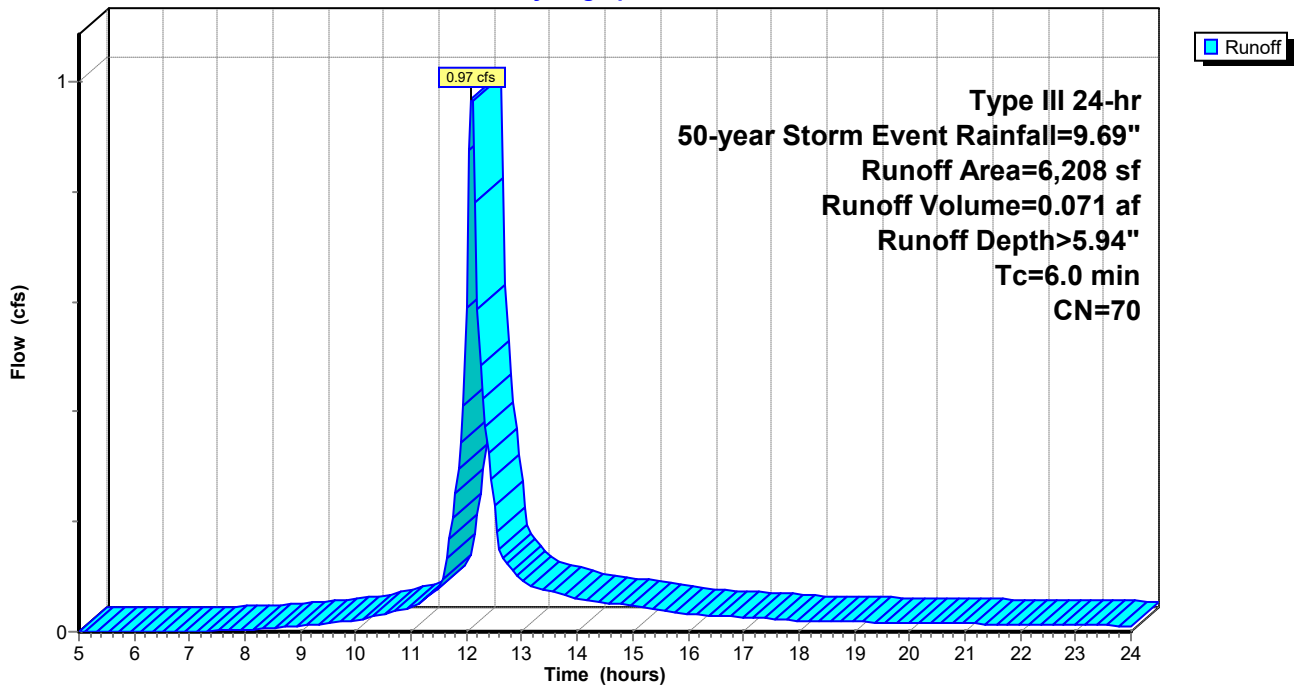
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-24.00 hrs, dt= 0.05 hrs  
 Type III 24-hr 50-year Storm Event Rainfall=9.69"

Area (sf)	CN	Description
2,908	39	>75% Grass cover, Good, HSG A
3,300	98	Paved parking, HSG A
6,208	70	Weighted Average
2,908		46.84% Pervious Area
3,300		53.16% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.0					Direct Entry,

**Subcatchment 1S: Remainder of Land**

Hydrograph



**[2422] Proposed Conditions**

Type III 24-hr 50-year Storm Event Rainfall=9.69"

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**Summary for Subcatchment 2S: Roof**

Runoff = 0.76 cfs @ 12.09 hrs, Volume= 0.062 af, Depth> 9.10"  
 Routed to Pond 1P : Infiltration System

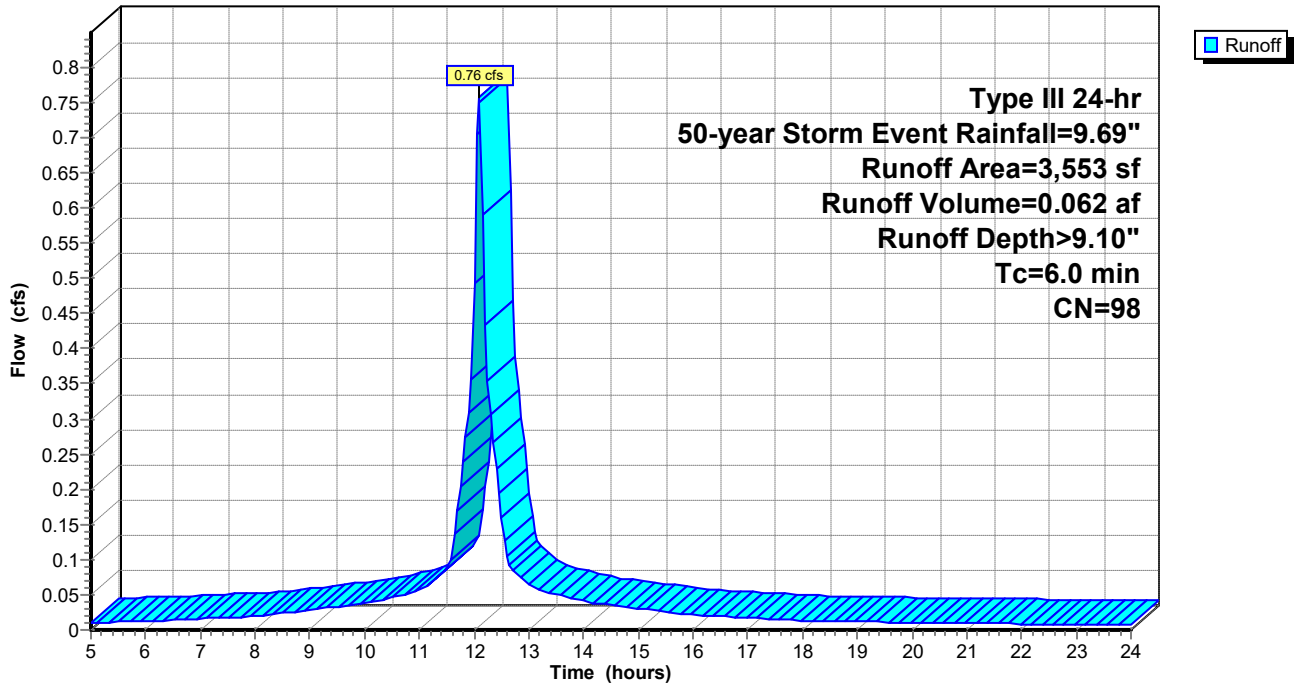
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-24.00 hrs, dt= 0.05 hrs  
 Type III 24-hr 50-year Storm Event Rainfall=9.69"

Area (sf)	CN	Description
3,553	98	Roofs, HSG A
3,553		100.00% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.0					Direct Entry,

**Subcatchment 2S: Roof**

Hydrograph





**[2422] Proposed Conditions**

Type III 24-hr 50-year Storm Event Rainfall=9.69"

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**Summary for Subcatchment 3S: Walks**

Runoff = 0.28 cfs @ 12.09 hrs, Volume= 0.023 af, Depth> 9.10"  
 Routed to Pond 2P : Pervious Pavers

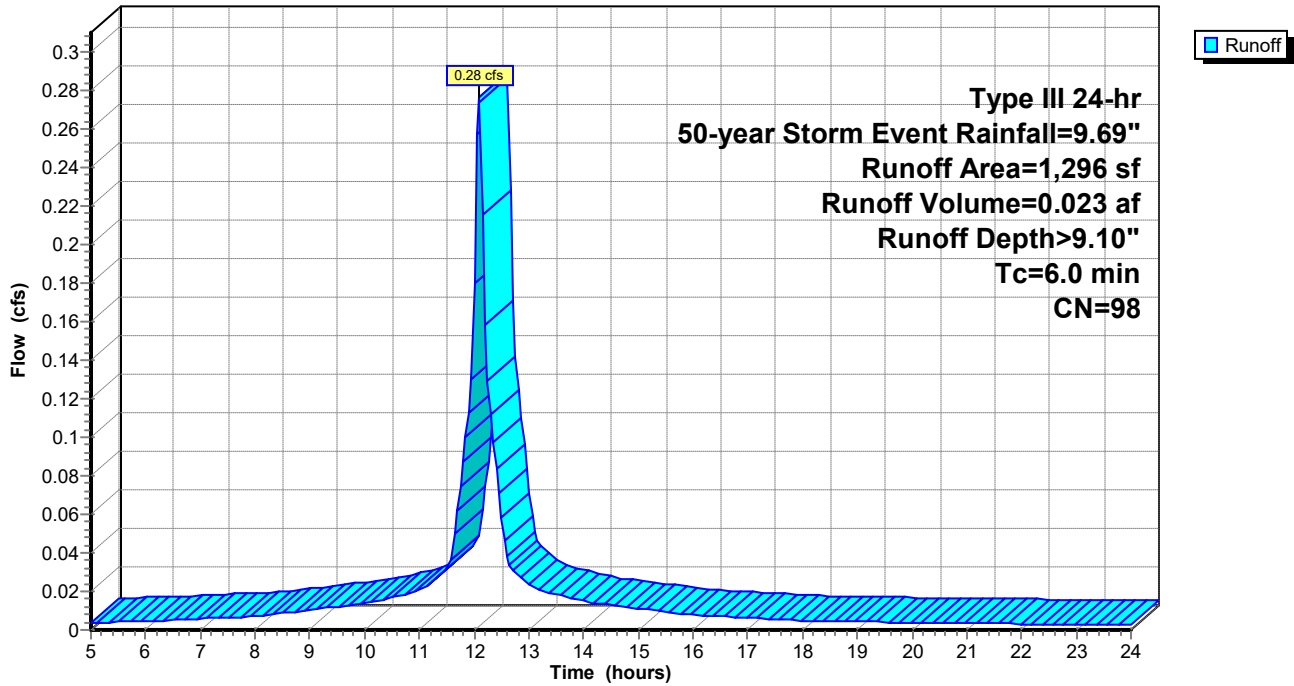
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-24.00 hrs, dt= 0.05 hrs  
 Type III 24-hr 50-year Storm Event Rainfall=9.69"

Area (sf)	CN	Description
1,296	98	Paved parking, HSG A
1,296		100.00% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.0					Direct Entry,

**Subcatchment 3S: Walks**

Hydrograph



**[2422] Proposed Conditions**

Type III 24-hr 50-year Storm Event Rainfall=9.69"

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**Summary for Pond 1P: Infiltration System**

Inflow Area = 0.082 ac, 100.00% Impervious, Inflow Depth > 9.10" for 50-year Storm Event event  
 Inflow = 0.76 cfs @ 12.09 hrs, Volume= 0.062 af  
 Outflow = 0.04 cfs @ 10.50 hrs, Volume= 0.060 af, Atten= 94%, Lag= 0.0 min  
 Discarded = 0.04 cfs @ 10.50 hrs, Volume= 0.060 af

Routing by Stor-Ind method, Time Span= 5.00-24.00 hrs, dt= 0.05 hrs  
 Peak Elev= 90.35' @ 13.79 hrs Surf.Area= 802 sf Storage= 1,151 cf

Plug-Flow detention time= 210.3 min calculated for 0.060 af (96% of inflow)  
 Center-of-Mass det. time= 190.0 min ( 949.3 - 759.3 )

Volume	Invert	Avail.Storage	Storage Description
#1A	88.20'	578 cf	<b>20.83'W x 38.50'L x 3.54'H Field A</b> 2,841 cf Overall - 1,088 cf Embedded = 1,753 cf x 33.0% Voids
#2A	88.70'	1,088 cf	<b>Cultec R-330XLHD x 20 Inside #1</b> Effective Size= 47.8"W x 30.0"H => 7.45 sf x 7.00'L = 52.2 cf Overall Size= 52.0"W x 30.5"H x 8.50'L with 1.50' Overlap Row Length Adjustment= +1.50' x 7.45 sf x 4 rows
		1,666 cf	Total Available Storage

Storage Group A created with Chamber Wizard

Device	Routing	Invert	Outlet Devices
#1	Discarded	88.20'	<b>2.410 in/hr Exfiltration over Surface area</b>

**Discarded OutFlow** Max=0.04 cfs @ 10.50 hrs HW=88.24' (Free Discharge)  
 ↑**1=Exfiltration** (Exfiltration Controls 0.04 cfs)

**[2422] Proposed Conditions**

Type III 24-hr 50-year Storm Event Rainfall=9.69"

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Printed 9/6/2024

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**Pond 1P: Infiltration System - Chamber Wizard Field A**

**Chamber Model = Cultec R-330XLHD (Cultec Recharger® 330XLHD)**

Effective Size= 47.8"W x 30.0"H => 7.45 sf x 7.00'L = 52.2 cf

Overall Size= 52.0"W x 30.5"H x 8.50'L with 1.50' Overlap

Row Length Adjustment= +1.50' x 7.45 sf x 4 rows

52.0" Wide + 6.0" Spacing = 58.0" C-C Row Spacing

5 Chambers/Row x 7.00' Long +1.50' Row Adjustment = 36.50' Row Length +12.0" End Stone x 2 = 38.50' Base Length

4 Rows x 52.0" Wide + 6.0" Spacing x 3 + 12.0" Side Stone x 2 = 20.83' Base Width

6.0" Stone Base + 30.5" Chamber Height + 6.0" Stone Cover = 3.54' Field Height

20 Chambers x 52.2 cf +1.50' Row Adjustment x 7.45 sf x 4 Rows = 1,087.8 cf Chamber Storage

2,840.7 cf Field - 1,087.8 cf Chambers = 1,752.9 cf Stone x 33.0% Voids = 578.4 cf Stone Storage

Chamber Storage + Stone Storage = 1,666.3 cf = 0.038 af

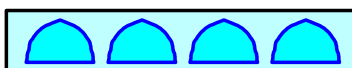
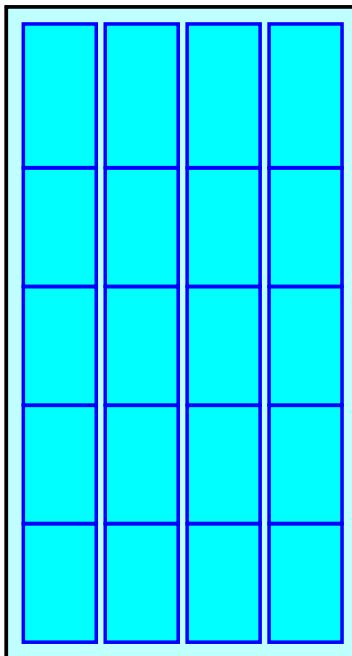
Overall Storage Efficiency = 58.7%

Overall System Size = 38.50' x 20.83' x 3.54'

20 Chambers

105.2 cy Field

64.9 cy Stone



**[2422] Proposed Conditions**

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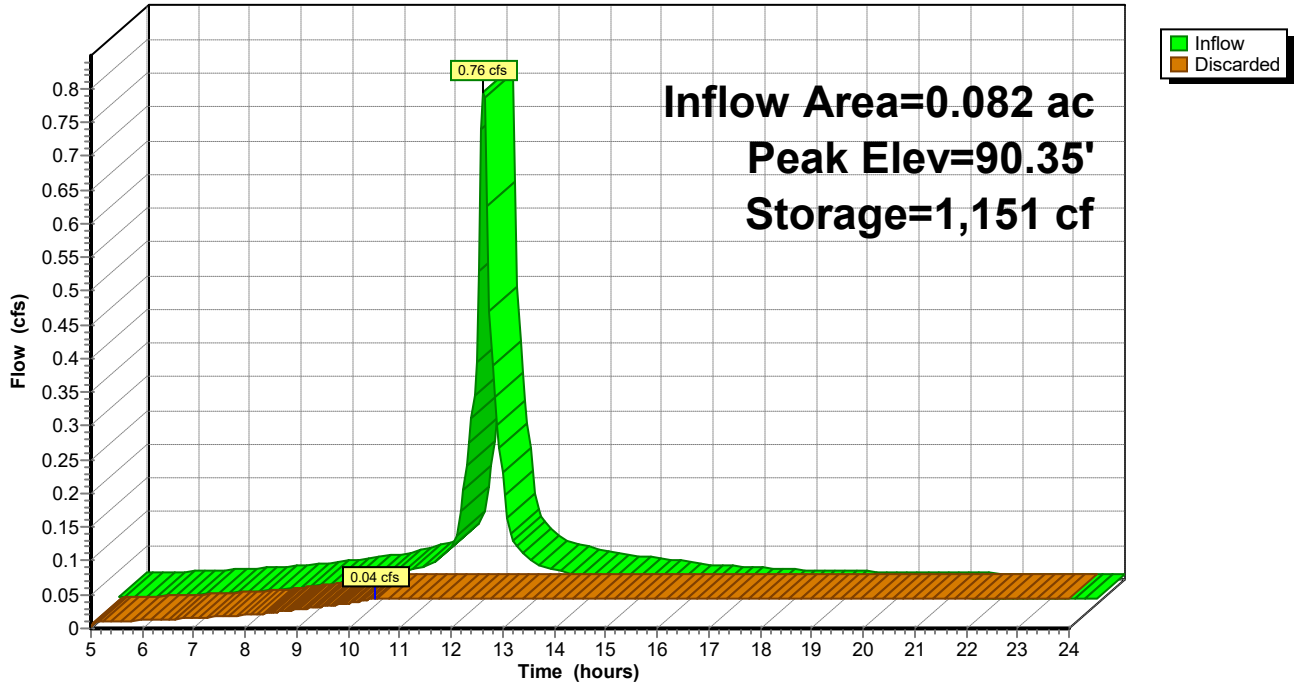
Type III 24-hr 50-year Storm Event Rainfall=9.69"

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**Pond 1P: Infiltration System**

Hydrograph



**[2422] Proposed Conditions**

Type III 24-hr 50-year Storm Event Rainfall=9.69"

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**Summary for Pond 2P: Pervious Pavers**

Inflow Area = 0.030 ac, 100.00% Impervious, Inflow Depth > 9.10" for 50-year Storm Event event  
 Inflow = 0.28 cfs @ 12.09 hrs, Volume= 0.023 af  
 Outflow = 0.07 cfs @ 11.80 hrs, Volume= 0.023 af, Atten= 74%, Lag= 0.0 min  
 Discarded = 0.07 cfs @ 11.80 hrs, Volume= 0.023 af

Routing by Stor-Ind method, Time Span= 5.00-24.00 hrs, dt= 0.05 hrs  
 Peak Elev= 88.63' @ 12.45 hrs Surf.Area= 1,296 sf Storage= 184 cf

Plug-Flow detention time= 12.0 min calculated for 0.023 af (100% of inflow)  
 Center-of-Mass det. time= 11.7 min ( 771.0 - 759.3 )

Volume	Invert	Avail.Storage	Storage Description
#1	88.20'	428 cf	<b>Custom Stage Data (Prismatic)</b> Listed below 1,296 cf Overall x 33.0% Voids

Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
88.20	1,296	0	0
89.20	1,296	1,296	1,296

Device	Routing	Invert	Outlet Devices
#1	Discarded	88.20'	<b>2.410 in/hr Exfiltration over Surface area</b>

**Discarded OutFlow** Max=0.07 cfs @ 11.80 hrs HW=88.21' (Free Discharge)  
 ↑1=Exfiltration (Exfiltration Controls 0.07 cfs)



**[2422] Proposed Conditions**

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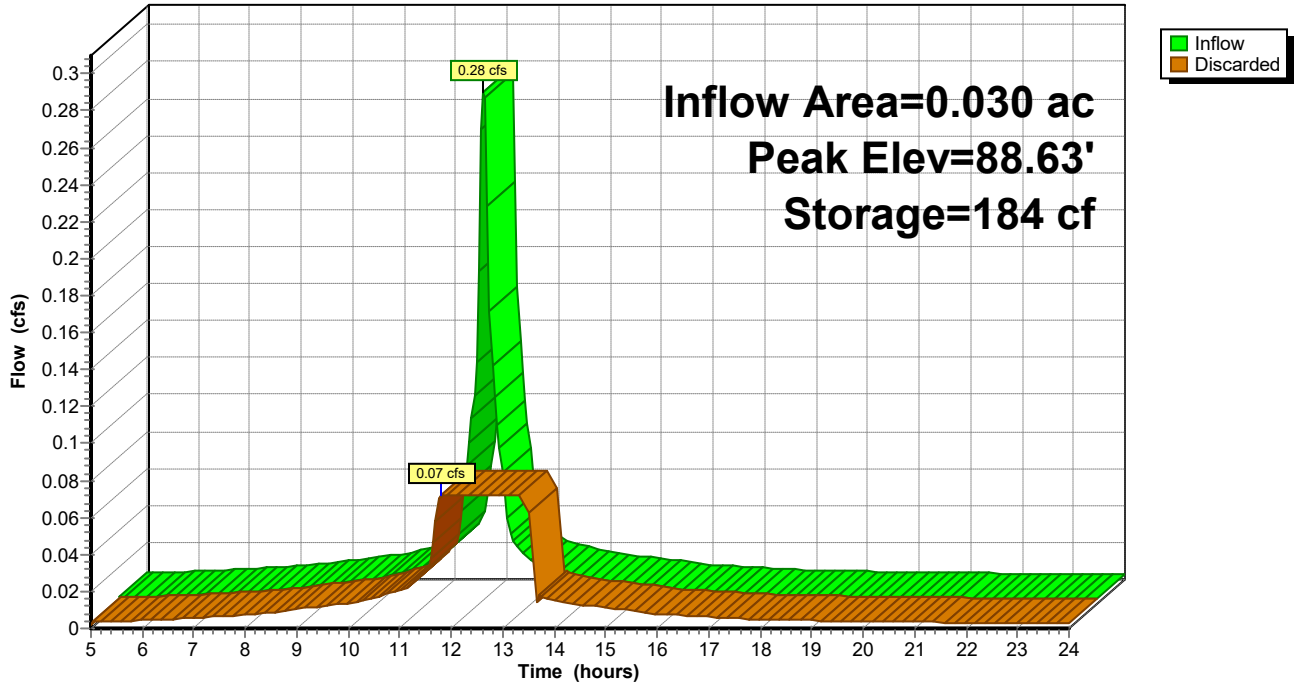
Type III 24-hr 50-year Storm Event Rainfall=9.69"

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**Pond 2P: Pervious Pavers**

Hydrograph



**[2422] Proposed Conditions**

Type III 24-hr 100-year Storm Event Rainfall=11.50"

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**Summary for Subcatchment 1S: Remainder of Land**

Runoff = 1.23 cfs @ 12.09 hrs, Volume= 0.090 af, Depth> 7.58"

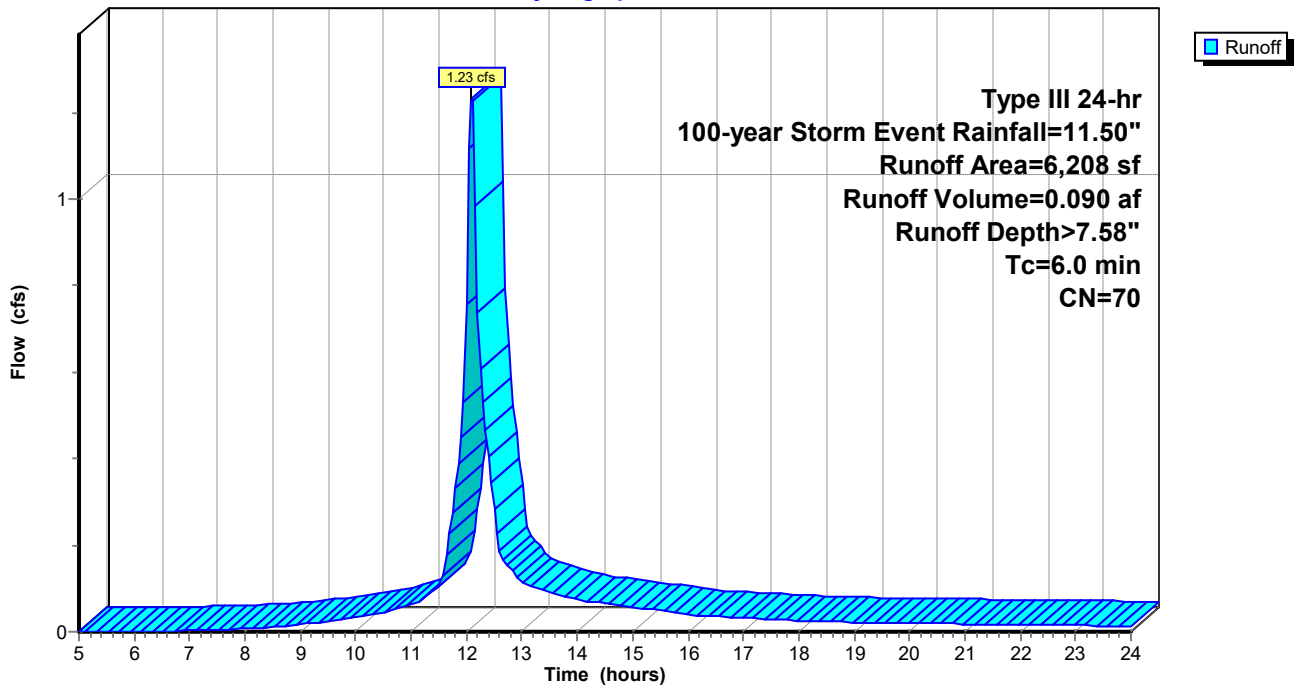
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-24.00 hrs, dt= 0.05 hrs  
 Type III 24-hr 100-year Storm Event Rainfall=11.50"

Area (sf)	CN	Description
2,908	39	>75% Grass cover, Good, HSG A
3,300	98	Paved parking, HSG A
6,208	70	Weighted Average
2,908		46.84% Pervious Area
3,300		53.16% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.0					Direct Entry,

**Subcatchment 1S: Remainder of Land**

Hydrograph



**[2422] Proposed Conditions**

Type III 24-hr 100-year Storm Event Rainfall=11.50"

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**Summary for Subcatchment 2S: Roof**

Runoff = 0.90 cfs @ 12.09 hrs, Volume= 0.073 af, Depth>10.81"  
 Routed to Pond 1P : Infiltration System

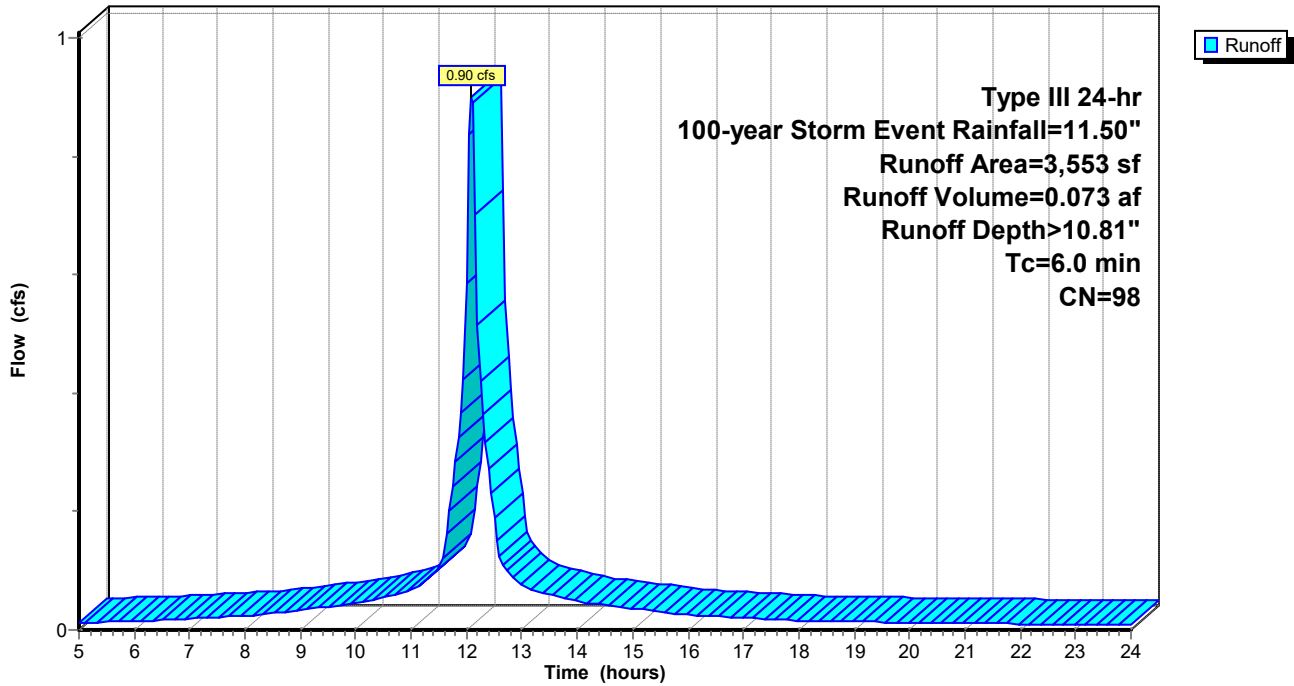
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-24.00 hrs, dt= 0.05 hrs  
 Type III 24-hr 100-year Storm Event Rainfall=11.50"

Area (sf)	CN	Description
3,553	98	Roofs, HSG A
3,553		100.00% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.0					Direct Entry,

**Subcatchment 2S: Roof**

Hydrograph



**[2422] Proposed Conditions**

Type III 24-hr 100-year Storm Event Rainfall=11.50"

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**Summary for Subcatchment 3S: Walks**

Runoff = 0.33 cfs @ 12.09 hrs, Volume= 0.027 af, Depth>10.81"  
 Routed to Pond 2P : Pervious Pavers

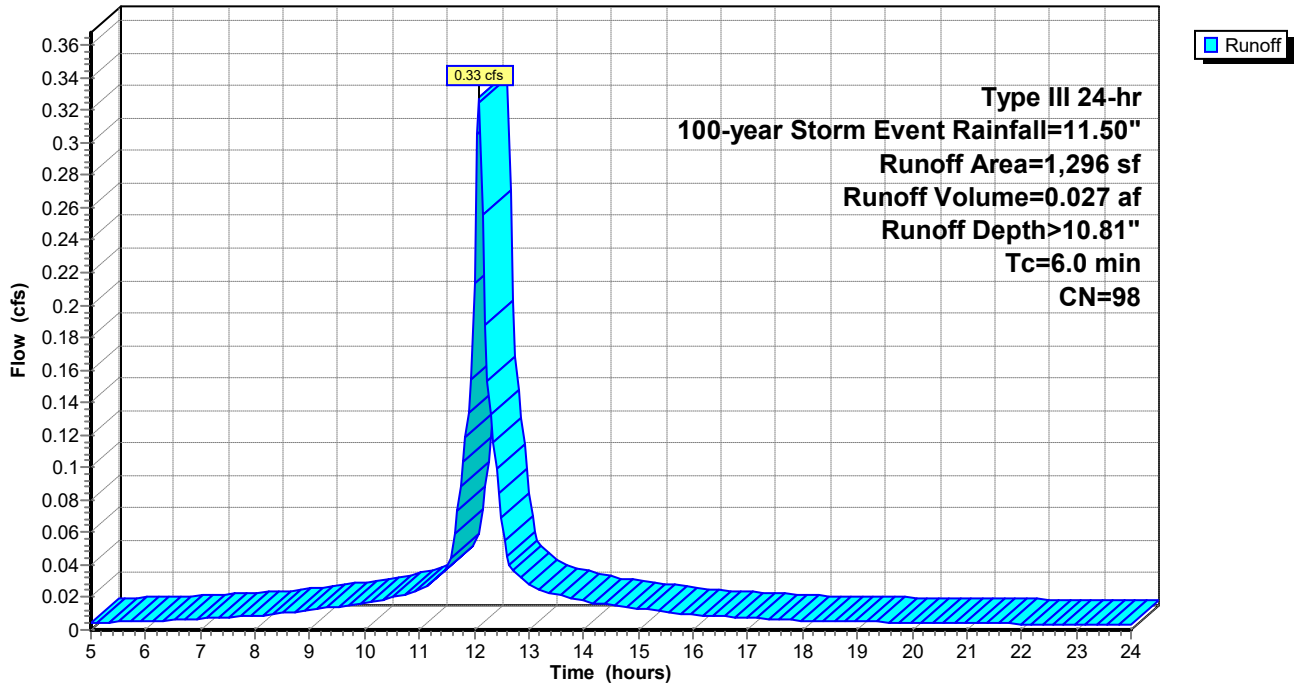
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-24.00 hrs, dt= 0.05 hrs  
 Type III 24-hr 100-year Storm Event Rainfall=11.50"

Area (sf)	CN	Description
1,296	98	Paved parking, HSG A
1,296		100.00% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.0					Direct Entry,

**Subcatchment 3S: Walks**

Hydrograph



**[2422] Proposed Conditions**

Type III 24-hr 100-year Storm Event Rainfall=11.50"

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**Summary for Pond 1P: Infiltration System**

Inflow Area = 0.082 ac, 100.00% Impervious, Inflow Depth > 10.81" for 100-year Storm Event event  
 Inflow = 0.90 cfs @ 12.09 hrs, Volume= 0.073 af  
 Outflow = 0.04 cfs @ 10.05 hrs, Volume= 0.062 af, Atten= 95%, Lag= 0.0 min  
 Discarded = 0.04 cfs @ 10.05 hrs, Volume= 0.062 af

Routing by Stor-Ind method, Time Span= 5.00-24.00 hrs, dt= 0.05 hrs  
 Peak Elev= 91.06' @ 14.24 hrs Surf.Area= 802 sf Storage= 1,480 cf

Plug-Flow detention time= 243.4 min calculated for 0.061 af (83% of inflow)  
 Center-of-Mass det. time= 177.4 min ( 936.4 - 758.9 )

Volume	Invert	Avail.Storage	Storage Description
#1A	88.20'	578 cf	<b>20.83'W x 38.50'L x 3.54'H Field A</b> 2,841 cf Overall - 1,088 cf Embedded = 1,753 cf x 33.0% Voids
#2A	88.70'	1,088 cf	<b>Cultec R-330XLHD x 20 Inside #1</b> Effective Size= 47.8"W x 30.0"H => 7.45 sf x 7.00'L = 52.2 cf Overall Size= 52.0"W x 30.5"H x 8.50'L with 1.50' Overlap Row Length Adjustment= +1.50' x 7.45 sf x 4 rows
		1,666 cf	Total Available Storage

Storage Group A created with Chamber Wizard

Device	Routing	Invert	Outlet Devices
#1	Discarded	88.20'	<b>2.410 in/hr Exfiltration over Surface area</b>

**Discarded OutFlow** Max=0.04 cfs @ 10.05 hrs HW=88.24' (Free Discharge)  
 ↑**1=Exfiltration** (Exfiltration Controls 0.04 cfs)



**[2422] Proposed Conditions**

Type III 24-hr 100-year Storm Event Rainfall=11.50"

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**Pond 1P: Infiltration System - Chamber Wizard Field A**

**Chamber Model = Cultec R-330XLHD (Cultec Recharger® 330XLHD)**

Effective Size= 47.8"W x 30.0"H => 7.45 sf x 7.00'L = 52.2 cf

Overall Size= 52.0"W x 30.5"H x 8.50'L with 1.50' Overlap

Row Length Adjustment= +1.50' x 7.45 sf x 4 rows

52.0" Wide + 6.0" Spacing = 58.0" C-C Row Spacing

5 Chambers/Row x 7.00' Long +1.50' Row Adjustment = 36.50' Row Length +12.0" End Stone x 2 = 38.50' Base Length

4 Rows x 52.0" Wide + 6.0" Spacing x 3 + 12.0" Side Stone x 2 = 20.83' Base Width

6.0" Stone Base + 30.5" Chamber Height + 6.0" Stone Cover = 3.54' Field Height

20 Chambers x 52.2 cf +1.50' Row Adjustment x 7.45 sf x 4 Rows = 1,087.8 cf Chamber Storage

2,840.7 cf Field - 1,087.8 cf Chambers = 1,752.9 cf Stone x 33.0% Voids = 578.4 cf Stone Storage

Chamber Storage + Stone Storage = 1,666.3 cf = 0.038 af

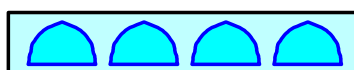
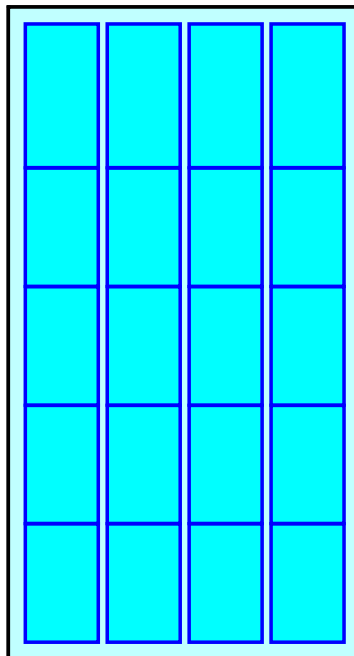
Overall Storage Efficiency = 58.7%

Overall System Size = 38.50' x 20.83' x 3.54'

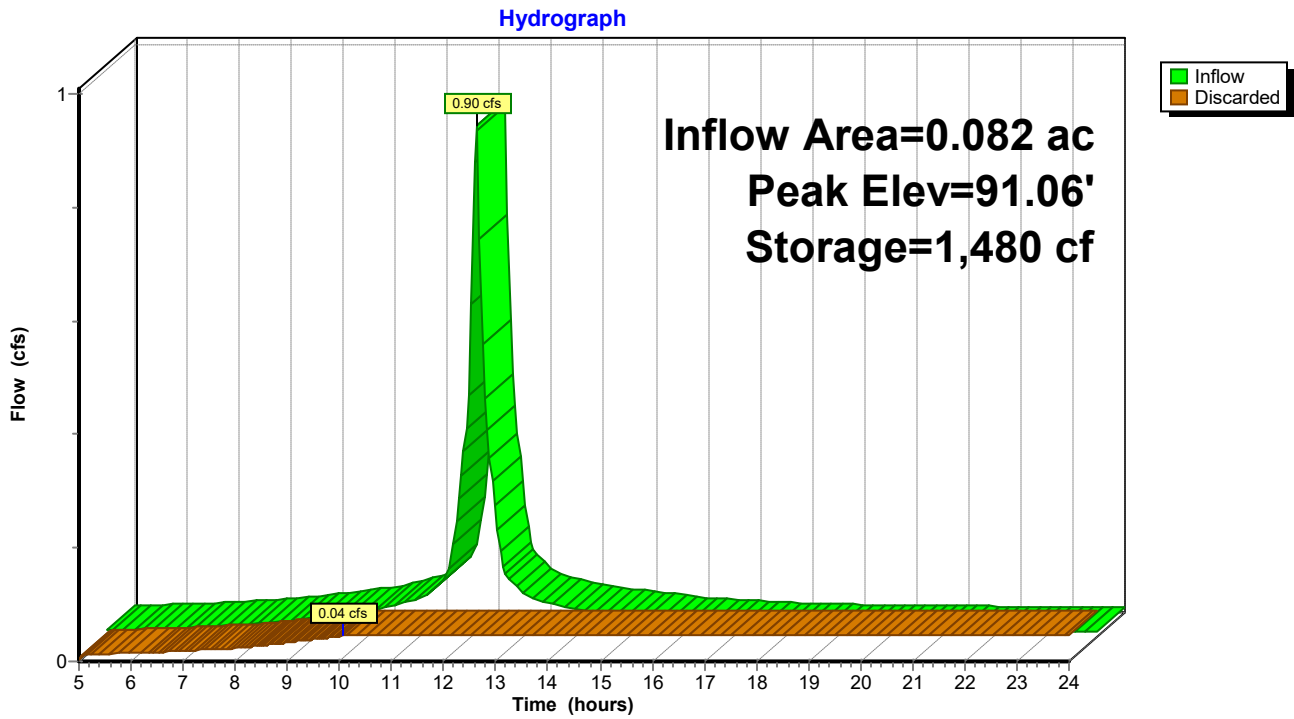
20 Chambers

105.2 cy Field

64.9 cy Stone



### Pond 1P: Infiltration System



**[2422] Proposed Conditions**

Type III 24-hr 100-year Storm Event Rainfall=11.50"

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**Summary for Pond 2P: Pervious Pavers**

Inflow Area = 0.030 ac, 100.00% Impervious, Inflow Depth > 10.81" for 100-year Storm Event event  
 Inflow = 0.33 cfs @ 12.09 hrs, Volume= 0.027 af  
 Outflow = 0.07 cfs @ 11.75 hrs, Volume= 0.027 af, Atten= 78%, Lag= 0.0 min  
 Discarded = 0.07 cfs @ 11.75 hrs, Volume= 0.027 af

Routing by Stor-Ind method, Time Span= 5.00-24.00 hrs, dt= 0.05 hrs  
 Peak Elev= 88.79' @ 12.49 hrs Surf.Area= 1,296 sf Storage= 254 cf

Plug-Flow detention time= 17.4 min calculated for 0.027 af (100% of inflow)  
 Center-of-Mass det. time= 17.1 min ( 776.1 - 758.9 )

Volume	Invert	Avail.Storage	Storage Description
#1	88.20'	428 cf	<b>Custom Stage Data (Prismatic)</b> Listed below 1,296 cf Overall x 33.0% Voids

Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
88.20	1,296	0	0
89.20	1,296	1,296	1,296

Device	Routing	Invert	Outlet Devices
#1	Discarded	88.20'	<b>2.410 in/hr Exfiltration over Surface area</b>

**Discarded OutFlow** Max=0.07 cfs @ 11.75 hrs HW=88.21' (Free Discharge)  
 ↑1=Exfiltration (Exfiltration Controls 0.07 cfs)

**[2422] Proposed Conditions**

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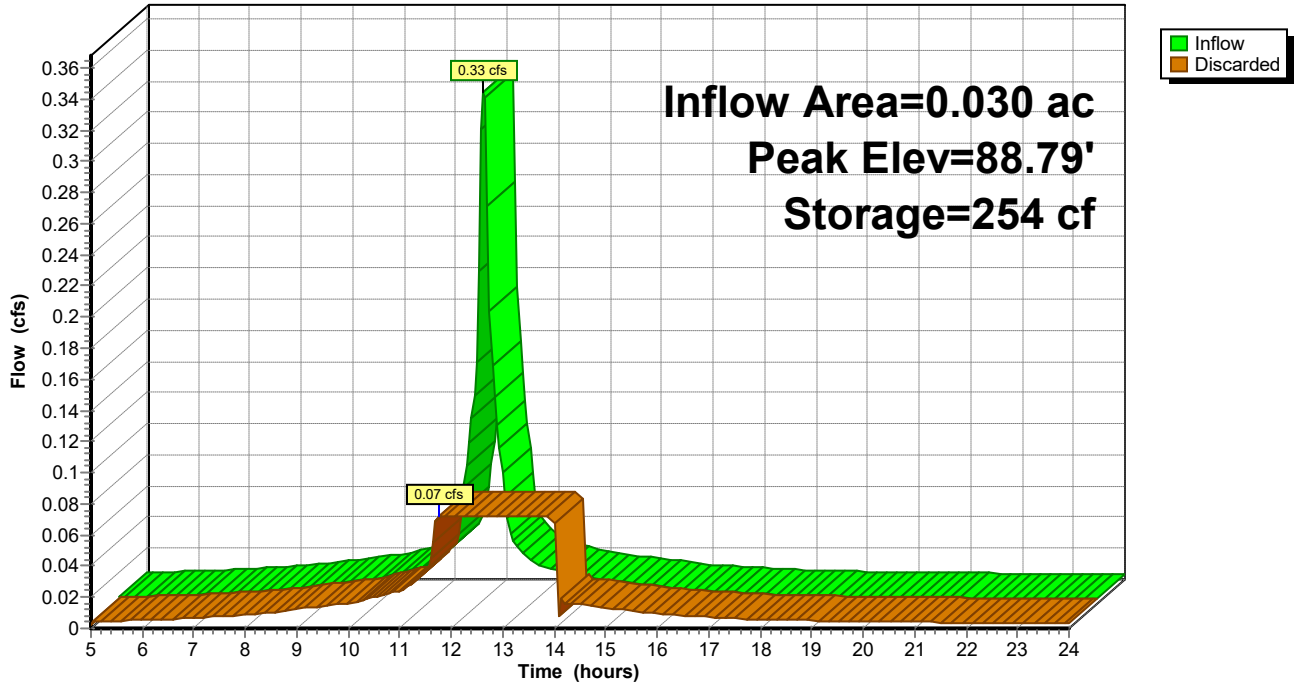
Type III 24-hr 100-year Storm Event Rainfall=11.50"

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**Pond 2P: Pervious Pavers**

Hydrograph



*Operation  
and  
Maintenance  
of  
Drainage Systems  
&  
Construction Period Erosion and  
Sediment Control*



### **Operation and Maintenance Plan for Drainage Systems**

**Project Name:** 821 Massachusetts Avenue

**Date:** September 6, 2024

**Site Location:** 821 Massachusetts Avenue  
Arlington, Massachusetts

**Site Operator:**

**Owner:** Geoffrey Noyes  
gpnoyes@comcast.net

The following Operation and Maintenance Plan (O & M Plan) has been developed to comply with DEP's Stormwater Management Policy. The responsibilities outlined in the O&M Plan run with ownership of the property.

### **Subsurface Infiltration Systems**

Infiltration systems are to be inspected by the homeowner at least twice per year and after every major storm event. The inspections will occur following the 3.2", 24 hour storm event.

To perform an inspection of the infiltration system, the observation port caps need to be removed. Once the caps are removed, the depth of sediment inside the system is measured and if the depth of sediment exceeds 3" then the system needs to be professionally cleaned. The subsurface system should only be cleaned by a professional drain/sewer company that is equipped with a vacuum type truck.

The typical cleaning process consists of flooding the system with clean water and allowing the deposited sediment to suspend, then pumping the water out via one of the inspection ports back into the vacuum truck.

#### ***Ensure proper operation of Subsurface Infiltration System:***

- During construction, the contractor is to observe and inspect the drainage system on a weekly basis.
- The homeowner is to note how long water remains standing in drainage structures after storm events and how well the water infiltrates over a period of 48 to 72 hours. If water remains in the system after 72 hours then the system is probably clogged and in need of cleaning. Contact a professional drain cleaner.
- The contractor is to repair items such as upland sediment erosion during the construction process. The homeowner is to maintain the property landscaped.

#### ***Semiannually inspection of systems for proper functioning and look for:***

- Subsidence
- Cracking of structures
- Depth of sediment inside system

### ***Scheduled Maintenance:***

- Remove sediment from subsurface systems at least once every 2 years; The Cultec systems are to be maintained according to manufacturer recommendations.
- Dispose and transport accumulated sediment off-site in accordance with local, state and federal guidelines and regulations; Sediment is typically removed by filling the Cultec Systems with water and then removing it using a vacuum truck. See above for inspection criteria.

### **Pervious Pavers**

- Control of sediment is important to maintain the permeability of the pervious pavers.
- The performance of the driveway shall be verified by the in-field test methodology described in ASTM C-1701 upon completion.

### ***Ensure proper operation of Pervious Pavers***

- Keep silt and debris from entering onto the pervious pavers.
- Sand or other abrasives for snow or ice conditions shall not be used as they reduce permeability of the pavers.
- Observe the paver surface for signs of sediment or organic debris accumulation.
- Use high performance, regenerative air vacuum equipment to clean surfaces. Mechanical brooms shall not be used.

### ***Semiannually inspection for proper functioning and look for:***

- Standing water on paver surface.

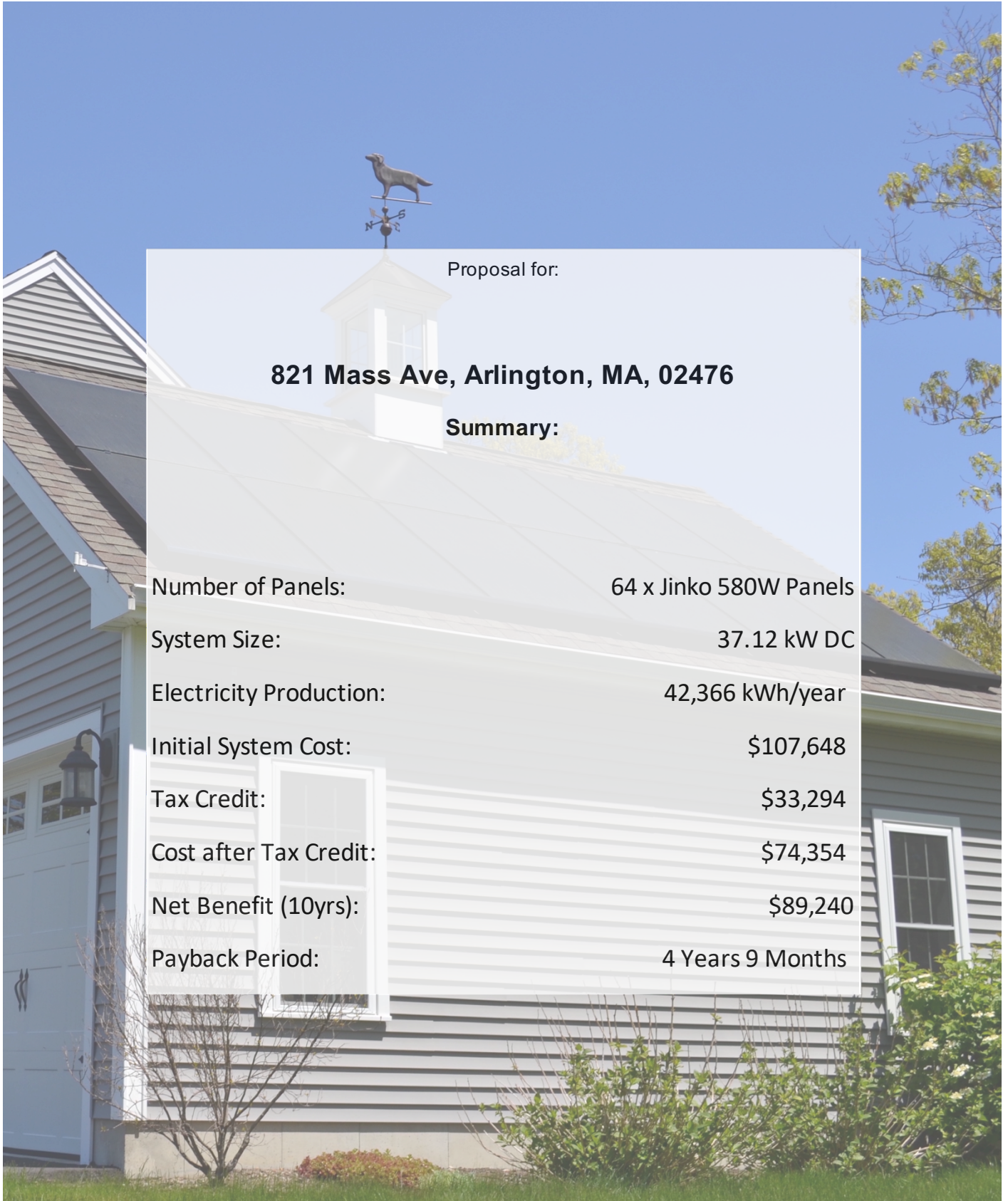
### ***Yearly Scheduled Maintenance:***

- Inspect surface of pavers for evidence of sediment deposition, organic debris, staining or ponding. If any sign of ponding are evident, contact a professional paver cleaner for high performance vacuuming.
- Inspect the integrity of the pavers. Replace or repair any areas that show deterioration, such as slumping or cracking.  
Estimated maintenance cost is \$1000 for a vacuum service every two years.

### **Construction Period Erosion and Sediment Control**

Prior to start of construction the following measures will need to be in place:

- Stake erosion control barrier on the locations shown on the site plan.
- Install the stabilized construction entrance at the beginning of the driveway to prevent sediment from entering the roadway. Sweep roadway daily during the site construction period and end of day activities. No sediment shall be left on roadway.
- After every major storm event and on a weekly basis, verify erosion control barrier is held in place properly and sediment is retained. Remove accumulated sediment and replace barrier as needed.



Proposal for:

**821 Mass Ave, Arlington, MA, 02476**

**Summary:**

Number of Panels:	64 x Jinko 580W Panels
System Size:	37.12 kW DC
Electricity Production:	42,366 kWh/year
Initial System Cost:	\$107,648
Tax Credit:	\$33,294
Cost after Tax Credit:	\$74,354
Net Benefit (10yrs):	\$89,240
Payback Period:	4 Years 9 Months



## Design and Equipment

Production Factor:  
64 Panels @ 1.141 kWh/W



**Equipment used:**

Panels  
Inverter system

**Manufacturer:**

Jinko  
Enphase

**Model:**

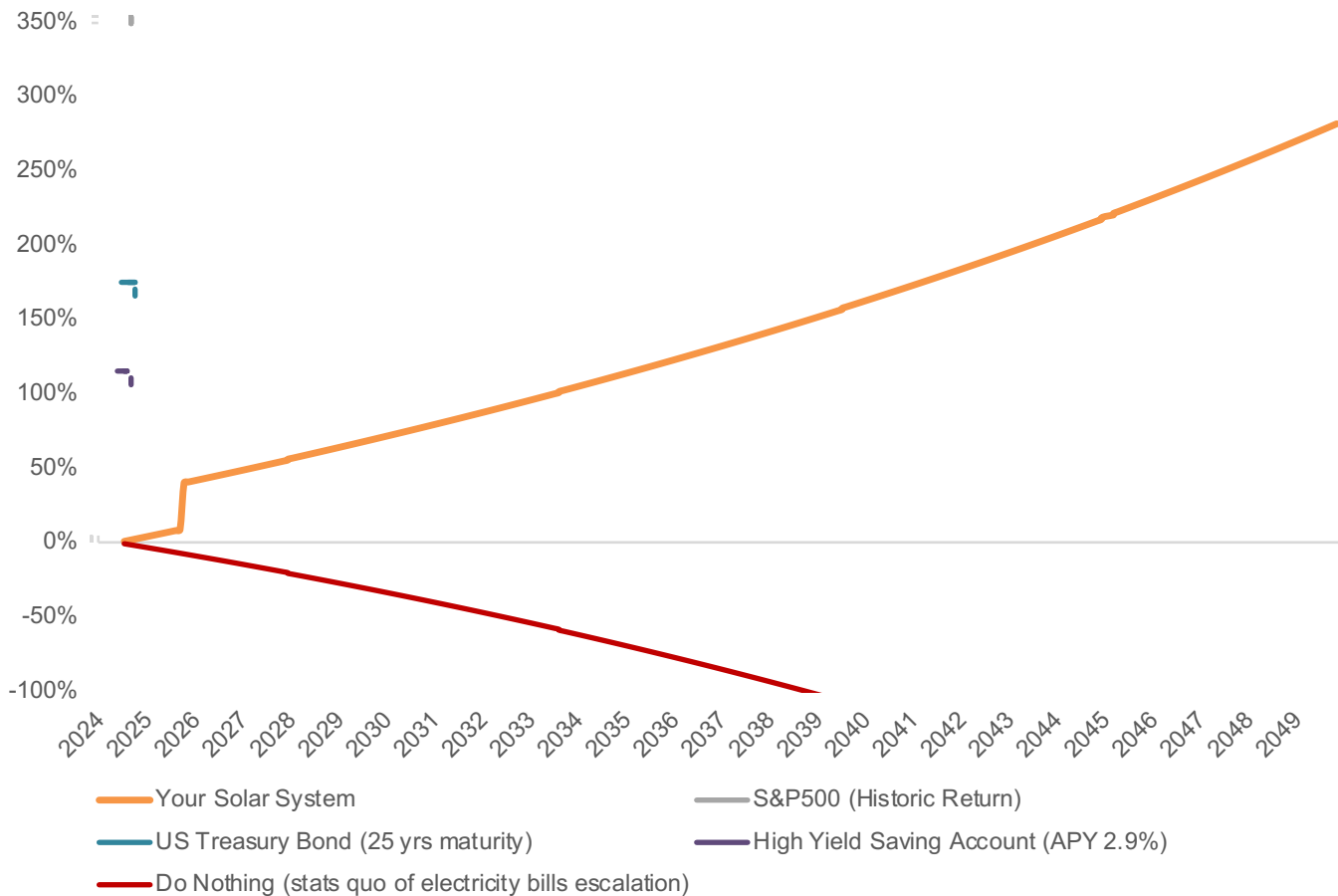
JKM580N-72HL4-BDV  
IQ8HP-3P

# Solar is an Investment

## Key points:

- Solar is not a luxury good; It is a hedge against market uncertainty, inflation, and rising utility rates.
- Investment markets are becoming more volatile over time, making it difficult to predict returns. Solar offers a strong, low-risk high reward and guaranteed rate of return.
- Solar provides the unique ability to forecast your cash flows down to the month with real-time data so your return on investment is clear and guaranteed.
- Solar ensures a return of over 40% in year 1, in the form of the 30% Federal Tax Credit, \$1,000 State Tax Rebate, avoided electricity costs, and Class-1 RECs. \*Must consult a tax professional.
- Owning your electricity (solar) builds equity in your home and reduces your dependency from the utility.

## Your Solar System Performance vs Other Investments



\*\*\* For additional information and details, ask your analyst for our assumptions.

## Twenty-Year Financial Analysis For Solar

Year	Combined Benefits			Cumulative Net Benefits
	Electricity Savings	Incentive Earnings	Cumulative Total	
0	\$0	\$0	\$0	(\$107,648)
1	\$13,557	\$1,398	\$14,955	(\$59,398)
2	\$13,858	\$1,391	\$30,204	(\$44,150)
3	\$14,165	\$1,384	\$45,753	(\$28,601)
4	\$14,479	\$1,377	\$61,609	(\$12,745)
5	\$14,800	\$1,370	\$77,779	\$3,425
6	\$15,128	\$1,363	\$94,270	\$19,916
7	\$15,463	\$1,357	\$111,089	\$36,735
8	\$15,806	\$1,350	\$128,244	\$53,891
9	\$16,156	\$1,343	\$145,743	\$71,390
10	\$16,514	\$1,336	\$163,594	\$89,240
<b>Subtotal:</b>	<b>\$149,923</b>	<b>\$13,670</b>	<b>\$163,594</b>	<b>\$89,240</b>
11	\$16,880	\$1,330	\$181,804	\$106,120
12	\$17,254	\$1,323	\$200,381	\$123,374
13	\$17,636	\$1,316	\$219,334	\$141,011
14	\$18,027	\$1,310	\$238,671	\$159,038
15	\$18,427	\$1,303	\$258,401	\$177,465
16	\$18,835	\$1,297	\$278,533	\$196,300
17	\$19,253	\$1,290	\$299,076	\$215,553
18	\$19,679	\$1,284	\$320,040	\$235,233
19	\$20,116	\$1,277	\$341,433	\$255,348
20	\$20,561	\$1,271	\$363,265	\$275,910
<b>Total:</b>	<b>\$336,593</b>	<b>\$26,672</b>	<b>\$363,265</b>	<b>\$275,910</b>

**Payback Period: 4 Years 9 Months**



## Great Sky Solar

Great Sky Solar was founded on a vision of combining clean energy with a clean and transparent business model.

We are small by design, connected to our community, and hire the best people. We never subcontract any portion of our work, and all of our employees enjoy strong salaries and a healthy work/life balance. On these principles, we've been able to build a truly sustainable company so we can offer you un-paralleled service and expert craftsmanship, at very competitive rates.

Every solar array installed by Great Sky Solar is backed by:

- 10-year 95% Production Guarantee: ensures your system will produce as forecasted.
- 10-year Service Guarantee: we service any issues with your system at no charge.
- 25-year Workmanship Warranty: we stand by the quality of our work.

Our stated price is all-inclusive and will not increase or change. As soon as we receive your go-ahead, we'll begin administration and permitting. You are welcome to make any changes to equipment type or system size up 2 weeks prior to install. When you are ready to move forward, we will send a contract for electronic signature.

Feel free to call us at (781) 819-5313 for more information or with any questions.



**GREAT SKY**  
SOLAR



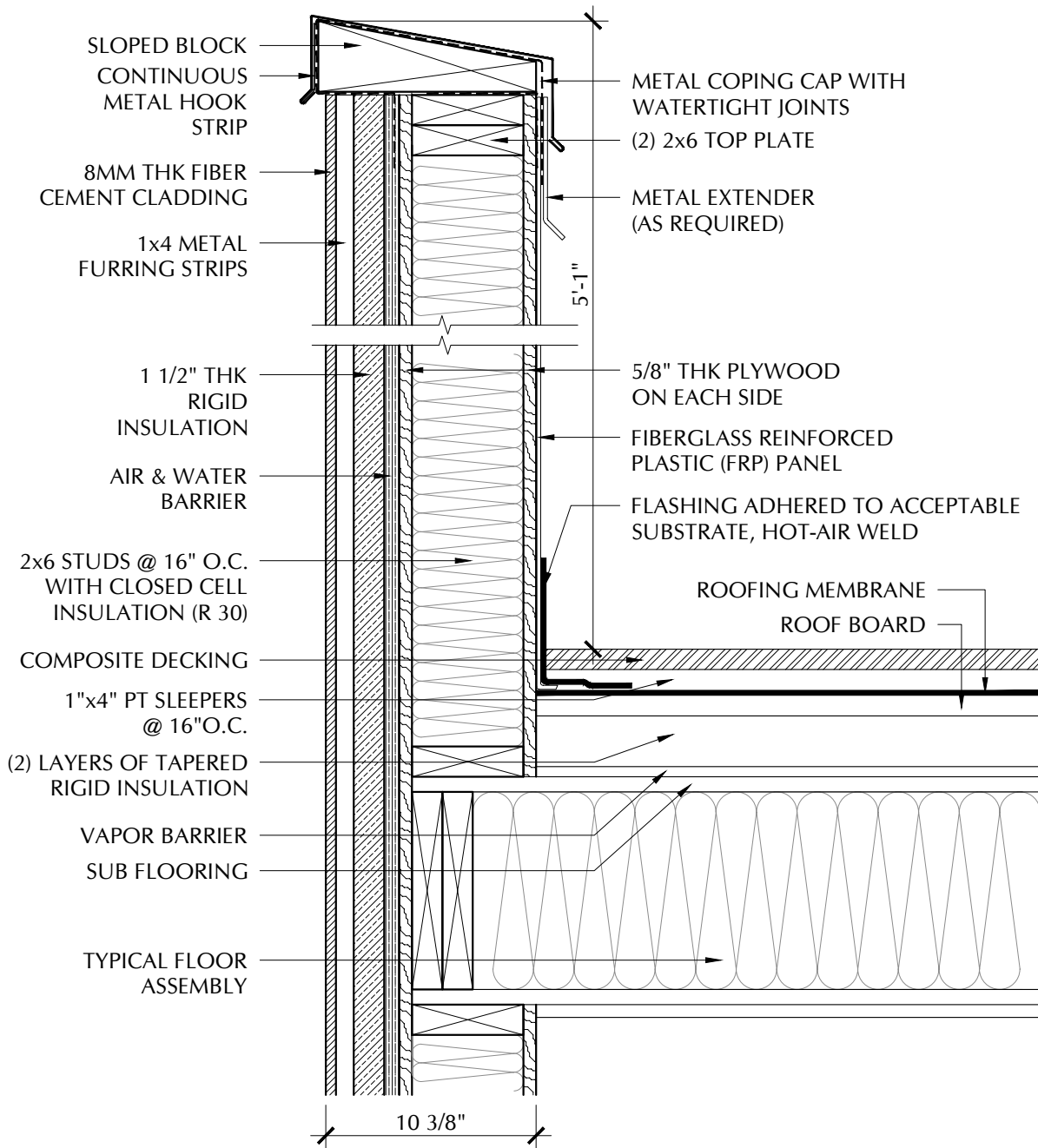
**Arlington Fire Department  
Town of Arlington  
Fire Prevention Division**

411 Mass Ave, Arlington, MA 02474  
Phone: (781) 316-3803 Fax: (781) 316-3808  
Email: [rmelly@town.arlington.ma.us](mailto:rmelly@town.arlington.ma.us)

*Ryan Melly  
Deputy Chief  
Fire Prevention*

**MEMO TO:** Andres Rojas  
**FROM:** Deputy Chief Ryan Melly  
**DATE:** September 5, 2024  
**SUBJECT:** 821 Mass Ave Project

After reviewing the plans for the 3 story project at 821 Mass Ave I had deemed that there is adequate fire department access to the site pending your confirmation that our Tower will be able to make the turn through the CVS parking lot to gain access to the rear of the building. You have received our turning radius spec sheet to assist the engineers in mapping out the access.



**1** PROPOSED PARAPET WALL DETAIL - TYPICAL

SCALE: 1/2" = 1'-0"

**PARAPET WALL DETAIL**

**SK-01**

821 MASSACHUSETTS AVENUE  
 ARLINGTON MA 02476  
 10/02/2024

RD2958

Rojas Design, Inc.  
 Architecture · Interior Design ·  
 Landscape Architecture  
 139 of 277 4100





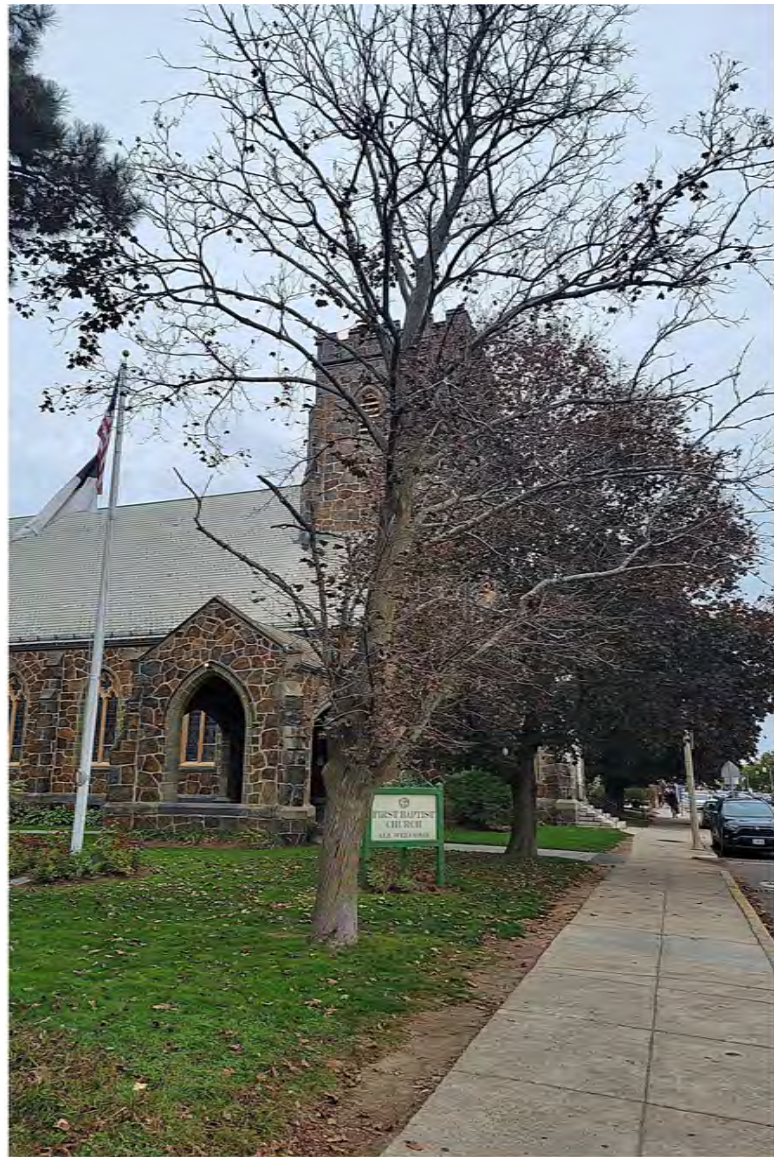














































**ATTORNEY-CLIENT PRIVILEGE**

**MEMORANDUM**

To: Claire Ricker, Director, Department of Planning and Community Development  
From: Michael Cunningham, Town Counsel  
Jaclyn Munson, Deputy Town Counsel  
Date: August 28, 2024  
Re: Atwood House Special Permit

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**Background:**

On April 13, 2009, the Town’s Redevelopment Board (“ARB”) issued its decision (the “Decision”) approving CVS’ (“Applicant”) request for a special permit subject to environmental design review (“EDR”) for the premises located at 833 Massachusetts Avenue in Arlington, MA (the “Site”). See Docket 3348. On the Site stands the Atwood House, an historical structure within Town limits.

The ARB Decision expressly stated that “[a]ny modification of the Atwood House [would] require an amendment” of the special permit issued. See Decision, EDR-10. The ARB subsequently re-opened the special permit by way of new decisions dated November 4, 2019 (the “2019 Decision”). The 2019 Decision, however, was re-opened to permit the Applicant’s installation of new consistent with CVS branding. See 2019 Decision at 2. Upon information and belief, the ARB has not previously re-opened the special permit for the Site to consider any modifications of its prior conditions regarding the Atwood House.

**Question presented:**

Can the ARB open a *new* special permit for purposes of issuing a decision regarding the proposed demolition of the Atwood House, or must the ARB re-open the original special permit?

**Brief answer:**

The ARB may open a new special permit so long as it amends the original special permit to reflect the modification.

**Legal Analysis:**

I. ARB authority

The ARB was created by state law (Chapter 738 of the Acts of 1971, amending Chapter 503 of the Acts of 1952, the Town Manager Act) and has authority to issue special permits for projects that require an EDR pursuant to the Town’s Zoning Bylaw, s. 3.4. As a result, the ARB is a ‘special permit granting authority’ under the state’s zoning law, M.G.L. ch. 40A.

## ATTORNEY-CLIENT PRIVILEGE

- II. Although the ARB has the authority to modify a special permit, it has the discretion to open a new special permit.

A condition imposed by the ARB in connection with issuing a special permit may later be modified or eliminated by the planning board. Vaillancourt v. Gray Wolf Realty, LLC, 29 Mass. L. Rep. 496 (2012). This means that the ARB has the authority to both impose conditions and modify – or even eliminate– those conditions thereafter. Id. The discretion for the ARB to modify a special permit is further enshrined in the spirit of ch. 40A, s. 11 (“Upon the granting of a variance or special permit, or any extension, *modification* or renewal thereof...”; “A special permit, or any extension, *modification* or renewal thereof ...”) (emphasis added).

Notably, there is nothing contained in 40A that *requires* the ARB to modify a special permit, rather than open a new special permit. Conversely, the spirit of 40A and longstanding case law confers upon the ARB broad discretion to deny the modification of a special permit.

This is because the judicial review of ARB decisions “involves a highly deferential bow to local control over community planning,” Britton v. Zoning Bd. of Appeals of Gloucester, 59 Mass. App. Ct. 68, 73, 794 N.E.2d 1198 (2003), thereby constraining the power of courts to order a modification of the ARB’s decision. Wendy's Old Fashioned Hamburgers of N.Y., Inc. v. Bd. of Appeal of Billerica, 454 Mass. 374, 382 (2009). This is because modifications “should be analyzed and approved by the [ARB], which is better equipped than a court to consider such matters.” Id., *citing* Board of Appeals of Dedham v. Corporation Tifereth Israel, 7 Mass. App. Ct. 876, 876 (1979).

Although the special permit issued by the ARB has not yet lapsed (upon information and belief), meaning that the ARB *could* reopen it for purposes of issuing a decision regarding the demolition of the Atwood House, the ARB is not *required* to modify that special permit. This decision is squarely within the discretion of the ARB. See Barlow v. Planning Bd of Wayland, 64 Mass.App.Ct 314, 320 (2005) (“Whether we term the application as a modification of a special permit or a new one, the matter involves the discretion of the planning board”).

Therefore, the ARB may open a new permit for the Atwood House.

### Conclusion:

The ARB has the authority to open a new permit for the Atwood House. In doing so, it must comply with any obligations under ch. 40A, the ARB’s rules and regulations and the Town’s Zoning Bylaw.

JAN-27-2010 15:30



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Page: 1 of 9 01/27/2010 03:22 PM

Handwritten stamp and signature "OB-9"

**MEMORANDUM OF LEASE**

Notice is hereby given of the Lease hereinafter described.

**PARTIES TO LEASE:**

**LANDLORD:**

Noyes Realty, LLLP  
114 Andros Road  
Key Largo, FL 33037

**TENANT:**

Massachusetts CVS Pharmacy, L.L.C.  
a Massachusetts limited liability company  
One CVS Drive  
Woonsocket, RI 02895

**DATE OF EXECUTION OF LEASE:**

August 20, 2009, as amended October 28, 2009

**INITIAL TERM OF LEASE:**

The Initial Term of the Lease shall commence on January 26, 2010 and shall expire twenty-five (25) years from the Date of Rent Commencement, plus any months and day necessary to have the term expire on the next January 31st.

**DESCRIPTION OF LEASED PREMISES:**

That certain lot or parcel of land situated at 821-837 Massachusetts Avenue, in the Municipality of Arlington, County of Middlesex, Commonwealth of Massachusetts, as more particularly described in Exhibit A attached hereto and incorporated herein by reference.

**OPTIONS TO EXTEND LEASE:**

Tenant has the option to extend the Term of this Lease, for three (3) extension periods of five (5) years each, exercisable by written notice given not later than six (6) months prior to the expiration of the Initial Term or the expiration of the then applicable extension period.

**RIGHT OF FIRST REFUSAL**

Tenant has the right of first refusal to purchase all or any portion of the Premises.

50754-229



**EXCLUSIVITY:**

(a) If Landlord, or any of Landlord's Affiliates, hold or acquire any interest in any land immediately adjacent to the Premises or at the same intersection as the Premises, in the event that the Premises is located at an intersection, (whether accomplished directly by direct ownership, or indirectly through the use of leases, cross-easement agreements or similar documents), during the Term, Landlord agrees that (unless any premises on said land are already so leased and/or used) Landlord shall not allow any of the premises on such land to be leased or to be used for a health and beauty aids store, a greeting card and gift store, a candy store, a store offering one-hour or other on-site photo processing, a vitamin store, a pharmacy mail order facility, a drug store, a pharmacy prescription department, and/or a Dollar Store.

(b) As used in the Lease: the term "pharmacy prescription department" shall include the dispensing of prescription drugs by physicians, dentists, other health care practitioners, or entities such as health maintenance organizations, where such dispensing is for profit; and a "health and beauty aids store" shall mean a store which devotes more than five percent (5%) of its retail selling space to the display and sale of health and beauty aids.

**MISCELLANEOUS:**

This instrument is only a brief summary of certain provisions for the purpose of giving notice of the Lease and is not deemed to amend the Lease in any respect. Reference is hereby made to the Lease for a more complete description of the terms. In the event of any conflict between the terms of the Lease and the terms of this Memorandum of Lease, the terms of the Lease shall control.

**[Remainder of Page Intentionally Blank; Signatures Follow]**

**IN WITNESS WHEREOF**, the parties hereto have duly executed this Memorandum of Lease as of this 26<sup>th</sup> day of January, 2010.

**LANDLORD:**

Noyes Realty, LLLP  
a Florida limited liability limited partnership

By: 

Name: Bradley P. Noyes

Its: General Partner

**TENANT:**

Massachusetts CVS Pharmacy, L.L.C.  
a Massachusetts limited liability company

By: \_\_\_\_\_

Name: \_\_\_\_\_

Its: \_\_\_\_\_

IN WITNESS WHEREOF, the parties hereto have duly executed this Memorandum of Lease as of this 26<sup>th</sup> day of January, 2010.

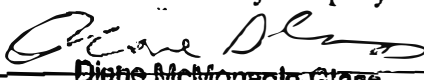
**LANDLORD:**

Noyes Realty, LLLP  
a Florida limited liability limited partnership

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Its: \_\_\_\_\_

**TENANT:**

Massachusetts CVS Pharmacy, L.L.C.  
a Massachusetts limited liability company

By:   
Name: Diane McMonagle-Glass  
Its: Assistant Secretary



ACKNOWLEDGEMENTS

STATE OF FLORIDA )  
 ) SS:  
County of Monroe )

On this 26<sup>th</sup> day of January, 2010, before me personally appeared Bradley P. Noyes, who, being by me duly sworn, did depose and say that he is the General Partner of Noyes Realty, LLLP, a Florida limited liability limited partnership described in this instrument and that he executed this instrument on behalf of said company and that he had authority to do so.

Ellie P Parker  
Name ELLIE P PARKER  
NOTARY PUBLIC

(NOTARY SEAL)



STATE OF RHODE ISLAND )  
 ) SS:  
COUNTY OF PROVIDENCE )

On this \_\_\_\_ day of January, 2010, before me personally appeared \_\_\_\_\_, who, being by me duly sworn, did depose and say that he/she is the \_\_\_\_\_ of Massachusetts CVS Pharmacy, L.L.C., a Massachusetts limited liability company described in this instrument and that she executed this instrument on behalf of said company and that he/she had authority to do so.

\_\_\_\_\_  
Name: \_\_\_\_\_  
NOTARY PUBLIC

ACKNOWLEDGEMENTS

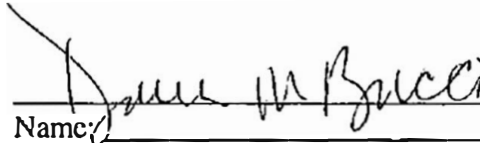
Commonwealth of Massachusetts )  
 ) SS:  
County of \_\_\_\_\_ )

On this \_\_\_\_\_ day of January, 2010, before me personally appeared \_\_\_\_\_, who, being by me duly sworn, did depose and say that he is the \_\_\_\_\_ of Noyes Realty, LLLP, a Florida limited liability limited partnership described in this instrument and that he executed this instrument on behalf of said company and that he had authority to do so.

Name: \_\_\_\_\_  
NOTARY PUBLIC

STATE OF RHODE ISLAND )  
 ) SS:  
COUNTY OF PROVIDENCE )

On this 25 day of January, 2010, before me personally appeared Maria M. McCarty-Glass, who, being by me duly sworn, did depose and say that he/she is the Asst. Sec. of Massachusetts CVS Pharmacy, L.L.C., a Massachusetts limited liability company described in this instrument and that she executed this instrument on behalf of said company and that he/she had authority to do so.

  
Name: \_\_\_\_\_  
NOTARY PUBLIC

Dawn M. Bucci  
Notary Public  
State of Rhode Island  
My Commission Expires 07/24/2010

**EXHIBIT A**

**LEASED PREMISES DESCRIPTION**

The parcels of land in Arlington, Middlesex County, Massachusetts, bounded and described as follows:

**PARCEL ONE/RECORDED LAND**

The land in said Arlington, with the buildings thereon now numbered 835 Massachusetts Avenue, bounded:

SOUTHWESTERLY by said Massachusetts Avenue, fifty-five and 83/100 (55.83) feet;

NORTHWESTERLY by land now or formerly of Kimball, two hundred fifty-three and 62/100 (253.62) feet;

NORTHERLY by land now or formerly of Cutter, one hundred thirty-nine and 28/100 (139.28) feet;

SOUTHEASTERLY by land now or formerly of Noyes Realty LLLP, being the second parcel herein described, by three lines totaling three hundred fifty and 42/100 (350.42) feet.

Containing approximately nineteen thousand eight hundred twenty-four (19,824) square feet of land.

**PARCEL TWO/RECORDED LAND**

The land in said Arlington, with the buildings thereon numbered 833 Massachusetts Avenue, bounded:

SOUTHWESTERLY by said Massachusetts Avenue, fifty (50) feet;

NORTHWESTERLY by land now or formerly of Noyes Realty LLLP, being the first parcel hereinbefore described, by three lines totaling three hundred fifty and 42/100 (350.42) feet;

NORTHEASTERLY by land now or formerly of Frost Insecticide Company, one hundred twenty-nine and 8/10 (129.8) feet;

SOUTHEASTERLY by land now or formerly of Teel, two hundred seventy-eight and 9/10 (278.9) feet.

Containing approximately twenty-eight thousand seven hundred eighty-nine (28,789) square feet of land.



PARCEL THREE/RECORDED LAND

A certain parcel of land with the buildings thereon, situated in said Arlington and being a parcel shown as containing 18,700 square feet of land on a "Plan of Land of Emily A. Teel, Arlington, Mass.", Middlesex Southern District Registry of Deeds in Book of Plans 207, Plan 8 bounded and described as follows:

- SOUTHWESTERLY            by Massachusetts Avenue, 123.65 feet;
- NORTHWESTERLY        by land formerly of N. L. Chaffi, 278.9 feet;
- NORTHEASTERLY        by land now or formerly of Frost Insecticide Company, 46.43 feet;  
and
- SOUTHEASTERLY        by land now or formerly of Howard in three courses, as shown on  
said plan, 66.65 feet; 87.79 feet and 90.65 feet.

PARCEL FOUR/RECORDED LAND

A certain parcel of land with the building thereon in Arlington, County of Middlesex, and said Commonwealth, the unregistered parcel being shown as Lot A on a plan entitled "Plan of Land of Emily A. Teel, Arlington, Mass." dated April 29, 1912, C. H. Cannett, C.E., recorded with Middlesex South District Deeds, Plan Book 207, Plan 8, and according to said plan more fully bounded and described as follows:

- SOUTHWESTERLY            by Massachusetts Avenue 49.07 feet;
- WESTERLY and  
NORTHWESTERLY        by a lot containing 18,700 sq. ft. of land, by two courses  
respectively measuring 90.65 feet and 154.44 feet;
- NORTHEASTERLY        by land of Frost Insecticide Co., 38.06 feet;
- SOUTHEASTERLY        by land of Arlington Baptist Society, 169.54 feet; and again
- SOUTHEASTERLY        by Parcel Five herein after described 62.6 feet.

PARCEL FIVE/REGISTERED LAND

A certain parcel of land situated in Arlington, County of Middlesex and said Commonwealth, the registered Parcel being shown as Lot B on a Subdivision Plan filed in the Registry of Deeds for the South Registry District of Middlesex County in Registration Book 4, Page 341 with Certificate 523 (Plan #312A). According to said plan the parcel is bounded and described as follows:

SOUTHWESTERLY            by Massachusetts Avenue, 12 feet;  
NORTHWESTERLY        by land now or formerly of Emily A. Teel, 62.6 feet; and  
SOUTHEASTERLY        by Lot A as shown on plan hereinbefore mentioned, 60.2 feet.



**Town of Arlington, Massachusetts**  
Department of Planning and Community Development  
730 Massachusetts Avenue, Arlington, Massachusetts 02476

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## Public Hearing Memorandum

*The purpose of this memorandum is to provide the Arlington Redevelopment Board and public with technical information and a planning analysis to assist with the regulatory decision-making process.*

**To:** Arlington Redevelopment Board  
**From:** Claire V. Ricker, AICP Secretary Ex-Officio  
**Subject:** Environmental Design Review, 821 Massachusetts Avenue, Arlington, MA, Docket #3798  
**Date:** September 19, 2024

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### I. Docket Summary

This is an application by Noyes Realty LLLP, PO Box 40, Marblehead, MA 01945, to open Special Permit Docket #3798 in accordance with the provisions of MGL Chapter 40A § 11, and the Town of Arlington Zoning Bylaw Section 3.3, Special Permits, and Section 3.4, Environmental Design Review.

The applicant proposes to demolish the existing building and construct a mixed-use building located at 821 Massachusetts Avenue, Arlington, MA, in the B4 Vehicular Oriented Business District. The opening of the Special Permit is to allow the Board to review and approve the project under Section 3.3, Special Permits, and Section 3.4, Environmental Design Review.

Materials submitted for consideration of this application include:

- Application for EDR Special Permit,
- Impact Statement,
- Dimensional and Parking Information,
- Architectural Drawings.

Addition materials submitted for consideration of this application include:

- Drainage Calculation Report
- Fire Department Memo
- Solar Array Study



- LEED NC Checklist
- Shade Report
- Tree Evaluation Letter
- Updated Application for EDR Special Permit
- Updated Architectural Drawings
- Sketch-up model and video

## II. Application of Special Permit Criteria (Arlington Zoning Bylaw, Section 3.3)

### 1. Section 3.3.3.A.

**The use requested is listed as a Special Permit in the use regulations for the applicable district or is so designated elsewhere in this Bylaw.**

821 Massachusetts Avenue is located in the B-4: Vehicle Oriented Use District. Regarding the B-4 District, in Section 5.5.1.E., of the Zoning Bylaw states: "Arlington has an abundance of automotive and automotive accessory sales and service establishments. As these businesses gradually close, The Town has encouraged conversion of the property to other retail, service, office, or residential use, particularly as part of a mixed-use development." Mixed-use residential and office space development is allowed in the B4 District. The Board can find that this condition is met.

### 2. Section 3.3.3.B.

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

The requested use is essential and desirable. The Master Plan promotes mixed-use developments as a means to revitalize business districts, by bringing customers and street life to commercial areas. From a land use perspective, the Master Plan encourages development of higher value mixed-use buildings along commercial corridors, especially Mass Ave, by allowing taller buildings and reducing off-street parking requirements. The Board can find that this condition is met.

### 3. Section 3.3.3.C.

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

The proposed project includes ten parking spaces for cars, located on the ground level of the property, composed of nine standard parking spaces and one ADA accessible parking space. Parking and traffic flow will be blended with the traffic and parking activities at the abutting address, 833 Mass Ave (CVS), with the proposed new building utilizing the entry and exit curb cuts. Parking for the development will be located behind the new building. The Board can find that this condition is met.

### 4. Section 3.3.3.D.

**The requested use will not overload any public water, drainage or sewer system or any other municipal system to such an extent that the requested use or any developed use in the immediate area or in any other area of the Town will be unduly subjected to hazards affecting health, safety, or the general welfare.**

Drainage calculations were included in the submission that indicate site stormwater run-off will be improved via the project. Additionally, the project narrative states that site design for the parcel shall

include proper site surface drainage so that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. The project will employ Best Management Practices for the site including determination of the feasibility of installing an underground filtration system beneath the parking area. A landscaped buffer will be introduced on the site and several trees will be planted. Overall, the narrative and report indicate that the project should result in a reduction in the quantity of stormwater flowing from the site. The Board can find that this condition is met.

**5. Section 3.3.3.E.**

**Any special regulations for the use as may be provided in the Bylaw are fulfilled.**

Any special regulations for the use that may be provided in the Bylaw will be fulfilled. The Board can find that this condition is met.

**6. Section 3.3.3.F.**

**The requested use will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the health, morals, or welfare.**

The project proposes ground floor office use with residential units above, uses that have been in this location since at least 1911 when Dr. Charles Atwood opened a medical office in his residence at 821 Mass Ave. The replication of commercial office space and residential units is described in the definition of the B4 zoning district as desirable; the definition specifically states, "the Town has encouraged conversion of the property to other retail, service, office, or residential use, particularly as part of mixed-use development." In particular, this proposal both increases overall commercial space on the property and provides new housing. These additions will not impair the integrity or character of the district, or the adjoining districts and it will not be detrimental to health or welfare. The Board can find that this condition is met.

**7. Section 3.3.3.G.**

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

There will be no excess of mixed-use in the neighborhood as a result of this development; rather the Applicant's proposal will comport with the objectives of the Master Plan to maintain a mixed-use component along Mass Ave. Furthermore, the proposed mixed-use building will not be detrimental to the character of the neighborhood in which the property is located. The Board can find that this condition is met.

**III. Environmental Design Review Standards (Arlington Zoning Bylaw, Section 3.4)**

**1. EDR-1 Preservation of Landscape**

**The landscape shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal, and any grade changes shall be in keeping with the general appearance of neighboring developed areas.**

The project proposes to remove eight existing trees. The existing parking area "side buffer" tree plantings shall remain, and all landscape areas facing the abutters shall be enhanced and improved

with new plantings. The existing landscape shall be preserved, as far as practicable. This project minimizes tree and soil removal, and all grade adjustments are in keeping with the general appearance of neighboring developed areas. The Board can find that this condition is met.

## **2. EDR-2 Relation of the Building to the Environment**

**Proposed development shall be related harmoniously to the terrain and to the use, scale, and architecture of the existing buildings in the vicinity that have functional or visible relationship to the proposed buildings. The Arlington Redevelopment Board may require a modification in massing so as to reduce the effect of shadows on the abutting property in an R0, R1 or R2 district or on public open space.**

There are a range of architectural styles and zoning districts in the vicinity, ranging from single- and two-family homes to apartment buildings, and from single-story commercial to mixed-use developments. Building heights in the area vary from one to four stories and have a variety of setbacks in relationship to their street frontage. The proposal will bring the building closer to the street, improving its relationship to the public realm. The new building's setbacks are consistent with the abutters' setbacks. The proposed new building will relate harmoniously to the lot's terrain and to the use, scale, setbacks, and architecture of the existing buildings in the vicinity that have a functional or visual relationship to the building. The Board can find that this condition is met.

## **3. EDR-3 Open Space**

**All open space (landscaped and usable) shall be so designed as to add to the visual amenities of the vicinity by maximizing its visibility for persons passing by the site or overlooking it from nearby properties. The location and configuration of usable open space shall be so designed as to encourage social interaction, maximize its utility and facilitate maintenance.**

The proposal includes approximately 5,400 square feet of landscaped open space along the sides and rear of the building, which also provides a buffer with the adjacent buildings at 833 Mass Ave (CVS) and the Baptist Church at 815 Mass Ave. The total residential floor area is approximately 8,200 square feet, therefore over 50% landscaped open space is proposed, exceeding the 10% requirement. The Applicant will add a street tree immediately in front of the building.

The usable open space is located on the separated roof decks and is approximately 4,448 square feet, well in excess of the usable open space requirement of 15%.

Additionally, under this proposal the Applicant will likely require relief from the required 15-foot buffer in Section 5.3.21, as the Baptist Church property adjacent to the project is located in an R1 district and a landscaped buffer is precluded by the building footprint. Section 5.3.21 refers to Section 5.3.7, of which subsection B refers to the screening provisions laid out in Section 6.1, of which Section 6.1.11(E) lays out conditions under which the landscaping standards may be modified. Under this latter section, the Board may find that the proposal has adequately adopted reasonable measures to meet the intent of the standards and also provided landscaped space at another location in the parking lot.



#### **4. EDR-4 Circulation**

**With respect to vehicular and pedestrian and bicycle circulation, including entrances, ramps, walkways, drives, and parking, special attention shall be given to location and number of access points to the public streets (especially in relation to existing traffic controls and mass transit facilities), width of interior drives and access points, general interior circulation, separation of pedestrian and vehicular traffic, access to community facilities, and arrangement of vehicle parking and bicycle parking areas, including bicycle parking spaces required by Section 6.1.12 that are safe and convenient and, insofar as practicable, do not detract from the use and enjoyment of proposed buildings and structures and the neighboring properties.**

The proposed project includes a total of ten vehicle spaces. Ten exterior bicycle parking spaces shall also be provided. Each commercial and residential unit has designated basement storage area where bicycles may also be stored. The ground-level parking area provides nine standard parking spaces for vehicles, and one van-accessible HP vehicle space. Parking access is provided via Mass Ave; however vehicles will utilize the curb cut at 833 Mass Ave (CVS) and proceed through the CVS parking area to access the parking behind the new building. Additional on-street parking is available along Mass Ave.

The parking requirement for mixed-use development calculates the parking required for each individual use; the parking required for the residential use totals three parking spaces. As the first 3,000 square feet of non-residential space in mixed-use buildings is exempt from the parking requirements per Section 6.1.10.C., no parking is required for the office space, however the applicant shall provide seven additional spaces.

Pedestrian circulation around the building would be improved as the current site lacks pedestrian access around the existing building. Paved walkways will connect the parking area to the residential units and the rear of the commercial units, which are buffered on the Mass Ave side with an approximately 10' setback. Access to the residential units is provided directly via the rear parking area, as is access to the trash and recycling receptacle. A street tree will be planted in front of the project, providing shade and improving the human scale elements of the ground floor commercial space on Mass Ave. A walkway from the front to the rear of the building that is accessible from Mass Ave will be installed. Tenants and visitors arriving to the project via Mass Ave can access the rear residential unit entrances and bicycle parking area from the front of the building. Structural engineered soils shall be used under the hardscape, and the Applicant has provided details on the types of pavers or bricks selected to ensure ADA compliance. The Board can find this condition is met.

#### **5. EDR-5 Surface Water Drainage**

**Special attention shall be given to proper site surface drainage so that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Available Best Management Practices for the site should be employed, and include site planning to minimize impervious surface and reduce clearing and re-grading. Best Management Practices may include erosion control and stormwater treatment by means of swales, filters, plantings, roof gardens, native vegetation, and leaching catch basins. Stormwater should be treated at least minimally on the development site; that which cannot be handled on site shall be removed from all roofs, canopies, paved and pooling areas and carried away in an underground drainage system. Surface water in all paved areas shall be collected in intervals so that it will not obstruct the flow of vehicular or pedestrian traffic and will not create puddles in the paved areas.**

**In accordance with Section 3.3.4., the Board may require from any applicant, after consultation with the Director of Public Works, security satisfactory to the Board to ensure the maintenance of all**

**stormwater facilities such as catch basins, leaching catch basins, detention basins, swales, etc. within the site. The Board may use funds provided by such security to conduct maintenance that the applicant fails to do.**

**The Board may adjust in its sole discretion the amount and type of financial security such that it is satisfied that the amount is sufficient to provide for any future maintenance needs.**

The application materials state that surface water drainage will be improved via the installation of Best Management Practices elements that will reduce stormwater runoff from the site. Available Best Management Practices for the site shall be employed and include site planning to minimize impervious surface and reduce clearing and re-grading. The applicant shall maintain all the existing and proposed storm water facilities such as catch basins, leaching catch basins, detention basins, swales, etc. within the site.

A stormwater infiltration analysis has been submitted and determines which areas of the site are appropriate for stormwater infiltration systems, and determines the amount of runoff the project will generate. Drainage calculations were included in the submission that indicate site stormwater run-off will be improved via the project. Final design materials must be submitted for review and approval by the Town Engineer, including a site plan that shows catch basins and filtration systems. The Board can find this condition is met.

#### **6. EDR-6 Utilities Service**

**Electric, telephone, cable TV, and other such lines of equipment shall be underground. The proposed method of sanitary sewage disposal and solid waste disposal from all buildings shall be indicated.**

All proposed electric, telephone, cable TV, and other such lines and equipment shall be underground. The proposed method of sanitary sewage disposal and solid waste disposal from all buildings shall be in accordance with all codes and local requirements. Water and sewer should be separated by ten feet and domestic protection should adhere to what the Water Division requires. The Board can find this condition is met.

#### **7. EDR-7 Advertising Features**

**The size, location, design, color, texture, lighting and materials of all permanent signs and outdoor advertising structures or features shall not detract from the use and enjoyment of proposed buildings and structures and the surrounding properties.**

All signage and advertising features will conform to the provisions of Section 6.2 of the Zoning Bylaw. The Board can find that this condition is met.

#### **8. EDR-8 Special Features**

**Exposed storage areas, exposed machinery installations, service areas, truck loading areas, utility buildings and structures, and similar accessory areas and structures shall be subject to such setbacks, screen plantings or other screening methods as shall reasonably be required to prevent their being incongruous with the existing or contemplated environment and the surrounding properties.**

The site plan shows an enclosed trash and recycling area located adjacent to the parking area on the rear of the property. The Board can find that this condition is met.

## 9. EDR-9 Safety

**With respect to personal safety, all open and enclosed spaces shall be designed to facilitate building evacuation and maximize accessibility by fire, police and other emergency personnel and equipment. Insofar as practicable, all exterior spaces and interior public and semi-public spaces shall be so designed to minimize the fear and probability of personal harm or injury by increasing the potential surveillance by neighboring residents and passersby of any accident or attempted criminal act.**

The Applicant notes that the proposed building shall be designed to meet all relevant health and safety codes. Complete site and building security systems shall be incorporated into the proposed development. The safety and security of all residents, visitors, customers, and neighbors are important priorities of this project. A lighting plan has been submitted and is included in the updated architectural drawings. The Board can find this condition is met.

## 10. EDR-10 Heritage

**With respect to Arlington's heritage, removal or disruption of historic, traditional or significant uses, structures or architectural elements shall be minimized insofar as practical whether these exist on the site or on adjacent properties.**

The existing building, also known as the "Atwood House," has been located on the property since at least 1911 and has deteriorated over time to the point where restoration is infeasible. The applicant sought to demolish the house in anticipation of building a new development and was placed under demolition delay by the Historical Commission, which has since expired. As it stands today, the Arlington Police have been called to the site on numerous occasions to deal with trespassers and other individuals who may have visited the site for purposes which could result in potential commission of criminal and civil offenses. The submission of this Application offers an opportunity for the Town to eliminate the safety hazard to the public due to the condition of the property. The Board can find that this condition is met.

## 11. EDR-11 Microclimate

**With respect to the localized climatic characteristics of a given area, any development which proposes new structures, new hard surface, ground coverage or the installation of machinery which emits heat, vapor or fumes shall endeavor to minimize insofar as practicable, any adverse impacts on light, air, and water resources or on noise and temperature levels of the immediate environment.**

Based upon materials provided in the application, there will be no adverse impacts on air and water resources or on temperature levels of the immediate environment. The project removes eight trees while maintaining several mature trees to the rear of the site as part of the project. The addition of the street tree will reduce the heat island effect identified in this section of the Mass Ave corridor. The Board can find that this condition is met.



## **12. EDR-12 Sustainable Building and Site Design**

**Projects are encouraged to incorporate best practices related to sustainable sites, water efficiency, energy and atmosphere, materials and resources, and indoor environmental quality. Applicants must submit a current Green Building Council Leadership in Energy and Environmental Design (LEED) checklist, appropriate to the type of development, annotated with narrative description that indicates how the LEED performance objectives will be incorporated into the project.**

A LEED checklist was provided. Additionally, the applicant notes in the project narrative that the project is committed to the inclusion of the following sustainability components which are not shown on the plans:

- Sustainable exterior and interior building & site materials and products
- Building envelope compliance with the Stretch Energy Code
- Low-Emittance windows & doors
- Energy-efficient mechanical systems
- Indoor Air Quality and thermal comfort
- Energy-efficient lighting and electrical devices
- Energy Star appliances
- Cool roofs & trellis shading
- Solar-ready roof features
- Sustainable and less water-intensive landscape materials
- Non-invasive plant materials
- Site and building cooling strategies utilizing planting locations
- Waste reduction and recycling
- Storm water management

## **IV. Findings**

1. The ARB can find that the project is consistent with Environmental Design Review per Section 3.4 of the Zoning Bylaw.
2. The ARB can find that the landscaped areas adjacent to the parking area justify the buffer area reduction per Section 6.1.11.

## **V. Conditions**

### **A. General**

1. The final design, sign, exterior material, landscaping, and lighting plans shall be subject to the approval of the Arlington Redevelopment Board or administratively approved by the Department of Planning and Community Development.
2. Any substantial or material deviation during construction from the approved plans and specifications is subject to the written approval of the Arlington Redevelopment Board.
3. The Board maintains continuing jurisdiction over this permit and may, after a duly advertised public hearing, attach other conditions or modify these conditions as it deems appropriate in order to protect the public interest and welfare.

4. Snow removal from all parts of the site, as well as from any abutting public sidewalks, shall be the responsibility of the owner and shall be accomplished in accordance with Town Bylaws.
5. Trash shall be picked up only on Monday through Friday between the hours of 7:00 am and 6:00 pm. All exterior trash and storage areas on the property, if any, shall be properly screened and maintained in accordance with Article 30 of Town Bylaws.
6. The Applicant shall provide a statement from the Town Engineer that all proposed utility services have adequate capacity to serve the development. The applicant shall provide evidence that a final plan for drainage and surface water removal has been reviewed and approved by the Town Engineer.
7. Upon installation of landscaping materials and other site improvements, the Applicant shall remain responsible for such materials and improvement and shall replace and repair as necessary to remain in compliance with the approved site plan.
8. All utilities serving or traversing the site (including electric, telephone, cable, and other such lines and equipment) shall be underground.
9. Upon the issuance of the building permit, the Applicant shall file with the Building Inspector and the Department of Community Safety the names and telephone numbers of contact personnel who may be reached 24 hours each day during the construction period.
10. Building signage shall be filed with and reviewed and approved by the Department of Planning and Community Development and Inspectional Services.



## Town of Arlington, Massachusetts

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### Public Hearing: Docket #3821, 1513-1515 and 1517-1519 Massachusetts Ave

#### Summary:

8:30 pm

Notice is herewith given that an application has been filed on September 20, 2024, by Yevgeny Bernshtein, IG Investments LLC, 226 Harvard Street, Brookline, MA 02446, to open Special Permit Docket #3821 in accordance with the provisions of MGL Chapter 40A § 11, and the Town of Arlington Zoning Bylaw Sections 3.3, Special Permits, and 3.4, Environmental Design Review. The applicant proposes to demolish the existing single-family and two-family buildings and construct a mixed-use building containing nine residential units and one commercial unit on the property located at 1513-1515 and 1517-1519 Massachusetts Ave, Arlington, MA, in the B1 Neighborhood Office District. The opening of the Docket is to allow the Board to review and approve the application under Section 3.4, Environmental Design Review.

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

#### ATTACHMENTS:

Type	File Name	Description
▢ Reference Material	1513-1519_Mass_Ave_-_ARB_Application.pdf	1513-1519 Mass Ave - ARB Application
▢ Reference Material	1513-1519_Mass_Ave_-_Updated_Plan_Set_10-15-2024.pdf	1513-1519 Mass Ave - Updated Plan Set 10-15-2024
▢ Reference Material	1513-1519_Mass_Ave_-_LEED_Checklist.pdf	1513-1519 Mass Ave - LEED Checklist
▢ Reference Material	1513-1519_Mass_Ave_-_Landscape_Plans.pdf	1513-1519 Mass Ave - Landscape Plans
▢ Reference Material	Docket_3821_1513-1519_Mass_Ave_-_Legal_Notice_10-3__10-10.pdf	Docket 3821 1513-1519 Mass Ave - Legal Notice 10-3, 10-10
▢ Reference Material	2024-10-17__EDR_memo_-_1513-1519_Mass_Ave.pdf	2024-10-17 EDR memo - 1513-1519 Mass Ave

2024 SEP 20 A 11: 30

TOWN CLERK'S OFFICE  
ARLINGTON, MA 01920

DOCKET 3821

## REQUIRED SUBMITTALS CHECKLIST

2024 SEP 24 PM 2: 18

One electronic copy of your application is required; print materials may be requested. Review the ARB's Rules and Regulations, which can be found at [www.arlingtonma.gov/arb](http://www.arlingtonma.gov/arb), for the full list of required submittals.

**Application Cover Sheet (project and property information, applicant information)**

**Dimensional and Parking Information Form (see attached)**

**Impact statement**

Statement should respond to Environmental Design Review (Section 3.4) and Special Permit (Section 3.3) criteria on pages 6-8 of this packet); include:

- LEED checklist and sustainable building narrative as described in criteria 12.
- Summary of neighborhood outreach, if held or planned.

**Drawing and photographs of existing conditions**

- Identify boundaries of the development parcel and illustrate the existing conditions on that parcel, adjacent streets, and lots abutting or directly facing the development parcel across streets.
- Photographs showing conditions on the development parcel at the time of application and showing structures on abutting lots.

**Site plan of proposal. Must include:**

- Zoning boundaries, if any, and parcel boundaries;
- Setbacks from property lines;
- Site access/egress points;
- Circulation routes for pedestrians, bicyclists, passenger vehicles, and service/delivery vehicles;
- New buildings and existing buildings to remain on the development parcel, clearly showing points of entry/exit;
- Other major site features within the parcel or along its perimeter, including but not limited to trees, fences, retaining walls, landscaped screens, utility boxes, and light fixtures;
- Spot grades or site topography and finish floor level;
- Open space provided on the site;
- Any existing or proposed easements or rights of way.

**Drawings of proposed structure**

- Schematic drawings of each interior floor of each proposed building, including basements.
- Schematic drawings of the roof surface(s), identifying roof materials, mechanical equipment, screening devices, green roofs, solar arrays, usable outdoor terraces, and parapets.
- Elevations of each exterior façade of each building, identifying floor levels, materials, colors, and appurtenances such as mechanical vents and light fixtures.
- Drawings from one or more prominent public vantage point illustrating how the proposed project will appear within the context of its surroundings.
- Graphic information showing façade materials and color samples.
- Include lighting plan and fixtures if not provided on site or landscaping plan.



**Vehicle, Bicycle, and Service Vehicle Plans**

- Parking and loading plans, including all vehicle and bicycle parking facilities located on the parcel or within a structure, showing dimensions of spaces, driveways, access aisles, and access/egress points. Include line-of-sight and turning radius along with length and type of delivery truck.
- If you are requesting a reduction in the amount of required parking, include a Transportation Demand Management Plan per Section 6.1.5.
- Plans of all bicycle parking facilities located on the lot and within any structure, including dimensions of spaces and access routes and types of bicycle racks.

**Sustainable Building and Site Design Elements**

- A solar energy systems assessment per Section 6.4, which must include:
  - An analysis for solar energy system(s) for the site detailing layout and annual production;
  - The maximum feasible solar zone area of all structures; and,
  - Drawings showing the solar energy system you propose, with a narrative describing the system, the reasons the system was chosen, and how the system meets the requirements of Section 6.4; or
  - A detailed explanation of why the project meets an exemption of Section 6.4.2.
- LEED checklist and narrative per EDR criterion 13.

**Proposed landscaping (*may be incorporated into site plan*)**

Schematic drawing(s) illustrating and clearly labels all landscape features, including hardscape materials, permeable areas, plant species, and light fixtures.

**Plans for sign permits, if signage is an element of development proposal**

**Stormwater management plan**

*(for stormwater management during construction for projects with new construction)*

**SketchUp Compatible Model, if required**

**Application fee**

*(See [Rule 12 of the ARB Rules and Regulations](#) for how to calculate the fee)*

**FOR OFFICE USE ONLY**

Docket #: 3821

\_\_\_\_\_ Special Permit Granted

Date: \_\_\_\_\_

\_\_\_\_\_ Received evidence of filing with Registry of Deeds

Date: \_\_\_\_\_

\_\_\_\_\_ Notified Building Inspector of Special Permit filing

Date: \_\_\_\_\_

COVER SHEET

TOWN CLERK'S OFFICE  
ARLINGTON, MA 02174

2024 SEP 24 PM 2: 48

Application for Special Permit in Accordance with Environmental Design Review

PROPERTY AND PROJECT INFORMATION

- Property Address 1513-1515 & 1517-1519 Massachusetts Avenue  
Assessors Block Plan, Block, Lot No. 62-1-10 & 62-1-11.A Zoning District B1 Neighborhood Office
- Deed recorded in the Registry of deeds, Book 82774, Page 20  
or- registered in Land Registration Office, Cert. No. \_\_\_\_\_, in Book \_\_\_\_\_, Page \_\_\_\_\_.
- Present Use of Property (include # of dwelling units, if any)  
2-Family and 1-Family Dwellings
- Proposed Use of Property (include # of dwelling units, if any)  
Mixed-Use Building Containing 9 Residential Units and 1 Commercial Space

APPLICANT INFORMATION

- Applicant:** Identify the person or organization requesting the Special Permit:  
Name of Applicant(s) Yevgeny Bernshtein  
Organization IG Investments LLC  
Address 226 Harvard Street, Brookline, MA 02446  
Street City, State, Zip  
Phone 617-383-5659 Email Gene@riseboston.com
- Applicant Interest:** the applicant must have a legal interest in the subject property:  
 Property owner  Purchaser by land contract  
 Purchaser by option or purchase agreement  Lessee/tenant
- Property Owner**  Check here if applicant is also property owner  
Identify the person or organization that owns the subject property:  
Name \_\_\_\_\_ Title \_\_\_\_\_  
Organization \_\_\_\_\_ Phone \_\_\_\_\_  
Address \_\_\_\_\_  
Street City, State, Zip  
Phone \_\_\_\_\_ Email \_\_\_\_\_

4. **Representative:** Identify any person representing the property owner or applicant in this matter:

Name Matthew Eckel Title Attorney  
Organization Fletcher Tilton PC Phone 508-459-8097  
Address 100 Front Street, 5th Floor Worcester, MA 01608  
Street City, State, Zip  
Phone 508-459-8097 Email meckel@fletchertilton.com

5. Permit applied for in accordance with the following Zoning Bylaw section(s)

3.3 Request for Special Permit  
3.4 Request for Environmental Design Review  
\_\_\_\_\_ \_\_\_\_\_  
section(s) title(s)

6. List any waivers being requested and the Zoning Bylaw section(s) which refer to the minimum or maximum requirements from which you are seeking relief.

5.5.2.A Dimensional Requirements: front, side and rear yard, open space, height and FAR  
6.1.12.A Bike Parking Reduction  
\_\_\_\_\_ \_\_\_\_\_  
section(s) title(s)

7. Please attach a statement that describes your project and provide any additional information that may aid the ARB in understanding the permits you request. Include any reasons that you feel you should be granted the requested permission.

(In the statement below, check the options that apply)

The applicant states that IG Investments LLC is the owner  or occupant  or purchaser under agreement   
of the property in Arlington located at 1513-1515 and 1517-1519 Massachusetts Avenue  
which is the subject of this application; and that unfavorable action  or no unfavorable action  has been taken by  
the Zoning Board of Appeals on a similar application regarding this property within the last two years. The applicant  
expressly agrees to comply with any and all conditions and qualifications imposed upon this permission, either by the  
Zoning Bylaw or by the Redevelopment Board, should the permit be granted.

Signature of Applicant(s):



226 Harvard Street, Brookline, MA 02446 617-383-5659  
Address Phone

**ARLINGTON REDEVELOPMENT BOARD**

Application for Special Permit Under Environmental Design Review

**DIMENSIONAL AND PARKING INFORMATION**

Property Location: 1513-1515 & 1517-1519 Massachusetts Avenue

Zoning District: B-1

Applicant: IG Investments LLC

Address: 226 Harvard Street, Brookline, MA

Present Use/Occupancy: No. of Dwelling Units:  
1 2-family building & 1 1-family building

Uses and their gross square feet:  
Residential

Proposed Use/Occupancy: No. of Dwelling Units:  
Mixed-use, Multi-family, 9 residential unit, 1 retail space

Uses and their gross square feet:  
Residential 12,944 sf, Commercial 1174 sf

	Present Conditions	Proposed Conditions	Min. or Max. Req'd by Zoning for Proposed Use
Lot Size	4,470 + 4,505	8975	min. 5000
Frontage	42.52'+55.48'	98.04'	min. 60'
Floor Area Ratio <sup>1</sup>	approx. .52	14,118/8975 = 1.57	max. 0.75
Lot Coverage (%), where applicable	21%	68%	max. N/A
Lot Area per Dwelling Unit (sf)	2,243	997	min. N/A
Front Yard Depth (feet)	6.6'	3.9'	min. 20'
Side Yard Width (feet)	right side	13.8'	min. 10'
	left side	10.8'	min. 10'
Rear Yard Depth (feet)	4.3'	3"	min. 10'
Height	stories	2 1/2	stories <sup>2</sup> 3
	feet	29.9'	Feet 35
Open Space (% of G.F.A.) <sup>3</sup>		17.1%/GFA - 26.9%/Lot	min. 20%
	Landscaped (sf)	2418	(sf)
	Usable (sf)		(sf) N/A
Parking Spaces (#) <sup>4</sup>	approx. 4	9	min. 9 res/0 comm (6.1.10.c)
Parking Area Setbacks (feet) <i>(where applicable)</i>			min.
Loading Spaces (#)	0	0	min. 0
Bicycle Parking <sup>5</sup>	short term	0	min. 0.9 + .6 (retail) = 2
	long term	0	min. 13.5 + 1 (retail) = 15

<sup>1</sup> FAR is based on Gross Floor Area. See Section 5.3.22 for how to calculate Gross Floor Area. On a separate page, provide the calculations you used to determine FAR, including the calculations for Gross Floor Area.

<sup>2</sup> Where two heights are noted in the dimensional tables, refer to Section 5.3.19, Reduced Height Buffer Area to determine the applicable height or the conditions under which the Board may provide relief.

<sup>3</sup> Per Section 5.3.22(C), district dimensional requirements are calculated based on GFA. On a separate page, show how you determined the open space area amounts.

<sup>4</sup> See Section 6.1, Off-Street Parking. If requesting a parking reduction, refer to Section 6.1.5.

<sup>5</sup> See Section 6.1.12, Bicycle Parking, or refer to the [Bicycle Parking Guidelines](#).



**TOWN OF ARLINGTON  
ARLINGTON REDEVELOPMENT BOARD**

RE: 1513-1519 MASSACHUSETTS AVENUE, ARLINGTON, MASSACHUSETTS  
APPLICANT: IG INVESTMENTS LLC  
ARLINGTON REDEVELOPMENT BOARD – IMPACT STATEMENT

Introduction:

IG Investments LLC (the “**Applicant**”) is proposing to redevelop the parcels known as 1513-1515 & 1517-1519 Massachusetts Avenue. By this Application, the Applicant seeks to meet the burgeoning needs of the Town of Arlington to develop new structures providing valuable residential and commercial uses and creating housing and employment opportunities.

The proposed project includes razing the two existing structures and erecting a new mixed-use building with nine residential units, one commercial office space, and nine parking spaces (the “**Project**”). The Project includes a significant amount of site and landscaping improvements.

The Applicant now seeks approval from the Arlington Redevelopment Board pursuant to the powers granted to them through section 3.4 of the Town of Arlington Zoning Bylaw.

Existing Conditions:

Under existing conditions, the Development Site contains two separate lots. One lot, known as 1513-1515 Mass Ave and containing approximately 4,505 square feet currently, is occupied by an existing two-family structure. The second lot, known as 1517-1519 Mass Ave, is approximately 4,470 square feet and contains a neglected structure identified as a single-family home, which has fallen into a state of despair. The property is surrounded by a mixture of residential and commercial properties along Mass Ave and the Minuteman Commuter Bikeway in the rear.

Proposed Use:

The Applicant proposes to demolish, in its entirety, the existing structures. The Applicant will combine the existing parcels into a new lot which will contain approximately 8,975 square feet. The Applicant will also erect a new three-story mixed-use structure which will contain nine residential condominium units, one commercial office space, and nine parking spaces.

The Site is proposed to be accessed via a curb cut along Mass Ave which will provide access to a first-floor parking facility containing nine parking spaces. The parking facility will include electric vehicle charging stations as well as sixteen bike parking spaces. The first floor will also contain a residential lobby, transformer room, commercial space, and back of house and trash storage. The Project also includes proposed site improvements including a full landscaping plan. The addition of the proposed residential and commercial uses will bring activity and vibrancy to this section of Mass Ave. The location of the development is extremely conducive to these uses given its proximity to other commercial uses in both Arlington and Lexington as well as its proximity to the several bus lines. Existing infrastructure in the form of roadways and traffic signals are well

designed to absorb any additional impact from the proposed uses. This development will provide valuable new residential units and a commercial use promoting pedestrian activity and an active streetscape.

The Applicant is seeking a Special Permit relating to the proposed mixed-use building. The Applicant is also seeking approval through the Environmental Design Review process, which will require relief from certain dimensional regulations such as front, side and rear yard, floor area ratio, as well as relief and waivers from certain other requirements such as bicycle parking.

Special Permit Findings:

Per the Town of Arlington Zoning By-Law under Section 3.3 the Arlington Redevelopment Board has the power to grant Special Permits. Per Section 3.3.3 Special Permits shall be granted by the Permit Granting Authority only upon its written determination that the adverse effects of the proposed use will not outweigh its beneficial impacts to the town or the neighborhood, in view of the characteristics of the site and of the proposal in relation to that site. The determination shall include findings that all of the following criteria for granting a Special Permit are met:

- A. The use requested is listed as a Special Permit use in the use regulations for the applicable district or is so designated elsewhere in this Bylaw.

As per Section 5.5.3, Use Regulations for Business Districts, a mixed-use development is allowed by Special Permit in a B1 district.

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

The proposed uses are essential and desirable. The Project contains both residential units and a commercial space. The residential units will provide both market rate and affordable housing opportunities for a range of family sizes. Additionally, the commercial space will promote street activity and employment opportunities and the mixed-use building, will bring vibrancy to this part of Mass Ave, as well as increase the tax base for the parcel.

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

The use will not create traffic congestion or impair pedestrian safety. The Project proposes a single curb cut providing vehicular and bicycle access into the parking facility. The Project proposes one to one parking per residential unit and is utilizing the parking exemption for the first 3,000 square feet of commercial space in a mixed-use development per section 6.1.10.C in an effort to reduce reliance on motor vehicles and vehicular traffic. The Project includes both long-term and short-term bicycle parking and is located along multiple bus routes which will promote alternate means of transportation.

- D. The requested use will not overload any public water, drainage, sewer system or any other municipal system to such an extent that the requested use or any developed use in the

immediate area or in any other of the Town will be unduly subjected to hazards affecting health, safety or the general welfare.

The Project will not overload any public water, drainage, sewer system or other municipal system. Additionally, a full stormwater management plan was developed, and the Project includes several green features which will improve water runoff and stormwater management.

- E. Any special regulations for the use as may be provided by this Bylaw are fulfilled.

Any special regulations for the use shall be fulfilled if applicable.

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

The requested use will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the health or welfare. The surrounding uses are made up of residential, commercial, and mixed-use properties. The proposed Project will strengthen and enhance the streetscape which is desirable within the Mass Ave corridor. There is precedent for the proposed uses in the area and the Project has been designed to fit within the neighborhood context. A three-story structure is reasonable at this site and permitted by the Zoning By-Law. Additionally, based on the dramatic change in topography from the opposite side of Mass Ave, the final height of the proposed structure will be less than many of the structures across the street and some of the newer developments along Mass Ave.

- G. The requested use will not, by its addition to the neighborhood, cause an excess of the use that could be detrimental to the character of said neighborhood.

The requested uses will not cause an excess of the use that could be detrimental to character of the neighborhood. The neighborhood currently contains a mixture of various residential uses and commercial uses. Mass Ave, due to its nature as an active corridor is designed to accommodate such uses and promotes such mixed-use developments. The addition of new housing units should have a favorable impact on the community and will provide housing opportunities for families and young professionals. The commercial use will bring street activity to the property and enhance the streetscape.

Overall, the proposed uses all meet the above defined criteria and the beneficial impacts outweigh any adverse effects.

#### Environmental Design Review Standards under Section 3.4.4:

- A. Preservation of Landscape

The existing landscape will be preserved wherever possible and the project includes a full landscape plan completed by Verdant Landscape Architecture, which should enhance the site's landscaping as a whole. The Project includes the planting of new trees and measures will be taken to ensure their long-term health. A site inspection was conducted by a certified arborist and a tree report was completed. The trees proposed to be removed were all determined to be rated in fair or poor health. The project proposes to preserve the tree on the site that was determined to be in good health. A full planting schedule has been provided within the landscape plan for all four sides of the property. There is not a significant slope on the property and grade changes should be minimal, and where applicable will not be perceptible from Mass Ave and will keep in general appearance of neighboring developed areas.

#### B. Relation of Building to Environment

The new mixed-use building and site improvements are well suited for this neighborhood. The materials have been carefully selected to fit within the current context of the Mass Ave corridor and the building has been designed with recessed decks and alternating materials to break up the massing of the building. Landscaping features provide natural beauty, an inviting streetscape, and buffering from abutting properties.

#### C. Open Space

Open space is being provided in the form of landscaped areas and private decks. A landscape buffer occurs around the perimeter of the building. Each unit contains at least one private deck with unit four containing two decks. Overall, the decks and open space will provide an enjoyable streetscape and usable open space for the residents.

#### D. Circulation

Pedestrian and resident circulation is focused on two separate and distinct front entries, one for the residential portion of the building and one for the commercial space. Design elements are being incorporated to draw attention to these entries and provide visual cues for these separate uses. Public bike racks are being provided adjacent to the commercial space and accessed directly from the sidewalk. The nine parking spaces and sixteen long-term bike racks will be accessed through one singular garage entry. From the garage, residents can access the main lobby and the rear yard.

#### E. Surface Water Drainage

Please see attached drainage plan completed by Spruhan Engineering, P.C.

#### F. Utility Services



Electrical, telephone, cable TV and other such lines shall remain above ground as they currently are and is typical in the area. Sanitary sewage disposal and solid waste disposal from the building will be in accordance with all codes and local requirements.

#### G. Advertising Features

Any signage and advertising will comply with the provisions of Section 6.2 of the Zoning By-Law. The size and location of any signs for the residential or commercial use will be completed with the intent of identifying the uses in a tasteful manner and will not detract from the character of the neighborhood or the surrounding properties.

#### H. Special Features

There are no proposed exposed storage areas, machinery installations, loading area, etc. The transformer room, electrical room and sprinkler room will also be enclosed and screened.

#### I. Safety

The project has been designed to facilitate building evacuation and maximize accessibility by fire, police and other emergency personnel and equipment. The building is located in close proximity to the sidewalk and Mass Ave allowing direct access for fire trucks. The building contains an elevator and two stairwells to provide multiple forms of convenient ingress and egress. Building features and the mixture of permanent residents and day-time occupancy at the commercial space will enliven the property and bring activity and additional safety and security to the site.

#### J. Heritage

The removal or disruption of historical structures or uses should be minimized within Arlington and its history should be respected and preserved where possible. This project involves razing two residential structures although it is not believed either of them have significant historical value and one of the structures is already in a state of disrepair. The proposed uses are in line with historic uses along the Mass Ave corridor and include both commercial and residential components.

#### K. Microclimate

The proposed project seeks to minimize adverse impacts on light, air, and water resources and on noise and temperature levels of the immediate environment. The proposed uses are non-intrusive, as residential and commercial uses are part of Arlington's long-term goals for Mass Ave and historically residential units and a

small commercial space do not drastically alter the noise or temperature levels of the area. The project includes a number of environmentally friendly features, such as open space, landscaping, solar ready roof, EV charging stations and energy efficient appliances which promote mixed-use development in a responsible manner

#### L. Sustainable Building and Site Design

The proposed project will incorporate many features relating to sustainability, water efficiency, energy and atmosphere, materials and resources, and indoor environmental quality. A LEED checklist has been prepared and made part of this application package. The project current contains the following:

- Compliance with the Stretch Energy Code
- Sustainable building materials
- Energy efficient appliance and mechanical systems
- Energy efficient lighting
- Solar ready roof
- Light colored roofing system
- Sustainable landscaping plantings
- Non-invasive plant materials
- Stormwater management
- EV charging stations

#### Conclusion:

The Applicant believes the project provides an opportunity to redevelop these lots and substantially enliven this corridor, while promoting economic growth and necessary uses that will benefit the community. The requested uses will promote activity and commerce in the area while being designed to fit in with the neighborhood context.

For the reasons stated the Applicant respectfully requests the Arlington Redevelopment Board grant the requested approvals relating to the proposed redevelopment and use of the property.

Respectfully submitted,  
IG Investments LLC

*Matthew J. Eckel*

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By: Matthew J. Eckel, Esquire  
Fletcher Tilton PC  
100 Front Street  
Worcester, MA 01608  
Tel: (508) 459-8397  
Email [meckel@fletchertilton.com](mailto:meckel@fletchertilton.com)

# 1513 MASS AVE

Arlington, MA, 02476

ARB EDR APPLICATION

## Summary

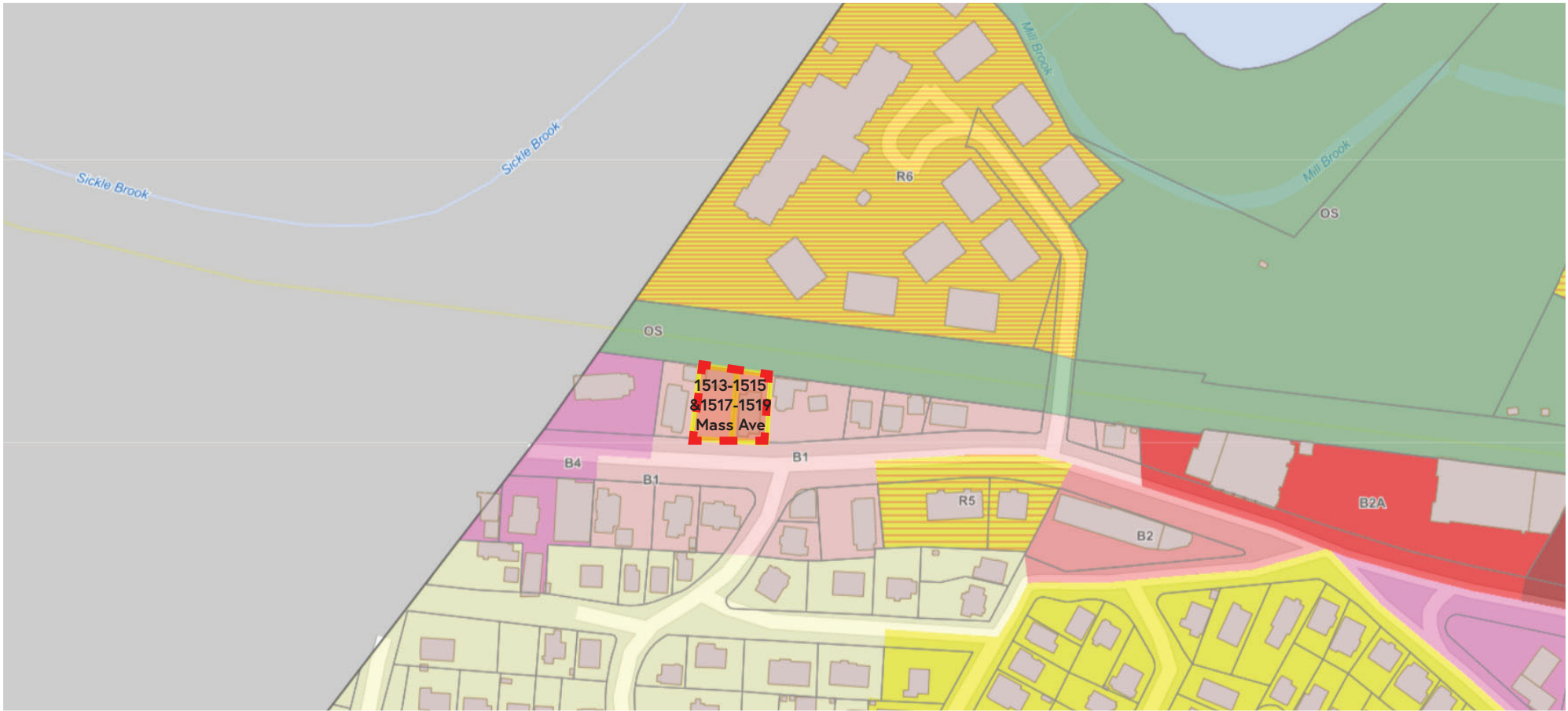
- 3 stories
- 9 residential units  
(7 x 2 Bed Units, 2 x 3 Bed Units)
- 10 Private decks
- 1 Commercial unit
- 9 Arlington parking spaces
- 16 Bike spaces
- 1.57 FAR











**B1 Mixed Use**

Lot Area Minimum:.....5,000 sq. ft.  
 Minimum Lot Frontage:.....50'  
 Max building Height (Stories/Feet):.....3 stories / 35'  
 Max Floor Area Ratio:.....0.75  
 Landscaped Open Space:.....20%  
 Minimum Front Yard Setback:.....20'  
 Minimum Side Yard Setback: .....10'  
 Minimum Rear Yard Setback: .....

\* 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

**Proposed**

Numbers relating to lot size and/or dimensions are estimations to be confirmed

Lot Area: ..... 8,975 sq. ft.  
 Lot Frontage:..... 98'  
 Max building Height (Stories/Feet):..... 3 stories / 34'  
 Max Floor Area Ratio:.....  $\frac{14,118}{8,975} = 1.57$  FAR  
 Landscaped Open Space: ..... 26.9%  
 Minimum Front Yard Setback:..... 3'  
 Minimum Side Yard Setback: ..... 7'-6"  
 Minimum Rear Yard Setback: ..... 3"

Along the Minuteman Bikeway which is zoned in the OS district

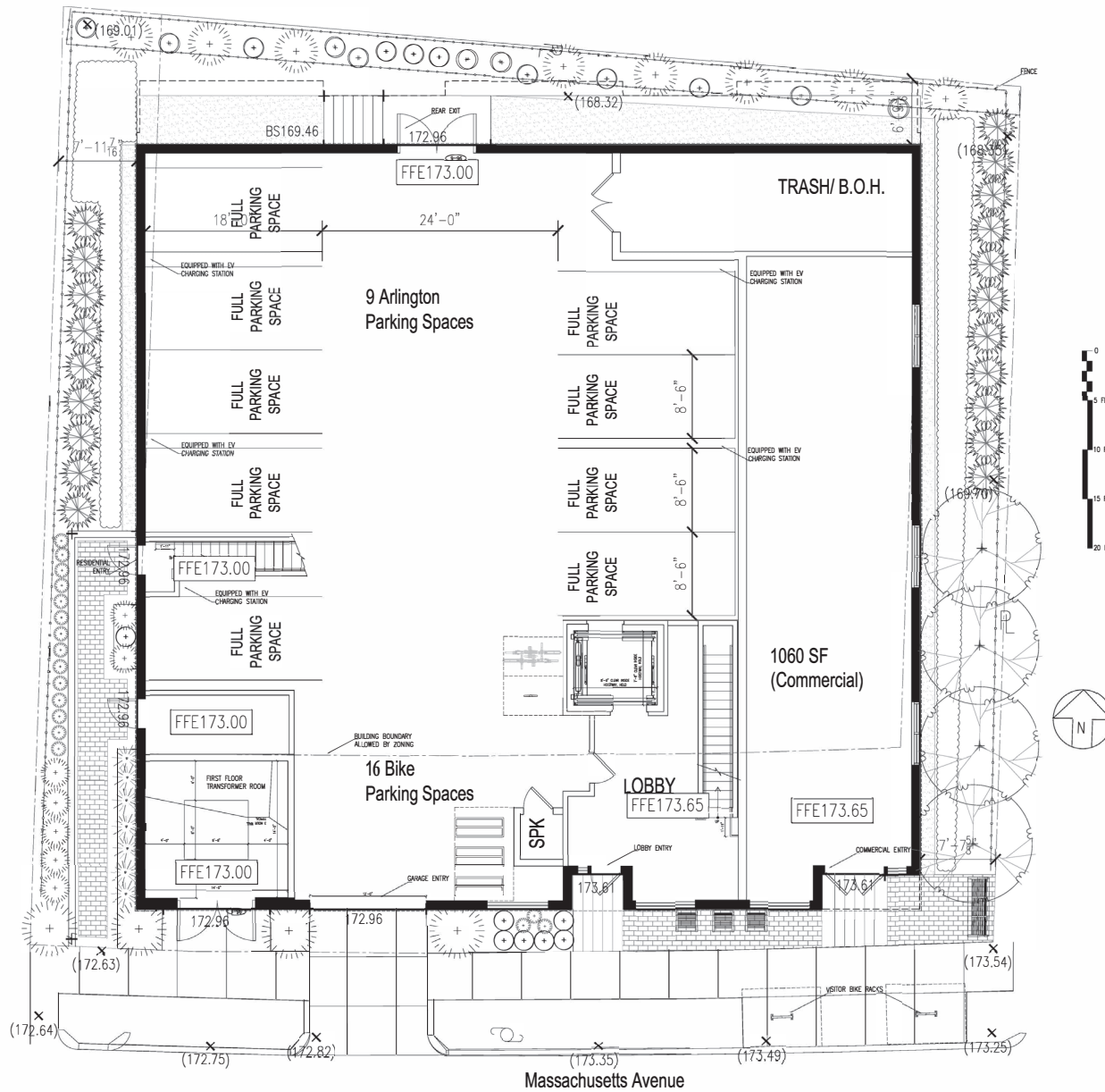
**ALLOWED AND PROPOSED ZONING TABLES**



**EXISTING CONDITIONS (VIEWS FROM MASS AVE)**









'Austin' Bench by Landscape Forms



6' Ht. Board Fence



Hydra 'Shale Grey' Pervious Paver by Techo-bloc



Hydra 'Onyx Black' Pervious Paver by Techo-bloc



Visitor Bike Racks

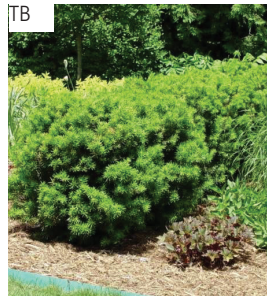
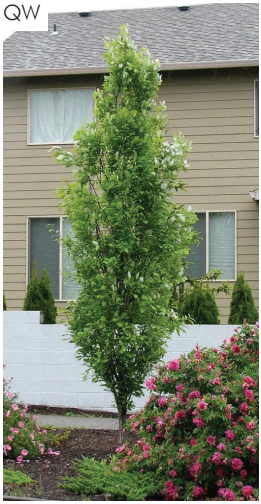
Two Hoop Rocks pictured



42" Ht. Board Fence



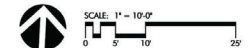


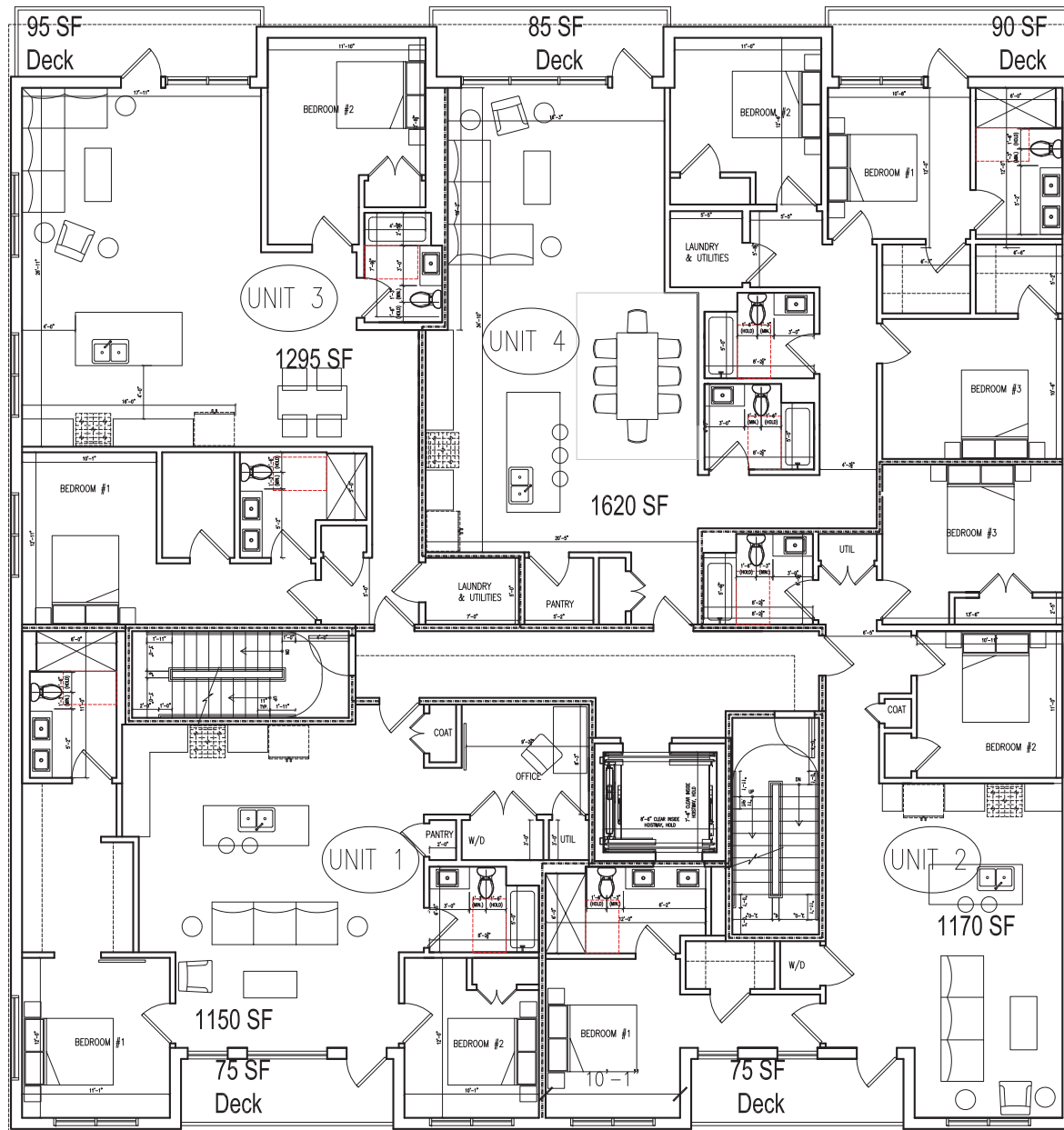


PROBABLE PLANT LIST: 1513-1519 MASS AVE.  
 SYMB QTY. LATIN NAME  
 TREES:  
 QW 4 Quercus x warei 'Long'  
 TO 20 Thuja occidentalis 'Pyramidalis'  
 SHRUBS:  
 IC 4 Ilex crenata  
 ICs 17 Ilex crenata 'Sky Pencil'  
 IG 7 Ilex glabra 'Shamrock'  
 TB 8 Taxus brevifolia  
 PERENNIALS:  
 ck 7 Calamagrostis canadensis 'Karl Foerster'  
 he 15 Heuchera 'Mini Frost'  
 pa 7 Perovskia atriplicifolia 'Little Spire'  
 pt 310 Pachysandra terminalis

COMMON NAME  
 Regal Prince English Oak  
 Pyramidal Eastern Arborvitae  
 Japanese Holly  
 Sky Pencil Holly  
 Shamrock Inkberry  
 Dwarf Yew Shrub  
 Feather Reed Grass  
 Fancy-Leaf Coral Balls  
 Little Spire Russian Sage  
 Japanese Spurge

MIN. SIZE NOTES  
 2.5-3' cal. 8x8  
 6-8' Ht. 8x8  
 5 gal. Pots  
 3 gal. Pots  
 3 gal. Pots  
 5 gal. Pots  
 2 gal. Pots  
 2 gal. Pots  
 1 gal. Pots  
 1 qt. Pots/Space 12"





**2** LEVEL 2 PLAN  
SCALE: 1/4" = 1'-0"

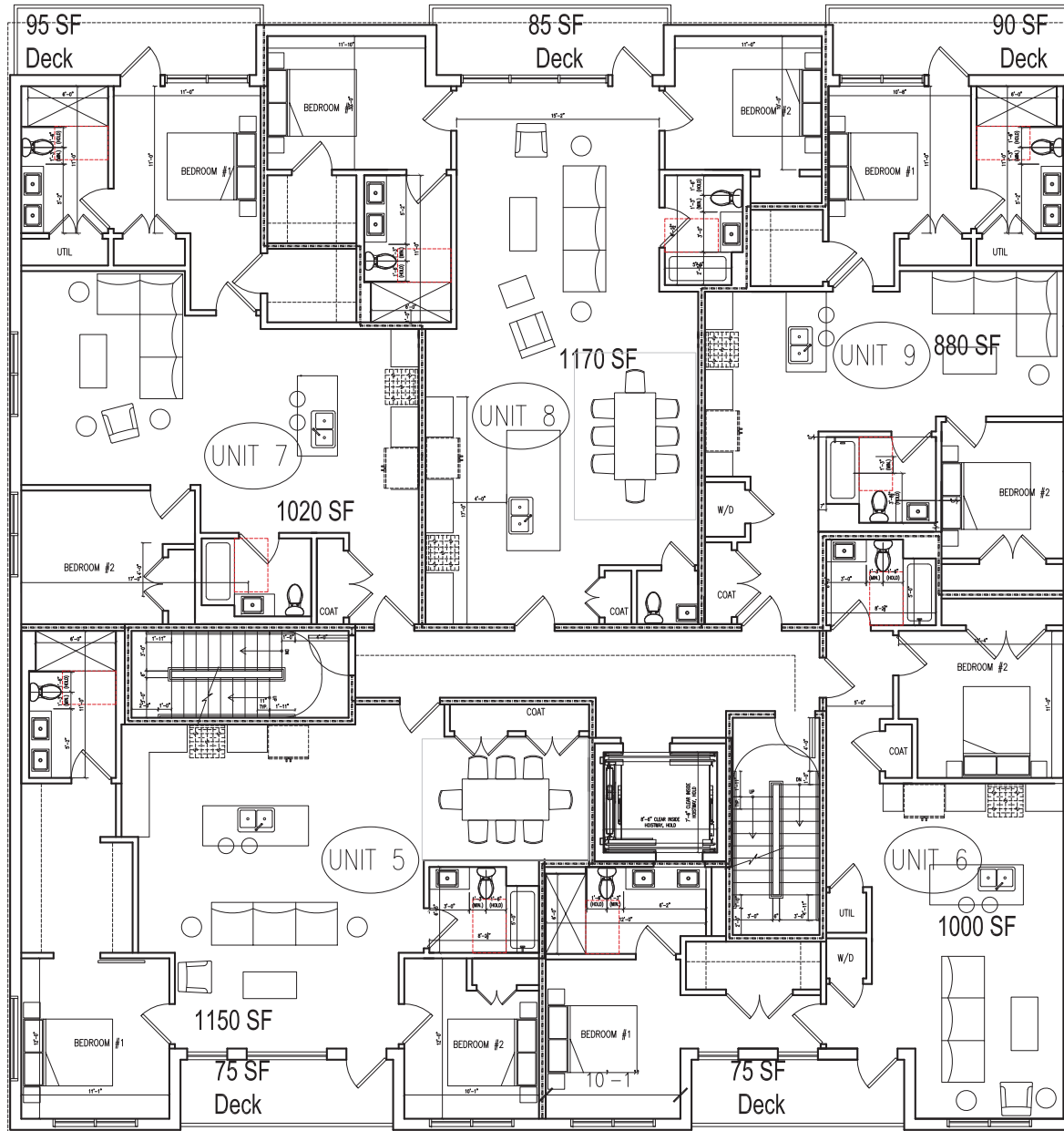
1513 Mass. Ave.  
Rise Realty

**context**  
a collaborative design workshop

Arlington,  
Massachusetts

01	Issued for Permit	01/2024
No.	Description	Date
Drawing Title: Proposed Plans		
Project No: 0660		Checked by: EZ

A-12



**3** LEVEL 3 PLAN  
SCALE: 1/4" = 1'-0"

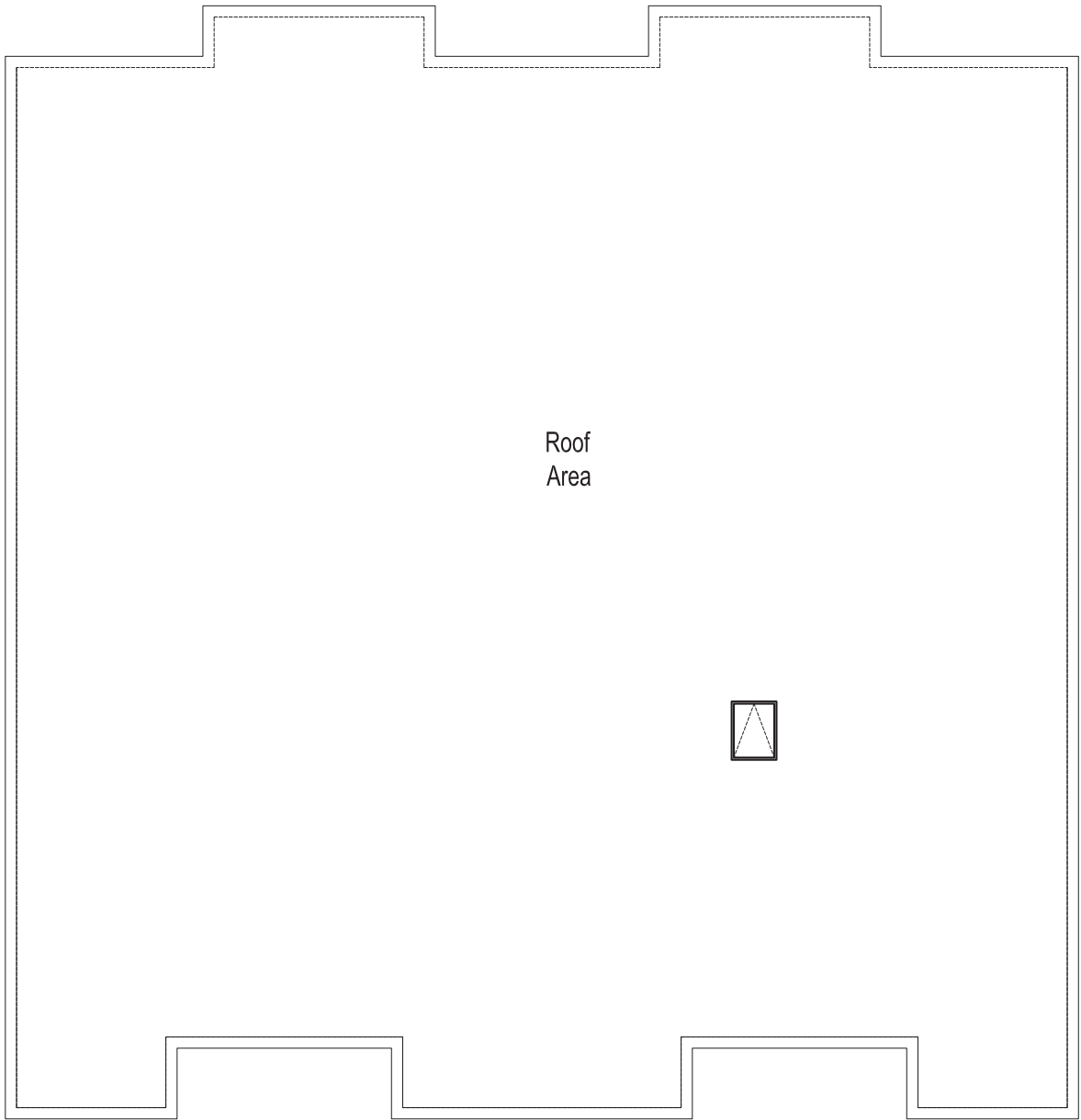
1513 Mass. Ave.  
Rise Realty

**context**  
a collaborative design workshop

Arlington,  
Massachusetts

01	Issued for Permit	11/2024
No.	Description	Date
Drawing Title: Proposed Plans		
Project No: 0680		Checked by: EZ

A-13



Roof  
Area

**3** LEVEL 3 PLAN  
SCALE: 1/4" = 1'-0"

1513 Mass. Ave.  
Rise Realty

**context**  
a collaborative design workshop

Arlington,  
Massachusetts

01	Issued for Permit	03/2024
No.	Description	Date
Drawing Title: Proposed Plans		
Project No: 0680		Checked by: EZ

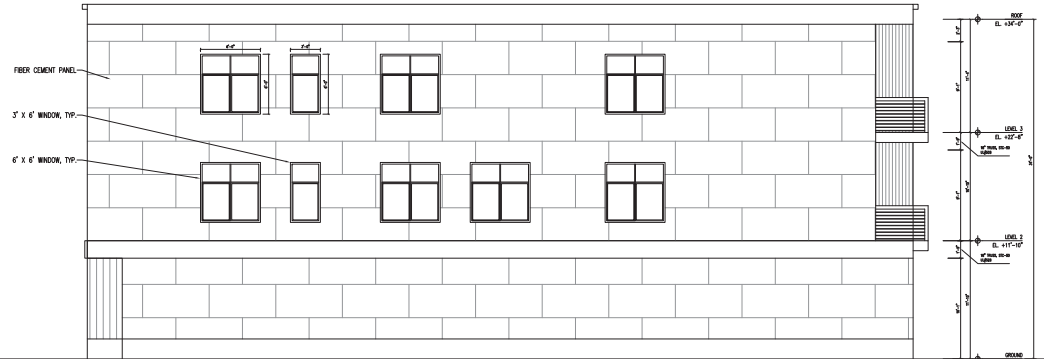
A-14



# Elevations

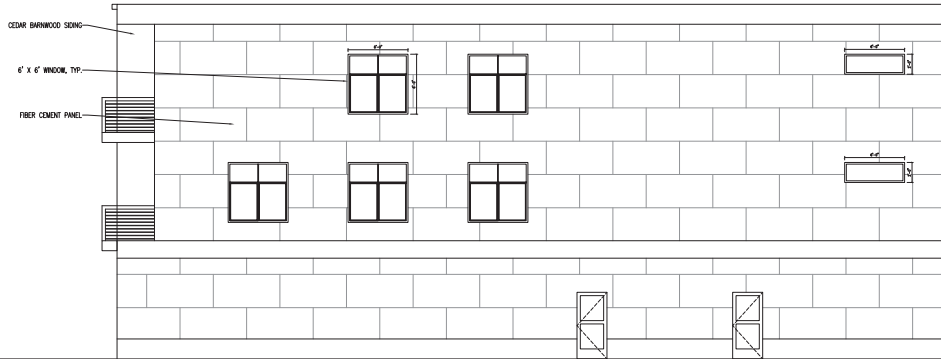


Front Elevation



Right Side Elevation

# Elevations



Left Side Elevation



Rear Elevation

## FACADE MATERIALS AND PRODUCTS

### Swisspearl Nobilis

Nobilis is a grey panel with a translucent, lightly pigmented surface that highlights the fibre cement texture in all its natural beauty and elegance.



COLOR: Crystal 122



Product Example

### New Barnwood Luxury Cedar Barnwood Siding

New Barnwood seamlessly blends the superior performance of newly milled Western Red Cedar with the charming, rustic aesthetics of 19th-century barnwood.

Our Luxury Cedar Barnwood Siding offers a cost-effective alternative to reclaimed barnwood, boasting quicker installation, minimal waste, and none of the common issues such as pests, animal waste, nails, or lead.



COLOR: Espresso



Product Example

### Pac-Clad Redi-Roof Standing Seam

Redi-Roof panels feature an offset profile which adds strength and allows room for a hex head fastener. The clip, with its button-punched design, ensures an extra-snug fit. The one-piece design allows for ease of installation.



COLOR: Zinc



Product Example



# Proposal in Context & Material Renders





**GENERAL NOTES**

- THE CONTRACTOR SHALL REPORT TO THE OWNER AND ENGINEER OF ANY SIGNIFICANT VARIATIONS IN EXISTING SITE CONDITIONS FROM THOSE SHOWN ON THESE PLANS. ANY PROPOSED REVISIONS TO THE WORK, IF REQUIRED BY THESE SITE CONDITIONS, SHALL NOT BE UNDERTAKEN UNTIL REVIEWED AND APPROVED BY THE OWNER AND THE ENGINEER.
- IN ORDER TO PROTECT THE PUBLIC SAFETY DURING CONSTRUCTION, THE CONTRACTOR IS RESPONSIBLE FOR INSTALLING AND MAINTAINING AT ALL TIMES ALL NECESSARY SAFETY DEVICES AND PERSONNEL, WARNING LIGHTS, BARRICADES, AND POLICE OFFICERS.
- ALL WORK SHALL CONFORM TO TOWN OF ARLINGTON GENERAL CONSTRUCTION STANDARDS.
- THE CONTRACTOR SHALL REGULARLY INSPECT THE PERIMETER OF THE PROPERTY TO CLEAN UP AND REMOVE LOOSE CONSTRUCTION DEBRIS BEFORE IT LEAVES THE SITE. ALL DEMOLITION DEBRIS SHALL BE PROMPTLY REMOVED FROM THE SITE TO A LEGAL DUMP SITE. ALL TRUCKS LEAVING THE SITE SHALL BE COVERED.
- IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO INSTITUTE EROSION CONTROL MEASURES ON AN AS NECESSARY BASIS, SUCH THAT EXCESSIVE SOIL EROSION DOES NOT OCCUR.
- THE LOCATION OF UNDERGROUND UTILITIES AS REPRESENTED ON THESE PLANS IS BASED UPON PLANS AND INFORMATION PROVIDED BY THE RESPECTIVE UTILITY COMPANIES OR MUNICIPAL DEPARTMENTS SUPPLEMENTED BY FIELD IDENTIFICATION WHEREVER POSSIBLE. NO WARRANTY IS MADE AS TO THE ACCURACY OF THESE LOCATIONS OR THAT ALL UNDERGROUND UTILITIES ARE SHOWN. THE CONTRACTOR SHALL CONTRACT DIG SAFE AT LEAST 72 HOURS PRIOR TO THE START OF CONSTRUCTION. DIG SAFE TELEPHONE NUMBER IS 1-800-322-4844.
- THE CONTRACTOR SHALL VERIFY THE LOCATION, SIZE AND DEPTH OF EXISTING UTILITIES PRIOR TO TAPPING INTO, CROSSING OR EXTENDING THEM. IF THE NEW WORK POSES A CONFLICT WITH EXISTING UTILITIES, THE ENGINEER SHALL BE NOTIFIED PRIOR TO THE CONTRACTOR CONTINUING.
- NO LEDGE, BOULDERS, OR OTHER UNYIELDING MATERIALS ARE TO BE LEFT WITHIN 6" OF THE WATER IN THE TRENCH, NOR ARE THEY TO BE USED FOR BACKFILL FOR THE FIRST 12" ABOVE THE PIPES.
- PAVEMENT AREA SHALL BE PAVED TO A THICKNESS AS SHOWN ON THE PLANS MEASURED AFTER COMPACTION, WITH A BINDER COURSE AND TOP COURSE OF CLASS I BITUMINOUS CONCRETE PAVEMENT, TYPE I-1.
- BASE MATERIAL SHALL BE CLEAN BANK RUN GRAVEL, CONFORMING TO M.D.P.W. M1.03.1, WITH NO STONES LARGER THAN THREE (3) INCHES IN DIAMETER AND SHALL BE PLACED AND ROLLED WITH AT LEAST A TEN TON ROLLER. THE SURFACES SHALL BE WET DURING ROLLING TO BIND THE MATERIAL. ALL STONES OF 4" DIAMETER OR LARGER SHALL BE REMOVED FROM THE SUB-BASE PRIOR TO PLACING BASE MATERIAL.
- ALL EXISTING PAVING TO BE DISTURBED SHALL BE CUT ALONG A STRAIGHT LINE THROUGH ITS ENTIRE THICKNESS. BUTT THE NEW PAVING INTO THE EXISTING PAVEMENT TO REMAIN.
- ANY PAVEMENT REMOVED FOR UTILITY TRENCH EXCAVATION OR OTHERWISE DAMAGED DURING CONSTRUCTION SHALL BE REPLACED WITH A PAVEMENT SECTION CONSISTING OF 1" WEAR COURSE OVERLYING A 1 1/2" BINDER COURSE OVERLYING A 8" COMPACTED GRAVEL BASE COURSE.
- THE CONTRACTOR SHALL APPLY FOR A STREET OPENING AND UTILITY CONNECTION PERMITS AND SIDEWALK CROSSING PERMIT WITH THE TOWN OF ARLINGTON DFW.
- CONTRACTOR TO ENSURE THAT ALL SURFACE WATER IS DIVERTED AWAY FROM BUILDING FOUNDATION DURING FINAL GRADING.
- ADEQUATE MEASURES SHALL BE TAKEN AS NEEDED TO PREVENT RUNOFF SEDIMENT FROM THE SITE COLLECTING ON THE SIDEWALK, ROADWAY, OR ADJUTING PROPERTIES DURING CONSTRUCTION ACTIVITIES. SUCH MEASURES MAY INCLUDE, BUT ARE NOT LIMITED TO, ADDITIONAL HAYBALES AND SWEEPING. PLEASE INCLUDE A NOTE TO INDICATE THE REQUIREMENT TO REMOVE ALL SEDIMENT OR PRODUCTS OF EROSION FROM THE RIGHT OF WAY AND TO REQUIRE SWEEPING OF THE STREET WHEN NECESSARY.
- CONTRACTOR TO COORDINATE WITH THE ARLINGTON ENGINEERING DIVISION TO PERFORM INSPECTIONS OF 1) BOTTOM OF EXCAVATION AND 2) SYSTEM AFTER INSTALLED BUT BEFORE BACKFILL. ENGINEERING DIVISION SHOULD BE NOTIFIED 24 HOURS PRIOR TO INSPECTION.
- IF SUBSURFACE CONDITIONS DO NOT MATCH THE TEST PIT CONDITIONS, THE CONTRACTOR SHALL CONTACT THE DESIGN ENGINEER AND THE ARLINGTON ENGINEERING DIVISION FOR REVIEW IMMEDIATELY.
- ADDITIONAL PERMITTING WILL BE REQUIRED THROUGH THE ARLINGTON ENGINEERING DIVISION FOR ANY PROPOSED WORK WITHIN THE RIGHT OF WAY.
- THE TOWN OF ARLINGTON WATER AND SEWER DIVISIONS ARE NOT PART OF DIG-SAFE. WHERE ACTIVITIES REQUIRE A DIG-SAFE MARKOUT, THE TOWN OF ARLINGTON WATER AND SEWER DIVISION SHOULD BE CONTACTED AT 781-316-3310 TO REQUEST A MARKOUT AT LEAST 72 HOURS IN ADVANCE.

**NOTES:**

- INFORMATION SHOWN ON THIS PLAN IS THE RESULT OF A FIELD SURVEY PERFORMED BY SPRUHAN ENGINEERING, P.C. AS OF 5/10/2024.
- DEED #1513-1517: BOOK 26219, PAGE 127  
DEED #1517-1519: BOOK 11361, PAGE 019  
PLAN 1036 OF 1941;  
STREET LAYOUT 1913  
STREET LAYOUT 1892  
MIDDLESEX COUNTY SOUTH DISTRICT REGISTRY OF DEEDS  
THIS PLAN IS NOT INTENDED TO BE RECORDED.
- I CERTIFY THAT THE DWELLING SHOWN IS NOT LOCATED WITHIN A SPECIAL FLOOD HAZARD ZONE. IT IS LOCATED IN ZONE X, ON FLOOD HAZARD BOUNDARY MAP NUMBER 25017C0412E, IN COMMUNITY NUMBER: 250177, DATED 6/4/2010.
- THIS PLAN DOES NOT SHOW ANY UNRECORDED OR UNWRITTEN EASEMENTS WHICH MAY EXIST. A REASONABLE AND DILIGENT ATTEMPT HAS BEEN MADE TO OBSERVE ANY APPARENT USES OF THE LAND; HOWEVER THIS NOT CONSTITUTE A GUARANTEE THAT NO SUCH EASEMENTS EXIST.
- FIRST FLOOR ELEVATIONS ARE TAKEN AT THRESHOLD.
- NO RESPONSIBILITY IS TAKEN FOR ZONING TABLE AS SPRUHAN ENGINEERING, P.C. ARE NOT ZONING EXPERTS. TABLE IS TAKEN FROM TABLE PROVIDED BY LOCAL ZONING ORDINANCE. CLIENT AND/OR ARCHITECT TO VERIFY THE ACCURACY OF ZONING ANALYSIS.
- THE ELEVATIONS SHOWN ARE BASED ON CITY OF ARLINGTON DATUM.

REFER TO ARCHITECTURAL PLANS FOR ALL ZONING RELATED INFORMATION

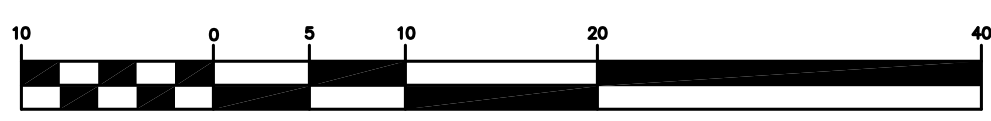
ALL SURFACE WATER RUNOFF SHALL BE DIRECTED AWAY FROM BUILDING FOUNDATION AND AWAY FROM NEIGHBORING PROPERTY

NOTE: THE BOTTOM OF THE FOOTING ELEVATION SHOULD BE THE SAME OR LOWER THAN THE BOTTOM OF THE INFILTRATION SYSTEM ELEVATION

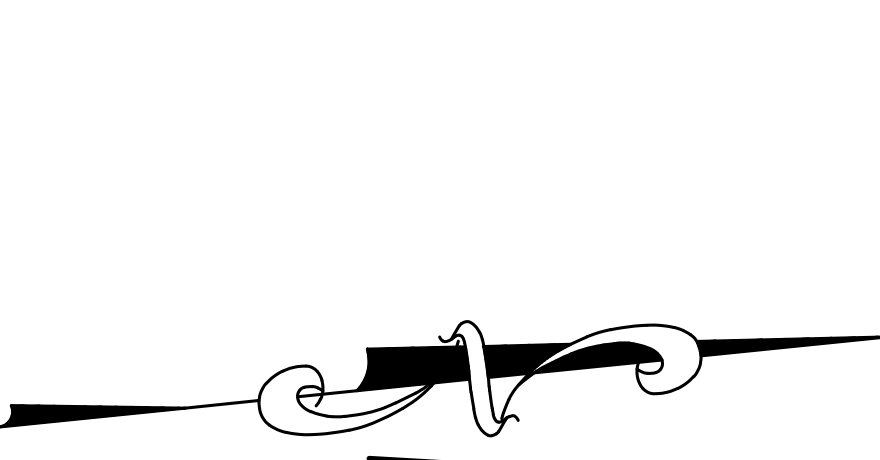
PROPOSED FIRST FLOOR ELEVATION TO BE VERIFIED BY ARCHITECT PRIOR TO ANY CONCRETE BEING POURED.

LOCATION OF INFILTRATION SYSTEM TO BE VERIFIED BY STRUCTURAL ENGINEER TO ENSURE DO NOT CAUSE CONFLICT WITH PROPOSED STRUCTURE BEFORE INFILTRATION SYSTEM IS INSTALLED

**GRAPHIC SCALE**



1 inch = 10 ft.



**BOSTON & MAINE RAIL ROAD**

**OWNERS INFORMATION:**  
IG INVESTMENT LLC  
ILYA ZVENIGORODSKIY  
226 HARVARD ST, BROOKLINE,  
MA 02446  
860-833-4081  
ILYA@RISEBOSTON.COM



LOCUS MAP

**LEGEND**

SS	SEWER LINE
S	SEWER MANHOLE
V	WATER LINE
G	GAS LINE
U	UTILITY POLE
Q	GAS VALVE
E	OVERHEAD ELECTRIC SERVICE
W	WATER VALVE
□	CATCH BASIN
○	FENCE
205	CONTOUR LINE (MJR)
195	CONTOUR LINE (MNR)
X	SPOT GRADE
⊙	DRAIN MANHOLE
⊕	HYDRANT
○	TREE



**Spruhan Engineering, P.C.**  
80 JEWETT ST, (SUITE 2)  
NEWTON, MA 02458  
Tel: 617-816-0722  
Email: edmond@spruhaneng.com

**1513-1519 MASSACHUSETTS AVENUE ARLINGTON, MASSACHUSETTS**

**CIVIL PLANS**

**REVISION BLOCK**

BY	DESCRIPTION	DATE

EXISTING AREAS		PROPOSED AREAS	
LOT AREA	8,975.00 S.F.	LOT AREA	8,975.00 S.F.
EXISTING IMPERVIOUS AREA		PROPOSED IMPERVIOUS AREA	
BUILDINGS	1,965.90 S.F.	BUILDING	6,187.45 S.F.
COVERED PORCH	74.05 S.F.	COVERED OUTDOOR	398.33 S.F.
DRIVEWAY	1,482.24 S.F.	DECKS	79.50 S.F.
WALKWAYS	152.73 S.F.	RETAINING WALL	74.61 S.F.
STEPS	31.73 S.F.	<b>TOTAL</b>	<b>6,739.89 S.F.</b>
RETAINING WALL	74.61 S.F.		
<b>TOTAL</b>	<b>3,781.26 S.F.</b>	PROPOSED PERVIOUS AREA	
EXISTING PERVIOUS AREAS		N/A	S.F.
N/A	S.F.	<b>TOTAL</b>	<b>0.00 S.F.</b>
<b>TOTAL</b>	<b>0.00 S.F.</b>	LANDSCAPE AREA	2,235.11 S.F.
LANDSCAPE AREA	5,193.74 S.F.		

TOTAL EXISTING IMPERVIOUS AREA = 3,781.26 S.F.  
TOTAL PROPOSED IMPERVIOUS AREA = 6,739.89 S.F.  
TOTAL INCREASE IN IMPERVIOUS AREA = 2958.63 S.F.

**DEEP OBSERVATION HOLE LOG**

DEEP OBSERVATION HOLE NUMBER:			TP-1		GROUND ELEVATION:				(170.00±)		
Depth (in)	Horizon/Layer	Matrix: Color-Moist	Redoximorphic Features			Texture (USDA)	Coarse Fragments (Percent by Volume)		Structure	Consistence (Moist)	Other
			Depth (in)	Color	Percent		Gravel	Cobbles & Stones			
0-10	A/Fill	—	—	—	—	—	—	—	—	—	—
10-42	Fill	—	—	—	—	—	—	—	—	—	—
42-70	C-1	10YR 5/1	—	—	—	SILT LO-M	15	5	Atk	Fri	—
—	—	—	—	—	—	—	—	—	—	—	—

NOTES:  
1. NO WEEPING OR REDOX OBSERVED  
2. STOPPED AT DEPTH OF 70" DUE TO REFUSAL. LARGE BOULDERS OR LEDGE  
3. LOGGED BY MATTHEW MUI, SE14259 ON 07/26/2024.  
4. FILL CONSISTED OF CONSTRUCTION DEBRIS

**DEEP OBSERVATION HOLE LOG**

DEEP OBSERVATION HOLE NUMBER:			TP-2		GROUND ELEVATION:				(168.00±)		
Depth (in)	Horizon/Layer	Matrix: Color-Moist	Redoximorphic Features			Texture (USDA)	Coarse Fragments (Percent by Volume)		Structure	Consistence (Moist)	Other
			Depth (in)	Color	Percent		Gravel	Cobbles & Stones			
0-10	A/Fill	—	—	—	—	—	—	—	—	—	—
10-102	Fill	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—

NOTES:  
1. NO WEEPING OR REDOX OBSERVED  
2. STOPPED AT DEPTH OF 102" DUE TO REFUSAL. LARGE BOULDERS.  
3. ALL THE SOILS ENCOUNTERED WAS FILL. FILL CONSISTED OF ASH AND CONSTRUCTION DEBRIS  
4. LOGGED BY MATTHEW MUI, SE14259 ON 07/26/2024.

**HYDROCAD RESULTS**

**Summary Table**

	Runoff Flow Rate		Volume of Runoff	
	EXISTING	PROPOSED	EXISTING	PROPOSED
2-Year Storm	0.28 cfs	0.00 cfs	1,006 cfs	0.00 cfs
10-Year Storm	0.50 cfs	0.22 cfs	1,850 cfs	559 cfs
25-Year Storm	0.69 cfs	0.31 cfs	2,452 cfs	1,031 cfs
100-Year Storm	1.0 cfs	0.42 cfs	3,454 cfs	1,763 cfs

**DRAFT**

DATE: 05/08/24  
DRAWN BY: M.L.  
CHECKED BY: G.P.  
APPROVED BY: E.S.

**CIVIL PLAN**

**SHEET 1 OF 2**





**LEED v4 for Building Design and Construction: Multifamily Midrise**  
Project Checklist

Project Name: 1513 Massachusetts Ave  
Date:08/28/2024

Y ? N

Y	2	Credit	Integrative Process	2
<b>11</b>	<b>0</b>	<b>2</b>	<b>Location and Transportation</b>	<b>15</b>
Y		Prereq	Floodplain Avoidance	Required
<b>PERFORMANCE PATH</b>				
		Credit	LEED for Neighborhood Development Location	15
<b>PRESCRIPTIVE PATH</b>				
7		Credit	Site Selection	8
2		Credit	Compact Development	3
2		Credit	Community Resources	2
	2	Credit	Access to Transit	2
<b>0</b>	<b>7</b>	<b>0</b>	<b>Sustainable Sites</b>	<b>7</b>
Y		Prereq	Construction Activity Pollution Prevention	Required
Y		Prereq	No Invasive Plants	Required
	2	Credit	Heat Island Reduction	2
	3	Credit	Rainwater Management	3
	2	Credit	Non-Toxic Pest Control	2
<b>0</b>	<b>10</b>	<b>0</b>	<b>Water Efficiency</b>	<b>12</b>
Y		Prereq	Water Metering	Required
<b>PERFORMANCE PATH</b>				
		Credit	Total Water Use	12
<b>PRESCRIPTIVE PATH</b>				
	6	Credit	Indoor Water Use	6
	4	Credit	Outdoor Water Use	4
<b>0</b>	<b>37</b>	<b>0</b>	<b>Energy and Atmosphere</b>	<b>37</b>
Y		Prereq	Minimum Energy Performance	Required
Y		Prereq	Energy Metering	Required
Y		Prereq	Education of the Homeowner, Tenant or Building Manager	Required
	30	Credit	Annual Energy Use	30
	5	Credit	Efficient Hot Water Distribution	5
	2	Credit	Advanced Utility Tracking	2
<b>0</b>	<b>9</b>	<b>0</b>	<b>Materials and Resources</b>	<b>9</b>
Y		Prereq	Certified Tropical Wood	Required
Y		Prereq	Durability Management	Required
	1	Credit	Durability Management Verification	1
	5	Credit	Environmentally Preferable Products	5
	3	Credit	Construction Waste Management	3

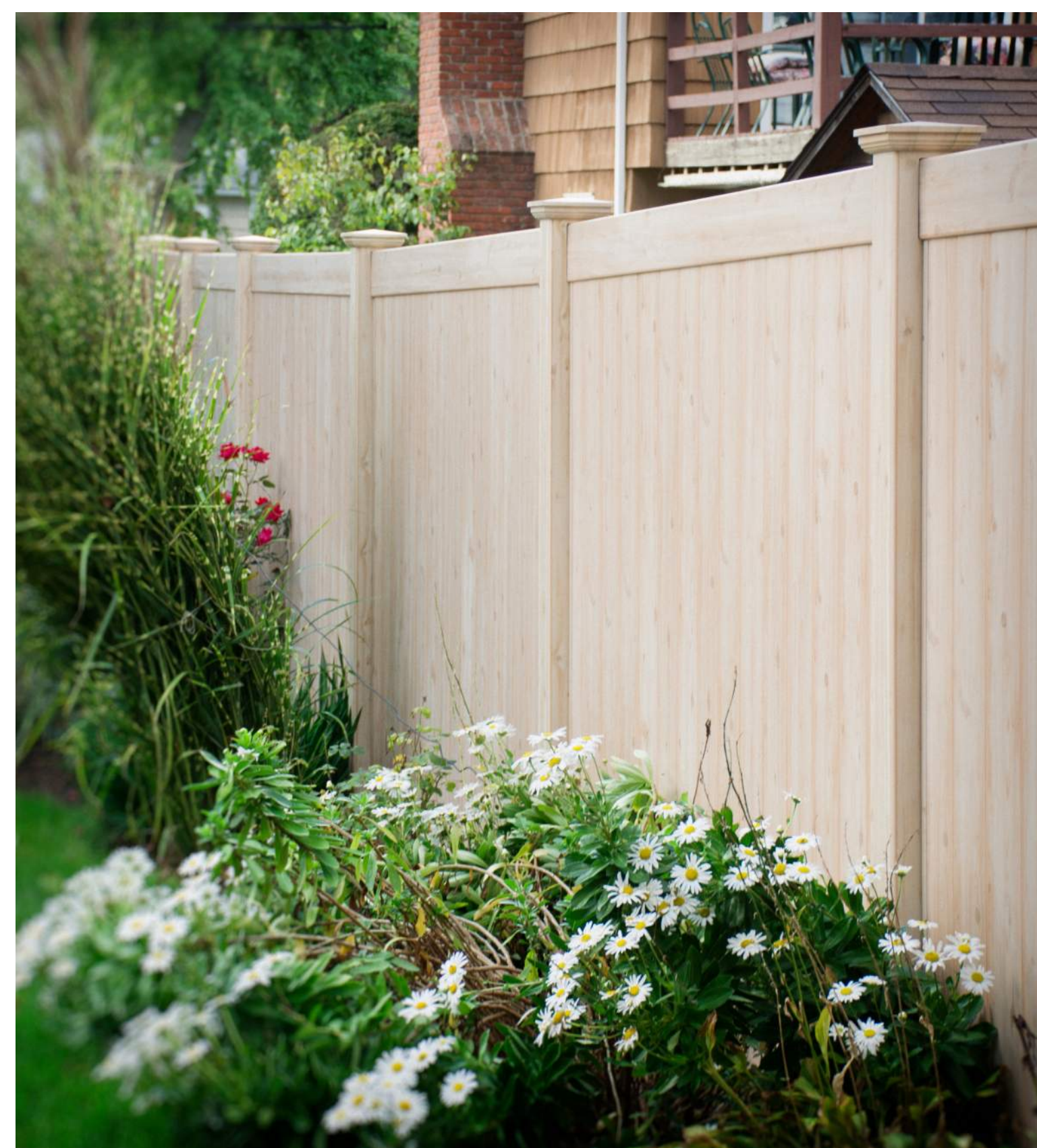
<b>0</b>	<b>18</b>	<b>0</b>	<b>Indoor Environmental Quality</b>	<b>18</b>
Y		Prereq	Ventilation	Required
Y		Prereq	Combustion Venting	Required
Y		Prereq	Garage Pollutant Protection	Required
Y		Prereq	Radon-Resistant Construction	Required
Y		Prereq	Air Filtering	Required
Y		Prereq	Environmental Tobacco Smoke	Required
Y		Prereq	Compartmentalization	Required
	3	Credit	Enhanced Ventilation	3
	2	Credit	Contaminant Control	2
	3	Credit	Balancing of Heating and Cooling Distribution Systems	3
	3	Credit	Enhanced Compartmentalization	3
	2	Credit	Enhanced Combustion Venting	2
	1	Credit	Enhanced Garage Pollutant Protection	1
	3	Credit	Low Emitting Products	3
	1	Credit	No Environmental Tobacco Smoke	1
<b>0</b>	<b>5</b>	<b>1</b>	<b>Innovation</b>	<b>6</b>
Y		Prereq	Preliminary Rating	Required
	5	Credit	Innovation	5
	1	Credit	LEED AP Homes	1
<b>0</b>	<b>4</b>	<b>0</b>	<b>Regional Priority</b>	<b>4</b>
	1	Credit	Regional Priority: Specific Credit	1
	1	Credit	Regional Priority: Specific Credit	1
	1	Credit	Regional Priority: Specific Credit	1
	1	Credit	Regional Priority: Specific Credit	1
<b>11</b>	<b>92</b>	<b>3</b>	<b>TOTALS</b>	<b>Possible Points: 110</b>

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





'Austin' Bench by Landscape Forms



6' Ht. Board Fence



Hydra 'Shale Grey' Pervious Paver by Techo-bloc



Hydra 'Onyx Black' Pervious Paver by Techo-bloc



Visitor Bike Racks



42" Ht. Board Fence

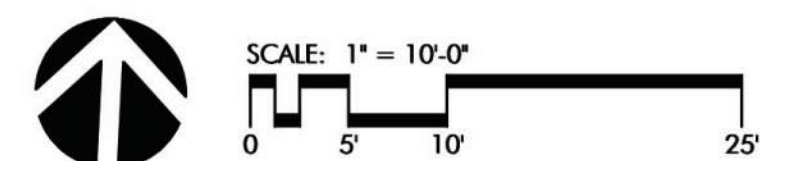




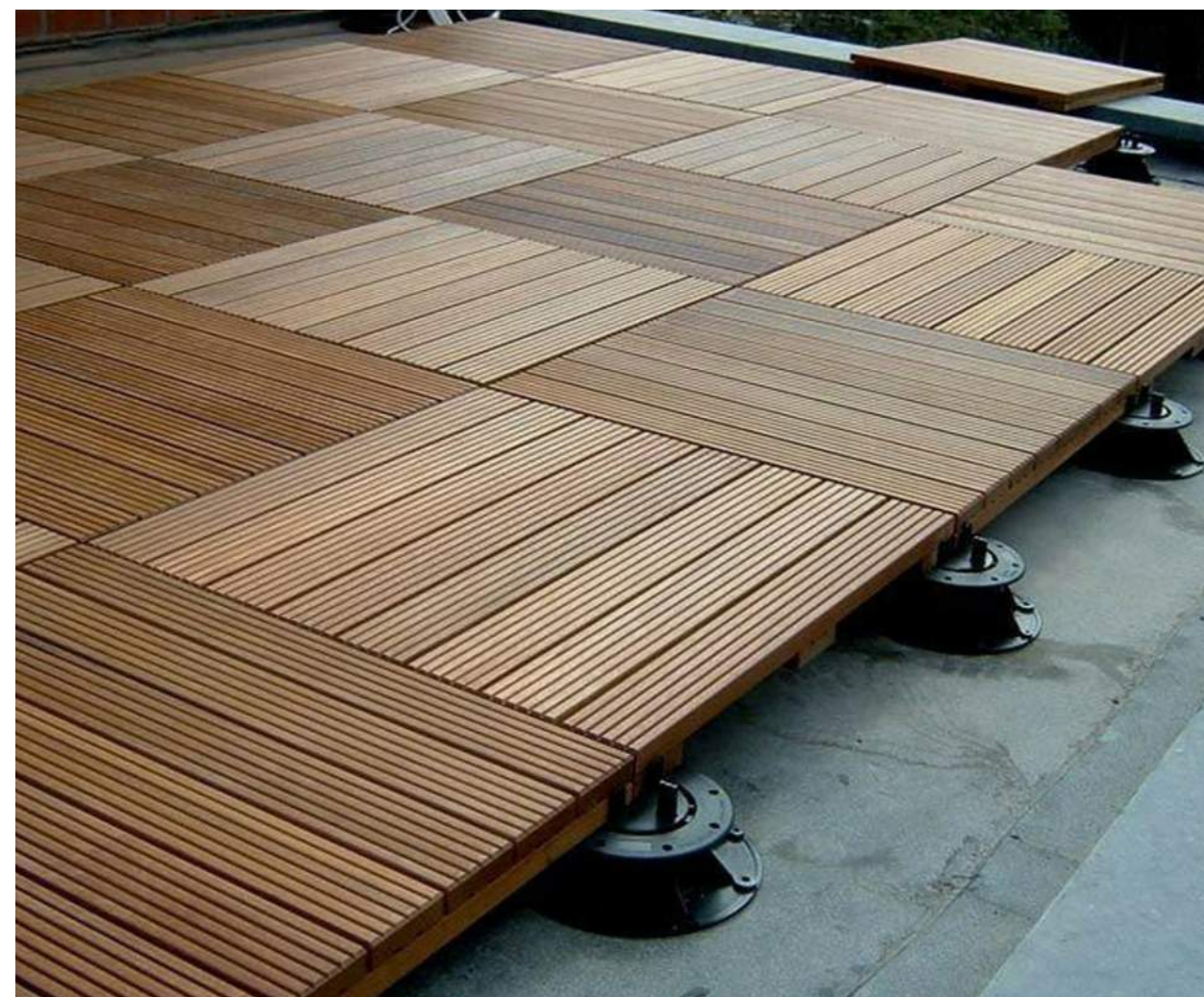


PROBABLE PLANT LIST: 1513-1519 MASS AVE.

SYMB	QTY.	LATIN NAME	COMMON NAME	MIN. SIZE	NOTES
<b>TREES:</b>					
QW	4	<i>Quercus x warei</i> 'Nadler'	Kindred Spirit Oak	3-3.5' cal.	B&B
TO	20	<i>Thuja occidentalis</i> 'Pyramidalis'	Pyramidal Eastern Arborvitae	6-8' Ht.	B&B
<b>SHRUBS:</b>					
CA	15	<i>Clethra alnifolia</i> 'Hummingbird'	Dwarf Summersweet	3 gal.	Pots
IC	4	<i>Ilex crenata</i>	Japanese Holly	5 gal.	Pots
ICs	17	<i>Ilex crenata</i> 'Sky Pencil'	Sky Pencil Holly	3 gal.	Pots
IG	7	<i>Ilex glabra</i> 'Shamrock'	Shamrock Inkberry	3 gal.	Pots
TB	8	<i>Taxus brevifolia</i>	Dwarf Yew Shrub	5 gal.	Pots
<b>PERENNIALS:</b>					
ck	7	<i>Calamagrostis acutifolia</i> 'Karl Foerster'	Feather Reed Grass	2 gal.	Pots
pa	7	<i>Perovskia atriplicifolia</i> 'Little Spire'	Little Spire Russian Sage	1 gal.	Pots
pt	310	<i>Pachysandra terminalis</i>	Japanese Spurge	1 qt.	Pots/Space 12"







Wood Deck Tiles by Bison OR SIMILAR



BM



Lightweight Planters by Bison OR SIMILAR



dc



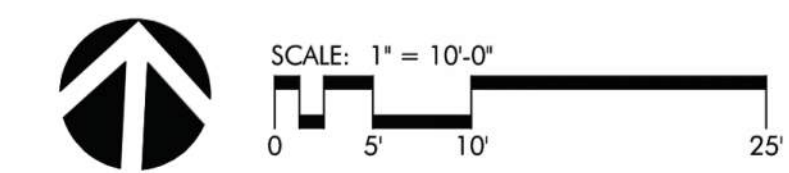
Sedum Green Roof



gl

PLANT LIST 1513-1519 MASS AVE. - ROOF DECK

SYM #	LATIN NAME	COMMON NAME	MIN. SIZE	NOTES
<b>SHRUBS</b>				
BM 18	<i>Buxus microphylla</i> 'Winter Gem'	Winter Gem Boxwood	1 gal	Pots
<b>PERENNIALS</b>				
dc 9	<i>Deschampsia cespitosa</i> 'Schottland'	Scottish Tufted Hair Grass	1 gal	Pots
gl 11	<i>Gaura lindheimeri</i> 'Whirling Butterflies'	Whirling Butterflies Beeblossom	1 gal	Pots







**Legal Notice of a Public Hearing, Arlington Redevelopment Board  
Docket #3821, 1513-1515 and 1517-1519 Massachusetts Avenue**

Notice is herewith given that an application has been filed on September 20, 2024, by Yevgeny Bernshtein, IG Investments LLC, 226 Harvard Street, Brookline, MA 02446, to open Special Permit Docket #3821 in accordance with the provisions of MGL Chapter 40A § 11, and the Town of Arlington Zoning Bylaw Sections 3.3, Special Permits, and 3.4, Environmental Design Review. The applicant proposes to demolish the existing single-family and two-family buildings and construct a mixed-use building containing nine residential units and one commercial unit on the property located at 1513-1515 and 1517-1519 Massachusetts Ave, Arlington, MA, in the B1 Neighborhood Office District. The opening of the Docket is to allow the Board to review and approve the application under Section 3.4, Environmental Design Review.

**A Public Hearing will be held on Monday, October 21, 2024, at 7:30 pm, Arlington Community Center, Main Hall, 27 Maple Street, Arlington.**

Plans may be viewed at the Department of Planning and Community Development on the first floor of the Town Hall Annex, 730 Massachusetts Avenue, Arlington, MA, during office hours (Mon-Wed, 8:00-4:00; Thu, 8:00-7:00; Fri, 8:00-12:00), or viewed and downloaded at [arlingtonma.gov/arb](http://arlingtonma.gov/arb).

**Arlington Redevelopment Board  
Rachel Zsembery  
Chair**

10/3/2024, 10/10/2024



**Town of Arlington, Massachusetts**  
Department of Planning and Community Development  
730 Massachusetts Avenue, Arlington, Massachusetts 02476

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## Public Hearing Memorandum

*The purpose of this memorandum is to provide the Arlington Redevelopment Board and public with technical information and a planning analysis to assist with the regulatory decision-making process.*

**To:** Arlington Redevelopment Board  
**From:** Claire V. Ricker, AICP Secretary Ex-Officio  
**Subject:** Environmental Design Review, 1513-1515 and 1517-1519 Massachusetts Avenue, Arlington, MA, Docket #3821  
**Date:** October 17, 2024

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### I. Docket Summary

This is an application by Yevgeny Bernshtein, IG Investments LLC, 226 Harvard Street, Brookline, MA 02476, to open Special Permit Docket #3821 in accordance with the provisions of MGL Chapter 40A § 11, and the Town of Arlington Zoning Bylaw Section 3.3, Special Permits, and Section 3.4, Environmental Design Review.

The applicant proposes to demolish the existing single-family and two-family buildings and construct a mixed-use building containing nine residential units and one commercial unit on the property located at 1513-1515 and 1517-1519 Massachusetts Ave, Arlington, MA, in the B1 Neighborhood Office District. The opening of the Docket is to allow the Board to review and approve the project under Section 3.3, Special Permits, and Section 3.4, Environmental Design Review.

Approval of this project requires relief from the following requirements:

- §5.5.2.A. Dimensional Requirements: front, side, and rear yard, open space, and FAR
- §6.1.12.A. Bicycle Parking

Materials submitted for consideration of this application include:

- Application for EDR Special Permit,
- Dimensional and Parking Information,
- Impact Statement,
- Site Plan,
- LEED Checklist,
- Landscape Plans, and
- Architectural Drawings.

## II. Application of Special Permit Criteria (Arlington Zoning Bylaw, Section 3.3)

### 1. Section 3.3.3.A.

**The use requested is listed as a Special Permit in the use regulations for the applicable district or is so designated elsewhere in this Bylaw.**

As per Section 5.5.3, Use Regulations for Business Districts, a mixed-use building is allowed in the B1 Neighborhood Office District with a Special Permit under the jurisdiction of the ARB due to its location on Massachusetts Avenue. The Board can find this condition met.

### 2. Section 3.3.3.B.

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

The Master Plan recommends supporting commercial areas by encouraging new mixed-use redevelopment, including residential and commercial uses, in and near commercial corridors. This new development is in close proximity to the Arlington Heights commercial district and businesses along Massachusetts Avenue. The project contains both residential units and a commercial space. The residential units will provide both market rate and affordable housing opportunities for a range of family sizes. The Board can find this condition met.

### 3. Section 3.3.3.C.

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

The proposed use will not create traffic congestion or impair pedestrian safety. The Board can find this condition met.

### 4. Section 3.3.3.D.

**The requested use will not overload any public water, drainage or sewer system or any other municipal system to such an extent that the requested use or any developed use in the immediate area or in any other area of the Town will be unduly subjected to hazards affecting health, safety, or the general welfare.**

The Project will not overload any public water, drainage, sewer system or other municipal system. The Board can find this condition met.



5. **Section 3.3.3.E.**

**Any special regulations for the use as may be provided in the Bylaw are fulfilled.**

There are no special regulations for the proposed use. The Board can find this condition met.

6. **Section 3.3.3.F.**

**The requested use will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the health, morals, or welfare.**

The use does not impair the integrity or character of the B1 district or adjoining districts and will not be detrimental to health or welfare. The surrounding uses are made up of residential, commercial, and mixed-use properties. The Board can find this condition met.

7. **Section 3.3.3.G.**

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

There will be no excess of mixed-use in the neighborhood as a result of this development; rather the Applicant's proposal will comport with the objectives of the Master Plan to maintain a mixed-use component along Mass Ave. The Board can find this condition met.

III. **Environmental Design Review Standards (Arlington Zoning Bylaw, Section 3.4)**

1. **EDR-1 Preservation of Landscape**

**The landscape shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal, and any grade changes shall be in keeping with the general appearance of neighboring developed areas.**

The existing landscape will be preserved wherever possible. The proposed landscape is mostly located in the side setbacks with decks and roof decks proposed for each unit. The Project includes the planting of four new trees, and measures will be taken to ensure their long-term health. Tree removal will be limited to trees determined to be in fair or poor health by a certified arborist. The project proposes to preserve one tree on the site that was determined to be in good health. There is no significant slope on the property thus grade changes are minimal. The Board can find this condition met.

2. **EDR-2 Relation of the Building to the Environment**

**Proposed development shall be related harmoniously to the terrain and to the use, scale, and architecture of the existing buildings in the vicinity that have functional or visible relationship to the proposed buildings. The Arlington Redevelopment Board may require a modification in massing so as to reduce the effect of shadows on the abutting property in an R0, R1 or R2 district or on public open space.**

As a major corridor, Mass Ave is designed to accommodate and promote mixed-use development as contemplated in the Master Plan. The proposed new building design relates to the neighborhood and vicinity. Nearby structures include a small restaurant and a 12-unit multifamily apartment building on the 1500 block of Massachusetts Avenue and one- and two-family buildings across Massachusetts

Avenue. Additionally, the structures to be demolished are close in height to this proposed new building. The addition of new housing units should have a favorable impact on the community and will provide new housing opportunities. The commercial use will bring street activity to the property and enhance the streetscape. Moreover, based on the change in topography from the opposite side of Mass Ave, the final height of the proposed structure will be less than many of the structures across the street.

The applicant is requesting relief from several different dimensional requirements as required by §5.5.2.A. of the ZBL. First, the applicant proposes side setbacks of less than the required 10' for the B1 district. The applicant further proposes new landscaping and pedestrian circulation along the side setbacks. Second, the applicant proposes a front setback of less than the required 20', bringing the front of the proposed building to within 4' of the back of sidewalk. This will serve to strengthen and enhance the streetscape, which is desirable along the Mass Ave corridor. Third, the applicant proposes a rear yard setback of less than 10'. The property abuts the Minuteman Bikeway in the rear yard. §5.3.16. allows for the Board to grant a special permit to adjust required setback to account for a condition such as this, where the rear yard adjoins a public open space. Fourth, the applicant has calculated open space as a percentage of proposed gross floor area at 17.1% which is less than the required 20% open space in the B1 district.

Finally, the applicant has proposed a floor area ratio (FAR) of 1.57 which is in excess of the maximum FAR of .75 in the B1 district. As the ZBL allows for increases in gross floor area under certain circumstances, the Board may consider application of 5.3.6.D.(2) where the gross floor area (GFA) for units that are affordable are allowed in excess of the gross floor area of the district. The current proposal is for 9 units, one of which will be affordable – the Board may consider asking for additional affordable units along with additional reductions to the overall GFA to offset the FAR calculation.

### **3. EDR-3 Open Space**

**All open space (landscaped and usable) shall be so designed as to add to the visual amenities of the vicinity by maximizing its visibility for persons passing by the site or overlooking it from nearby properties. The location and configuration of usable open space shall be so designed as to encourage social interaction, maximize its utility and facilitate maintenance.**

Open space is being provided in the form of landscaped areas in the building setbacks, and private decks for each residential unit. Overall, the decks and landscaped open space will provide an enjoyable streetscape and usable open space for the residents. The Board can find this condition met.

### **4. EDR-4 Circulation**

**With respect to vehicular and pedestrian and bicycle circulation, including entrances, ramps, walkways, drives, and parking, special attention shall be given to location and number of access points to the public streets (especially in relation to existing traffic controls and mass transit facilities), width of interior drives and access points, general interior circulation, separation of pedestrian and vehicular traffic, access to community facilities, and arrangement of vehicle parking and bicycle parking areas, including bicycle parking spaces required by Section 6.1.12 that are safe and convenient and, insofar as practicable, do not detract from the use and enjoyment of proposed buildings and structures and the neighboring properties.**

Pedestrian and resident traffic circulation would use two separate and distinct front entries, one for the residential portion of the building and one for the commercial space. The project proposes a single curb cut providing vehicular and bicycle access into the parking facility and includes a “garage door” for entry.

From the garage, residents can access the main lobby and the rear yard. The Project proposes one-to-one parking per residential unit and is utilizing the parking exemption for the first 3,000 square feet of commercial space in a mixed-use development per section 6.1.C in an effort to reduce reliance on motor vehicles and vehicular traffic. The Project requires 0.1 long-term and 0.6 short-term bicycle parking spaces for the 1060 square feet of retail space. Additionally, the residential use requires 14 long-term spaces and one short-term space, for a total requirement of 14 long term and 2 short term bicycle parking spaces. The project includes 16 covered, long-term bike parking spaces in the parking facility. The project narrative indicates that public bike racks are to be provided adjacent to the commercial space and accessed directly from the sidewalk contributing 4 more short-term spaces to the overall bicycle parking count. Additionally, the project is located along multiple bus routes which will promote alternate means of transportation. The Board may find this condition is met.

## **5. EDR-5 Surface Water Drainage**

**Special attention shall be given to proper site surface drainage so that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Available Best Management Practices for the site should be employed, and include site planning to minimize impervious surface and reduce clearing and re-grading. Best Management Practices may include erosion control and stormwater treatment by means of swales, filters, plantings, roof gardens, native vegetation, and leaching catch basins. Stormwater should be treated at least minimally on the development site; that which cannot be handled on site shall be removed from all roofs, canopies, paved and pooling areas and carried away in an underground drainage system. Surface water in all paved areas shall be collected in intervals so that it will not obstruct the flow of vehicular or pedestrian traffic and will not create puddles in the paved areas.**

**In accordance with Section 3.3.4., the Board may require from any applicant, after consultation with the Director of Public Works, security satisfactory to the Board to ensure the maintenance of all stormwater facilities such as catch basins, leaching catch basins, detention basins, swales, etc. within the site. The Board may use funds provided by such security to conduct maintenance that the applicant fails to do.**

**The Board may adjust in its sole discretion the amount and type of financial security such that it is satisfied that the amount is sufficient to provide for any future maintenance needs.**

A full stormwater management plan has been developed, and the project includes several green features which will improve water runoff and stormwater management. The Board can find this condition met.

## **6. EDR-6 Utility Service**

**Electric, telephone, cable TV, and other such lines of equipment shall be underground. The proposed method of sanitary sewage disposal and solid waste disposal from all buildings shall be indicated.**

Currently electrical, telephone and cable services are delivered to the project site above ground as is typical for this section of Mass Ave. The applicant has requested that those existing services remain overhead. Sanitary sewage disposal and solid waste disposal from the building will be in accordance with all codes and local requirements.



## **7. EDR-7 Advertising Features**

**The size, location, design, color, texture, lighting and materials of all permanent signs and outdoor advertising structures or features shall not detract from the use and enjoyment of proposed buildings and structures and the surrounding properties.**

Any signage and advertising will be in accordance with the provisions of Section 6.2 of the Zoning By-Law, compliant with the B1 Neighborhood Office District requirements. Final signage will need to be submitted, reviewed, and approved administratively by the Department of Planning and Community Development or reviewed by the Board for a sign permit.

## **8. EDR-8 Special Features**

**Exposed storage areas, exposed machinery installations, service areas, truck loading areas, utility buildings and structures, and similar accessory areas and structures shall be subject to such setbacks, screen plantings or other screening methods as shall reasonably be required to prevent their being incongruous with the existing or contemplated environment and the surrounding properties.**

The proposed new building's special features will be properly screened and situated on the property to minimize exposure of service and utility areas. All special features will be housed inside the new building. The Board can find this condition met.

## **9. EDR-9 Safety**

**With respect to personal safety, all open and enclosed spaces shall be designed to facilitate building evacuation and maximize accessibility by fire, police and other emergency personnel and equipment. Insofar as practicable, all exterior spaces and interior public and semi-public spaces shall be so designed to minimize the fear and probability of personal harm or injury by increasing the potential surveillance by neighboring residents and passersby of any accident or attempted criminal act.**

The interior and exterior of the building have been designed to facilitate building evacuation including two forms of egress per unit. The proposed property will provide access to the building for fire, police and other emergency personnel and equipment from Mass Ave. The Board can find this condition met.

## **10. EDR-10 Heritage**

**With respect to Arlington's heritage, removal or disruption of historic, traditional or significant uses, structures or architectural elements shall be minimized insofar as practical whether these exist on the site or on adjacent properties.**

This project includes demolition of two residential structures that are not listed on the *Inventory of Historically or Architecturally Significant Properties in the Town of Arlington* and are not under the jurisdiction of the Arlington Historical Commission. Moreover, there are no adjacent properties listed on the Inventory. The Board can find that this condition is met

## **11. EDR-11 Microclimate**

**With respect to the localized climatic characteristics of a given area, any development which proposes new structures, new hard surface, ground coverage or the installation of machinery which emits heat, vapor or fumes shall endeavor to minimize insofar as practicable, any adverse impacts on light, air, and water resources or on noise and temperature levels of the immediate environment.**

The proposed project seeks to minimize adverse impacts on light, air, and water resources and on noise and temperature levels of the immediate environment. The proposed uses are non-intrusive, as residential and commercial uses are part of Arlington's long-term goals for Mass Ave and historically residential units and a small commercial space do not drastically alter the noise or temperature levels of the area. The project includes a number of environmentally friendly features, such as open space, landscaping, solar ready roof, EV charging stations and energy efficient appliances which promote mixed-use development in a responsible manner. The Board can find this condition met.

## **12. EDR-12 Sustainable Building and Site Design**

**Projects are encouraged to incorporate best practices related to sustainable sites, water efficiency, energy and atmosphere, materials and resources, and indoor environmental quality. Applicants must submit a current Green Building Council Leadership in Energy and Environmental Design (LEED) checklist, appropriate to the type of development, annotated with narrative description that indicates how the LEED performance objectives will be incorporated into the project.**

A LEED checklist has been provided and made part of this application package. The project currently contains the following:

- Compliance with the Stretch Energy Code
- Sustainable building materials
- Energy efficient appliance and mechanical systems
- Energy efficient lighting
- Solar ready roof
- Light colored roofing system
- Sustainable landscaping plantings
- Non-invasive plant materials
- Stormwater management
- EV charging stations

## **IV. Findings**

1. The ARB can find that the project is consistent with Environmental Design Review per §3.4 of the Zoning Bylaw.
2. The ARB can find that the project is consistent with §3.3, Special Permits of the Zoning Bylaw.
3. The ARB can find that the project is consistent with §5.5.2.A.

## V. Conditions

### A. General

1. The final design, sign, exterior material, landscaping, and lighting plans shall be subject to the approval of the Arlington Redevelopment Board or administratively approved by the Department of Planning and Community Development.
2. Any substantial or material deviation during construction from the approved plans and specifications is subject to the written approval of the Arlington Redevelopment Board.
3. The Board maintains continuing jurisdiction over this permit and may, after a duly advertised public hearing, attach other conditions or modify these conditions as it deems appropriate in order to protect the public interest and welfare.
4. Snow removal from all parts of the site, as well as from any abutting public sidewalks, shall be the responsibility of the owner and shall be accomplished in accordance with Town Bylaws.
5. Trash shall be picked up only on Monday through Friday between the hours of 7:00 am and 6:00 pm. All exterior trash and storage areas on the property, if any, shall be properly screened and maintained in accordance with Article 30 of Town Bylaws.
6. The Applicant shall provide a statement from the Town Engineer that all proposed utility services have adequate capacity to serve the development. The applicant shall provide evidence that a final plan for drainage and surface water removal has been reviewed and approved by the Town Engineer.
7. Upon installation of landscaping materials and other site improvements, the Applicant shall remain responsible for such materials and improvement and shall replace and repair as necessary to remain in compliance with the approved site plan.
8. All utilities serving or traversing the site (including electric, telephone, cable, and other such lines and equipment) shall be underground.
9. Upon the issuance of the building permit, the Applicant shall file with the Building Inspector and the Department of Community Safety the names and telephone numbers of contact personnel who may be reached 24 hours each day during the construction period.
10. Building signage shall be filed with and reviewed and approved by the Department of Planning and Community Development and Inspectional Services.
11. The applicant must comply with the conditions set forth herein, with the State Building Code, including the Town of Arlington requirements, and, where applicable, with the Massachusetts Architectural Access Board regulations.
12. The applicant must obtain the necessary building permits and work with the Town Engineer to ensure compliance with all applicable codes.





## Town of Arlington, Massachusetts

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### Debrief of Joint Meeting with Select Board

#### Summary:

9:15 pm      The Board will discuss remaining items and outcomes from their joint meeting with the Select Board on September 16, 2024.

#### ATTACHMENTS:

Type	File Name	Description
Reference Material	09162024_DRAFT_AMENDED_Minutes_Redevelopment_Board_and_Select_Board.pdf	09162024 DRAFT AMENDED Minutes Redevelopment Board and Select Board



**Joint Meeting:  
Arlington Select Board (SB) and Arlington Redevelopment Board (ARB)  
Monday, September 16, 2024, at 7:15 PM  
School Committee Room  
Arlington Public Schools District Office, 14 Mill Brook Drive, 2nd Floor, Arlington, MA 02476  
Meeting Minutes**

This meeting was recorded by ACMi.

**REDEVELOPMENT BOARD MEMBERS PRESENT:** Rachel Zsembery (Chair), Eugene Benson, Shaina Korman-Houston, Kin Lau, Stephen Revilak

**SELECT BOARD MEMBERS PRESENT:** Stephen DeCoursey (Chair), Diane Mahon (Vice Chair), Lenard Diggins (remote), John Hurd

**STAFF:** Jim Feeney, Town Manager; Michael Cunningham, Town Counsel; Ashley Maher, Select Board Administrator; Claire Ricker, Director of Planning and Community Development

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Mr. DeCoursey and Ms. Zsembery called the meeting to order.

Mr. DeCoursey stated that tonight's meeting is hybrid, with the remote portion conducted via Zoom, and that it is being recorded by ACMi.

The Board members and Staff representatives introduced themselves.

**Agenda Item 1 – Arlington Heights Business District.**

Ms. Zsembery explained that the ARB is currently working on a warrant article for 2025 Annual Town Meeting to rezone the Arlington Heights Business District. In 2019, the ARB and DPCD hired a consultant and worked with the Arlington Heights community to create the Arlington Heights Neighborhood Action plan. The neighborhood is currently a mix of different residential and business zones, and the plan proposes creating a more cohesive business district to allow for more effective redevelopment. During the process of working on MBTA Communities, it became clear that it would be helpful to define the boundaries of all three of Arlington's major business districts: Arlington Heights, Capitol Square/East Arlington, and Arlington Center.

Ms. Ricker said that the Arlington Heights Neighborhood Advisory Committee, which worked on the Neighborhood Action Plan, has been reconvened. They've met twice and had a table at the Spring Fling Festival in the Heights, and they will also have a booth at Town Day on September 21. They are planning a community meeting in the Heights for October or early November, with the idea that the zoning proposal would go to the ARB in November or early December for consideration.

Ms. Zsembery said that the Economic Development Coordinator shared with the ARB that the major challenges facing businesses who would like to rent space in Arlington are commercial spaces that are too small and sometimes not in good enough condition. The hope is that the rezoning plan will enable some smaller parcels to be combined, which is currently difficult if two adjoining parcels are zoned differently. The ARB also wants to comprehensively look at parking.

Mr. Hurd said that reconsidering the Heights Business District makes sense and that parking is one of the biggest challenges there. If the hope is to bring in more businesses, adequate parking must be considered. He would like to see a parking study for the Heights, to see if metering makes sense.

Ms. Mahon said that she has heard from several people who live over the storefronts in the Heights, which includes a lot of affordable housing. They are concerned about whether the housing will continue to be affordable. They have asked her if the Town can put a safeguard into place to deal with what happens if the buildings are redeveloped and the apartment rents are higher, but the apartments don't get filled. Ms. Zsembery replied that the bylaw does include inclusionary zoning requiring a certain amount of affordable housing in larger developments. She also said that the ARB can consider offering bonuses to developers in exchange for additional affordable housing or other things that the community wants. DPCD and the Arlington Heights Neighborhood Advisory Committee are collecting information about community goals for redevelopment, so ideas for incentivizing developers to meet those goals can be developed. Mr. Lau said that he would like to see tax incentives offered for developments with more affordable housing than required, as well as those with larger and/or renovated retail spaces and other community goals. Tax incentives could be offered to businesses as well, to help with their up-front costs in opening a storefront.

Mr. Benson said that Ms. Mahon's question doesn't really have a good answer. The ARB can put incentives in the zoning bylaw, but the owners may not take them. If a property owner redevelops a property, the current tenants will probably have to leave, even if the development ultimately does include affordable housing. The Town could look into creating a relocation fund for low-income tenants forced to move by redevelopment.

Ms. Korman-Houston said that the state has regulations for units with expiring use covenants. Some members of the Affordable Housing Trust Fund Board have expertise in this area.

Mr. DeCoursey said tax incentives would involve multiple departments and can be quite complicated, but he hopes they would all be open to examining the possibility.

Mr. Diggins noted that the Select Board is largely responsible for transportation. If redevelopment does happen, and the numbers of both businesses and residential units increases, the SB needs to think about how to get people in and out of the area. Options for making Park Avenue safer are already under consideration, which will probably mean making it narrower and slower. He would like to see more transit in the area, whether that is increased public transit or some sort of shuttle service. They could also consider shared vehicles, perhaps on the MBTA bus turnaround site, which would decrease the need for people to own cars, as well as the need to park on Mass Ave. He would like to work with the MBTA to improve travel on Mass Ave for buses.

Mr. Benson said that any redevelopment plans for the Heights need to consider the bus turnaround. He asked if the SB has had any conversations with the MBTA about freeing up the site. Mr. DeCoursey said that they have not, but they are very aware of how underutilized that site is. Ms. Zsembery noted that the SB sent a letter to the MBTA on behalf of the Town regarding the redevelopment of the Alewife MBTA stop, and she hopes that can be the beginning of a conversation that could also include the MBTA turnaround.

Mr. Hurd suggested reducing or eliminating the minimum parking requirements for residential units within the Heights Business District. Parking minimums restrict what can be built, and he thinks that if a developer is willing to take the risk of building a development without parking, they should be able to do so. The SB has heard from residents that they don't want to promote policies that bring more cars into the Town.

Ms. Zsembery said that parking has been a significant topic of discussion for the ARB. Not having overnight street parking makes many projects challenging, if not infeasible.

## **Agenda Item 2 – Overnight Parking.**

Mr. DeCoursey gave an update on the overnight parking pilot program, which started in 2023. The SB started the program because they had so many hearings in which residents asked for parking waivers. The pilot program has been expanded for another year, through June 2025, and they have increased the number of permits to 150, on a first-come first-served basis. 78 permits have been issued thus far. To get a waiver, a resident previously had to show hardship, but with the pilot program, they only have to show proof of residence and pay a fee of \$1 per night. The Board is



unanimously in support of the pilot program and will revisit extending it next year. Mr. Hurd noted that the current iteration of the pilot program was developed over the course of many meetings. It has been very successful, and it has proven to be popular without overwhelming the Town with many additional cars parking overnight.

Mr. Revilak noted that the Capitol Theater has five or six parking spaces. According to the zoning requirements for minimum parking, the theater and the residential uses would require over 300 parking spaces. The largest parking reduction the ARB could grant would be to 75 spaces. The building has been around for 100 years, and the business works successfully without the parking. Requiring parking minimums leads to a lot of parking spaces, many of which are unused much of the time. He thinks that there is opportunity to reduce or eliminate parking minimums, especially in commercial areas. Changing the requirements will take a long time, but the Town can do more by eliminating or reducing parking minimums and allowing for more curbside parking.

Mr. DeCoursey noted that there are two issues being discussed – reducing parking minimum requirements and dealing with the overnight street parking ban. Mr. Benson said that the zoning bylaw currently requires one parking space for each residential unit, regardless of size. The first 3,000 square feet in a mixed-use building doesn't require any parking at all. The ARB can waive the parking requirements completely for businesses. If a developer gives them a Transportation Demand Management (TDM) plan, the ARB can reduce the required parking for residential by up to 75%. A question that has frequently come up is changing the zoning bylaw to require no parking at all. Mr. Benson could only support that change if those who need a car have the option of parking it on the street overnight. Right now, eliminating parking minimums would lead to people either illegally parking on the street overnight or choosing not to live in Arlington at all. He knows people who have moved into Arlington without a car, thinking they would rely on the T, but then have gotten jobs that aren't accessible by public transportation, so they need a car and a place to park it overnight. The pilot program is great, but as long as it's a pilot, it's not a guarantee.

Mr. Hurd noted that the pilot program doesn't allow for daytime parking. Someone living in an area with parking meters or two- or four-hour parking who got an overnight parking permit would still have to deal with where they could park during the day.

Mr. Diggins agreed with Mr. Benson about the importance of getting certainty on the future of the pilot program. He noted that some people may not want to apply for a permit until they know that they will continue to be able to do so in future years. He also noted that it might make sense to reduce the price. He would also like to see a program with shared vehicles.

Mr. Lau noted that some municipalities have residential parking that goes from something like 6:00 pm to 7:00 am, but during the day, those spaces are two- or four-hour parking. That is essentially a shared parking program, enabling the same spaces to be used by residents at night and by business customers during the day.

### **Agenda Item 3 – Potential Expansion of Parking Benefits Districts.**

Mr. DeCoursey said that the Town has one Parking Benefits District (PBD), in the Center. Mr. Feeney would like to evaluate the potential for expansion to one or both of the other two main business areas. The parking meters in Arlington Center have generated revenue that has been put into streetscape enhancements that would otherwise not be feasible. Business owners in the Center appreciate the program because of the improvements it has enabled. Those sorts of improvements can't be done in other parts of Town. Before implementing parking meters in other areas of Town, we would need to study the potential neighborhood impacts. Arlington Center has two relatively large parking lots, so overflow from street parking does not impact the residential neighborhoods, which could be an issue in Arlington Heights and East Arlington.

Mr. Benson said that the parking meters themselves in the Center are confusing, and he recommended considering the type of parking kiosks in use in Belmont Center. Mr. Feeney also noted that having a meter at every parking space, rather than kiosks which can be used for multiple spaces, requires maintenance of all the meters, including digging them out when there has been a significant amount of snow.

Mr. Revilak agreed with Mr. Feeney that the decision to expand metered parking into the Heights and East Arlington should be based on study. He also noted that people want parking to be convenient, available, and free. But in high-traffic areas, it is only possible to meet two of those goals. PBDs, if priced correctly to incentivize turnover, generally

enable parking to be convenient and available, while those who want to park for longer, such as employees, can choose to park on side streets which are available and free, but less convenient. A study would help determine whether it would be possible to implement a PBD in the Heights and/or East Arlington in a way that would maximize use.

Mr. Diggins said that he was in favor of expanding the PBD, especially in East Arlington. He said that it is also important to consider bicycle traffic. A study should consider how to better configure parking to enable safer travel for cyclists. He also thinks that it would be possible to implement a permit system allowing employees to park on side streets.

#### **Agenda Item 4 – Affordable Housing Overlay District.**

Ms. Zsembery explained that a working group came to the ARB in early 2024 with a proposal for an as of right affordable housing overlay. The ARB recommended that the group engage in a much more public process to understand the full range of implications for the Town. They agreed and did not bring their proposal to 2024 Annual Town Meeting, and they are currently working on proposal that will mostly likely be brought to 2025 Annual Town Meeting. She noted that this proposal will be challenging without an overnight parking program. It will also challenge some of the decisions the Town has already made with regard to the Multi-Family Housing Overlay Districts being implemented as a result of the MBTA Communities Law, as well as what the Town hopes to accomplish by rezoning the business districts. However, there are still ways to make the proposal work. She explained that the working group hopes to provide as of right development through Site Plan Review rather than Environmental Design Review for any project that is primarily affordable housing. They are not planning to restrict residential development in the business districts, which is a concern of the ARB given the overwhelming support in Town for maintaining and further developing the business districts. The working group has also asked that all parking requirements be eliminated, which some members of the ARB also have concerns with without more information about the future of overnight parking.

Ms. Ricker said that the working group is working through questions about levels of affordability. She noted that one of the sites mentioned repeatedly is the Walgreens site. She noted that a future East Arlington Business District boundary could perhaps mirror the borders of a PBD boundary, which she hopes the two Boards could come to agreement about.

Mr. Lau said that he does not want to create one section of Town where all the affordable housing is, so he thinks that the Affordable Housing Overlay District should not have particular boundaries – affordable housing should be built anywhere in Town where it is feasible.

Mr. DeCoursey noted that Cambridge has a similar overlay district, and he asked if other communities do as well. Mr. Revilak replied that Cambridge is definitely not the only one, and he believes Somerville and Boston do as well.

Mr. Diggins said that he supports the idea of an Affordable Housing Overlay District. He does want to protect business districts, but he thinks that can happen with mixed-use requirements, so that affordable housing can be developed above businesses. He also noted that increased housing in business districts would provide an opportunity for shared vehicle programs, which could include a program allowing shared vehicles to be parked on the street at all times.

#### **Agenda Item 5 – Liquor License Control.**

Mr. DeCoursey said that the SB has heard of situations in which potential businesses have chosen not to locate in Arlington because of difficulties with liquor licenses. He noted that current regulations require that no more than two alcoholic beverages per person may be served without food. He asked Ms. Ricker if DPCD staff is finding that the current requirements for liquor licenses are proving to be barriers to new businesses, and if so, what the specific issues are.

Ms. Ricker replied that a wine and cheese shop recently wanted to open a location in Arlington Center but was unable to because no package store licenses were available. DPCD has also had extensive conversations with a brewery that would like to open in Arlington but has struggled with the requirement that if a business serves alcohol, it must also serve food. One of the biggest problems is that all-alcohol restaurants must have a 50-seat minimum. Most of the Town's available restaurant storefronts are too small for that size restaurant.

Mr. Hurd said that he has always been somewhat uncomfortable with the two-drink maximum without food. He noted that some business owners like it, because it encourages people to order food, but it is very hard to enforce. He thinks that bartenders and restaurant owners have the duty to make sure that they do not serve intoxicated people regardless

of the two-drink rule, and he is not sure that the rule makes sense, especially if it is an impediment to a business like a brewery.

Ms. Mahon agreed with Mr. Hurd. She noted that at the time that the Select Board began to allow restaurants to serve alcohol, the two-drink rule was introduced as a way to enable one particular Board member to agree to allow any alcohol. She would be willing to revisit it. She is also open to reassessing the 50-seat minimum for an all-alcohol restaurant. She asked the ARB and Ms. Ricker what opportunities Arlington has lost out on because of the two-drink rule and/or the 50-seat minimum. She also noted that in asking other municipalities how to get a thriving industrial zone, she has heard that it is important to tie in with flag companies and to use CDBG funds to incentivize companies that represent a gap in the types of business that are currently present.

Mr. Diggins said that is also in favor of revisiting all the alcohol requirements and restrictions. When they were put in place, people had significant safety concerns and wanted to enact policies that would not lead to impaired driving. Times and standards have changed, and the changes being considered carry less of that risk now. He would like to make simple changes that make life easier for business owners.

Mr. DeCoursey noted that the Town currently has 13 all-alcohol restaurants, with a remaining 7 licenses available for a total of 20. He does not want to create a situation in which there is significantly more demand for those licenses, such that they have all been issued and are being sold for exorbitant amounts, as has happened in Boston. Ms. Maher noted that the town has an unlimited amount of beer and wine licenses, and those have a 19-seat minimum. Mr. DeCoursey noted that the Town has no package store licenses available to issue, but there are two licenses in use for stores that are not currently open.

Mr. Feeney noted that if the seat minimum for all-alcohol licenses were reduced, it is likely that currently existing beer and wine restaurants would apply for the remaining licenses, more so than new businesses looking to open.

Mr. DeCoursey noted that elsewhere, many breweries do not serve food themselves but either bring in food trucks or encourage delivery from nearby restaurants. Eliminating the two-drink minimum would not necessarily lead to more people drinking alcohol without eating, but it would enable a business like a brewery to thrive without serving food while partnering with a business that does serve food.

Ms. Zsemberly noted that the ARB would like to be able to be more flexible in supporting creative ideas that come before the Board, whether it's tasting rooms, breweries, or other businesses.

Mr. Cunningham said that as the local licensing authority, the SB has significant discretion to deal with these issues.

#### **Agenda Item 6 – Signage Enforcement.**

Ms. Zsemberly said that the ARB would like to identify ways that the two Boards might better ensure that businesses follow the bylaw requirement regarding the submission and approval of signage. An increasing number of nonconforming signs have been installed without the approval of DPCD or the ARB, and in some cases without the approval of the Inspectional Services Department (ISD). When new businesses go before the SB, conditions placed on the approval include appropriate review of the signage. The ARB believes that to improve the business districts, it is important to ensure that signage meets quality and quantity standards and that it is permanent rather than temporary.

Mr. Hurd said that the SB is pretty clear with new businesses about what is and isn't allowed, but the enforcement process is not clear. The Director of ISD has said in the past that ISD does not have the resources to focus on signage enforcement. He would like to come up with an enforcement mechanism. Businesses that in are in conformance are at a disadvantage compared to those who put up whatever signage they want.

Mr. DeCoursey said that the problem generally happens after the SB approves a business license. The SB and ISD make clear to the applicant that all signage needs to meet bylaw requirements and go through the process of receiving a sign permit. ISD is then responsible for enforcement, but they do not have the staff or resources to focus on signs when they are responsible for so many other inspectional and permitting issues.

Ms. Ricker said that DPCD regularly receives signage applications, but businesses often put signage up without applying for a sign permit at all. One of the challenges is that the signage requirements in the bylaw are somewhat prescriptive,



so businesses often assume that their signage is in compliance when it is not. She said that ISD cannot prioritize signage enforcement with the resources they have available. She wondered if it would be appropriate to add some sort of punitive response should a new business not apply for a sign permit. The problem is with businesses that put up signs without looking at the sign code or submitting an application for a sign permit. The businesses who are in communication with DPCD are generally responsive.

Ms. Zsembery said that she, Ms. Ricker, and Mike Ciampa, Director of ISD, have discussed creating a part-time position specifically for signage enforcement, and possibly also vacant storefronts, potentially partially funded by fines for violations. Before budget season, she would like to have further discussions about creating such a position. Mr. DeCoursey noted that because signage comes under the Zoning Bylaw rather than the Town Bylaws, options for financial sanctions are limited. Mr. Feeney said that because the Town now uses the online platform OpenGov, we are better positioned than in the past to make clear to businesses what the requirements are, and businesses that go through the proper process are generally in compliance. We need to identify a way to respond when businesses circumvent the process. It is well known that if a business starts construction without a building permit, their building permit fee will be tripled, which is an effective deterrent. No such deterrent exists for installing signage without a sign permit. He noted that a sign permit is not required for a Certificate of Occupancy, so a new business can apply for all required permits, get all their inspections, get a Certificate of Occupancy, and then put up whatever sort of sign they want, at which point the Town has little recourse.

Mr. Diggins said that it is important that all types of businesses are treated equally. He would like to get more information about how much money fines for noncompliance could actually bring in, and whether that could really fund a position. He also said that he would like to know more about the impact of noncompliance and how it affects the larger business community. Ms. Zsembery said that research has been done about the effect lack of attention to signage and storefront management has on the number of vacant storefronts and on the type of establishments that seek to locate in the vicinity.

Ms. Mahon said that a significant portion of the problem is a communication issue. Many applicants, particularly small businesses, are not represented by attorneys, and she thinks that many do not understand the requirements, either because of a language barrier or because the requirements are complicated. She thinks that relevant documents and forms need to be translated into multiple languages, and translators need to be available for hearings. Mr. Feeney replied that the Town is beginning the process of having important documents translated into the most commonly spoken languages in Arlington; a number of documents have already been translated, and more are in the pipeline.

Ms. Zsembery replied that even for native English speakers, the zoning bylaw is not always easy to understand. She appreciates that ISD and DPCD consistently work with business owners and others to help them understand the requirements. She thinks that the ARB and the SB should encourage applicants coming before them to reach out to DPCD and ISD staff for clarity about what is required of them.

Mr. Lau noted that when businesses apply for a license, there is a checklist of things they need to comply with. He asked if business license renewals have a similar checklist, which would note if they are out of compliance with signage requirements, and if delaying the license renewal could be used as a way to bring them into compliance. Mr. DeCoursey replied that those questions are not asked. Mr. Feeney said that signage enforcement should be tethered to license renewal. The Town sends out renewal materials, and they could include materials explaining the signage requirements. A group could also be established to go out and look at businesses in advance of the renewal and provide comments that could be included in renewal materials.

Mr. Hurd noted applicants for new licenses are put on the SB's agenda individually, but that license renewals take place en masse at the end of the year, and the Board votes for the entire list at once. Evaluating each license renewal individually would bog down the SB's meetings. It would work better to include a checklist of issues to consider with the renewal information sent to all the businesses, and to require the businesses to certify that they are in compliance. Mr. Revilak noted that the materials sent out could include a question such as, "Have you changed signs in the last year?"

## **Agenda Item 7 – Cannabis Licensing.**

Mr. DeCoursey explained that the Town has three licenses to issue cannabis dispensaries. A business first goes to the SB, which enters into a host community agreement, then gets approval from the Cannabis Commission, and then has to get a Special Permit from the ARB. Two licenses are currently in use. The third host community agreement has been issued to Calyx Peak. The host community agreement says that the applicant must obtain all necessary approvals, or the agreement will become null and void, but does not include a date by which the agreement will expire if they are unable to obtain the required approvals. There has been discussion about whether to expand the number of host agreements available. Calyx Peak has been stalled, and they have been unable to proceed with their licensing process. Mr. Feeney said that there are two or three other potential applicants who would be interested in making use of the third host agreement if it were available.

Ms. Ricker said that Calyx Peak applied to the ARB for a Special Permit, but they have since been unable to come to terms with the landlord. She and Mr. Feeney have had discussions that it is unclear which Town entity is responsible for communicating with them and requiring an update. Mr. DeCoursey said that applicants for host agreements are required to show site control, and the absence of that should disqualify them at some point.

Mr. Hurd said that the SB has discussed whether the distance restrictions initially put in place still make sense, because they have found that not many suitable locations are in compliance with those restrictions in terms of distance from schools and playgrounds as well as other dispensaries. The site chosen by Calyx Peak generated significant community opposition, but it was chosen in part because it was the only site available that met all the requirements. It might make sense to amend the original restrictions to allow for more possible locations.

Mr. Diggins said that Calyx Peak should come back before the SB. The SB also needs to add some sort of deadline to the host agreements. He thinks that the required distance from schools and playgrounds should be maintained, but it would make sense to reduce the required distance between marijuana establishments.

Mr. Benson noted that either changing the number of establishments or reducing the required distance between them would require a zoning warrant article approved by Town Meeting. If the SB wants to make such changes, they need to communicate that to the ARB, so that the ARB has time to create such a warrant article and hold a public hearing on it in the leadup to 2025 Annual Town Meeting. Mr. DeCoursey replied that he would like the question of Calyx Peak's host agreement settled first, so that it's clear whether the Town has a third host agreement to give out, before making other potential changes, so it might not happen for 2025 Town Meeting.

Mr. Hurd said that the number of host agreements was originally decided upon based on the number of liquor stores, which has increased. He asked Mr. Cunningham if they are required to increase the number of host agreements as well. Mr. Cunningham replied that the Town has the option to increase the number but is not required to do so.

#### **Agenda Item 8 – Master Plan Update Advisory (AMPUp!) Committee Select Board seat**

Ms. Zsembery explained that the SB has the option to appoint a liaison to the AMPUp! Advisory Committee. Ms. Ricker said that she gave a presentation to the SB at their July meeting explaining the Master Plan update process and what an SB liaison might do. She noted that the 2015 Master Plan Committee did include a representative from the SB, and that SB representation to such a committee is common for municipalities. The first task of the AMPUp! Advisory Committee is to evaluate the Request for Proposals due on September 23. She understands that members of the SB may not have the time to serve as a full member on the committee, but someone could potentially serve as a liaison, which would involve attending some meetings, keeping apprised of the minutes, and answering questions as they arose.

Ms. Zsembery noted that the Master Plan is an extremely important document for the Town, and it has guided a great deal of the ARB's work. The ARB has two representatives to the AMPUp! Advisory Committee who provide regular updates, and it would be helpful to have the SB involved in some capacity.

Mr. Diggins said that he would like to have a discussion about this at an SB meeting with full attendance. He thinks that the SB should have a representative who is a full member of the Advisory Committee. The SB considers all aspects of the Town and has accountability to the Town as a whole, so it should be fully a part of the Master Plan update process.

Mr. DeCoursey said that because of their limited time, the SB has discussed having a designee on the Advisory Committee, rather than an SB member. Potentially, they could have an SB member serve as a liaison in addition. Statutorily, the Master Plan is the ARB's responsibility, so it is ultimately up to them if they would allow an SB designee.

Mr. Benson said that he and Mr. Revilak are the two ARB members on the Advisory Committee. He said that Ms. Ricker explained to the Committee the option of either having an SB liaison or an SB designee, and the Committee was in favor of an SB liaison. They didn't feel that they needed another full member, but they did want to have ongoing communication with the SB.

Ms. Mahon said that she would prefer to have the SB provide a designee. Even if no member of the SB can make the time commitment necessary, she wants the SB to be fully represented, and not just have an occasional liaison. She noted that before she served on the SB, she was the SB's designee to several of the subcommittees in the 2015 Master Plan process.

Mr. Hurd suggested that the SB have two liaisons, in order to divide up the work involved. Mr. Benson said that he thinks the Advisory Committee would be open to that. Ms. Zsembery asked that the Advisory Committee discuss it at their next meeting and share their thoughts with the SB.

### **Agenda Item 9 – Vacant Storefronts**

Mr. DeCoursey noted that the SB frequently gets questions about vacant storefronts, especially about prominent locations. He said that they would like to gain clarity on the process for keeping in touch with landlords. He referred to the ARB's authority under Chapter 121B of Mass General Law to intervene in situations in which storefronts are vacant for an extensive period of time, noting that such intervention would be an extreme option. Ms. Ricker said that the Economic Development Coordinator regularly does inspections to determine which storefronts are vacant, and she notifies property owners that they will be subject to a fine. The fine was increased by 2024 Annual Town Meeting. DPCD has discussed the possibility of placing a lien on the property if the fines accrue significantly. Exercising Chapter 121B powers would require creating an urban renewal plan for Arlington Center (or another relevant area of Arlington), and identifying problem properties as targets for acquisition and redevelopment. An urban renewal plan is a lengthy and potentially expensive endeavor but may be worth it.

Mr. DeCoursey asked if the property owners have paid the fines. Ms. Ricker replied that some have and some have not. Mr. DeCoursey suggested that perhaps a lien could be added to a tax bill for unpaid fines.

Ms. Zsembery said that the ARB has discussed the possibility of creating an urban renewal plan regarding particular problem properties in the past, and those discussions have had positive results. They regularly discuss which properties are the most problematic and what measures might be appropriate, and they appreciate having the SB's support in looking at the possibility of taking more extreme action.

Mr. Lau said that it is important in some situations to provide incentives to development rather than focus on fines and other punitive measures, although he also recognized that some landlords have proven difficult for tenants to work with and may not respond to incentives.

Mr. Diggins likes the idea of an urban renewal plan. He noted that the problem is not unique to Arlington; other nearby municipalities have a significant number of vacant storefronts as well. An urban renewal plan might identify some properties as too difficult to lease, and it might result in increased open space or other amenities, helping us to think beyond trying to fill every empty space with more retail. He asked Ms. Ricker how much creating an urban renewal plan would cost. She replied that the Master Plan Update process has a budget of \$250,000, and she thinks an urban renewal plan for Arlington Center might be around \$100,000.

Ms. Zsembery and Mr. DeCoursey thanked all the Board members and Town staff for their participation in this joint meeting.

Ms. Zsembery asked for a motion to adjourn the ARB meeting. Mr. Lau so moved, and Mr. Benson seconded. The Board voted and approved unanimously.



Mr. DeCoursey asked for a motion to adjourn the SB meeting. Ms. Mahon so moved, and Mr. Hurd seconded. The Board voted and approved unanimously.

Meeting **Adjourned at 9:30 pm.**

DRAFT



## Town of Arlington, Massachusetts

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### Arlington Master Plan Update (AMPUp) Advisory Committee

#### Summary:

9:40 pm      The Board will vote to approve the appointment of one new AMPUp Advisory Committee member.

#### ATTACHMENTS:

Type	File Name	Description
▢ Reference Material	AMPUp_Committee_Members_and_Question_Responses_-_Gruber.pdf	AMPUp Committee Members and Question Responses - Gruber

First Name	Last Name
Rebecca	Gruber
How many years have you been an Arlington resident?	
31	
If applicable, what is the name of your business in Arlington?	

**Please describe your past and present community involvement (if any). If you have served on a Town committee, commission, or board, or as a Town Meeting Member please tell us how many years, even if not in Arlington:**

- MBTA Communities Working Group
- Affordable Housing Trust Community Outreach Committee Chair
- Envision Arlington Diversity Task Group Chair (former)
- Town Meeting Procedures Committee
- Hybrid Town Meeting Study Committee

**Please share why you are interested in joining the AMPUp Advisory Committee:**

I am passionate about making Arlington as welcoming and inclusive a community as possible. I would be super excited to be part of the AMPUp Advisory Committee to engage, paraphrasing Director Claire Ricker, in listening and dialogue with other community members about the direction of the future of Arlington.

**Choose 3 topics you are most interested in:**

- Affordable housing
- Diversity, Equity and Inclusion (DEI) /Social justice policies
- Expanded options for housing including older Arlingtonians, renters including young adults, and essential workers such as teachers, Town employees.

**Meeting dates will occur on the 2nd Thursday of the month for 1 hour between 6:00 p.m. - 8:00 p.m. Attendance at meetings is expected.**

I can commit to that meeting time.

**How did you hear about Arlington's Master Plan Update Advisory Committee?**

Town Notice (email from Town), Town Website (arlingtonma.gov), Social Media, Flyer/Postcard





## Town of Arlington, Massachusetts

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### Correspondence Received

#### Summary:

821 Mass Ave:

- R. Bergman, 7/1/2024
- A. Pascale, 7/1/2024
- W. Evans, 7/2/2024
- L. Simpson, 7/2/2024
- D. Seltzer, 7/3/2024
- M. Popova, 8/5/2024
- J. Anderson, 8/12/2024
- J. Mintz, 8/12/2024
- C. Aquilino, 8/13/2024
- D. Krause, 8/23/2024
- L. DiStasio, 9/22/2024
- A. Ellinger, 9/22/2024
- A. Gailus, 9/22/2024
- S. Garcia, 9/22/2024
- J. Hammer, 9/22/2024
- D. Henson-Conant, 9/22/2024
- K. Samuelson, 9/22/2024
- M. Vandersteel, 9/22/2024
- C. Wagner, 9/22/2024
- J. Cullinane, 9/23/2024
- J. Donahue, 9/23/2024
- M. Dubyaga, 9/23/2024
- L. Englisher, 9/23/2024
- K. Fanale, 9/23/2024
- T. Gailus, 9/23/2024
- A. Golden, 9/23/2024
- R. Peterson, 9/23/2024
- B. Gravely, 9/24/2024
- E. Harasti, 10/2/2024
- K. Tutunjian, 10/16/2024
- M. Powers, 10/20/2024
- M. Brown, 10/21/2024
- J. Cullinane, 10/21/2024
- S. Forrest, 10/21/2024
- A. Gailus, 10/21/2024

#### ATTACHMENTS:

	Type	File Name	Description
▢	Reference Material	Correspondence_Bergman_07012024.pdf	821 Mass Ave - 07012024 Bergman, R
▢	Reference Material	Correspondence_Pascale_07012024.pdf	821 Mass Ave - 07012024 Pascale, A
	Reference		

Material	Correspondence_Evans_07022024.pdf	821 Mass Ave - 07022024 Evans, W
Reference Material	Correspondence_Simpson_07022024.pdf	821 Mass Ave - 07022024 Simpson, L
Reference Material	Correspondence_Seltzer_07032024.pdf	821 Mass Ave - 07032024 Seltzer, D
Reference Material	Correspondence_Popova_08062024.pdf	821 Mass Ave - 08062024 Popova, M
Reference Material	Correspondence_Anderson_08122024.pdf	821 Mass Ave - 08122024 Anderson, J
Reference Material	Correspondence_Mintz_08122024.pdf	821 Mass Ave - 08122024 Mintz, J
Reference Material	Correspondence_Aquilino_08132024.pdf	821 Mass Ave - 08132024 Aquilino, C
Reference Material	Correspondence_Krause_08232024.pdf	821 Mass Ave - 08232024 Krause, D
Reference Material	Correspondence_DiStasio_09222024.pdf	821 Mass Ave - 09222024 DiStasio, L
Reference Material	Correspondence_Ellinger_09222024.pdf	821 Mass Ave - 09222024 Ellinger, A
Reference Material	Correspondence_Gailus__A_09222024.pdf	821 Mass Ave - 09222024 Gailus, A
Reference Material	Correspondence_Garcia_09222024.pdf	821 Mass Ave - 09222024 Garcia, S
Reference Material	Correspondence_Hammer_09222024.pdf	821 Mass Ave - 09222024 Hammer, J
Reference Material	Correspondence_Henson-Conant_09222024.pdf	821 Mass Ave - 09222024 Henson-Conant, D
Reference Material	Correspondence_Samuelson_09222024.pdf	821 Mass Ave - 09222024 Samuelson, K
Reference Material	Correspondence_Vandersteel_09222024.pdf	821 Mass Ave - 09222024 Vandersteel, M
Reference Material	Correspondence_Wagner_09222024.pdf	821 Mass Ave - 09222024 Wagner, C
Reference Material	Correspondence_Cullinane_09232024.pdf	821 Mass Ave - 09232024 Cullinane, J
Reference Material	Correspondence_Donahue_09232024.pdf	821 Mass Ave - 09232024 Donahue, J
Reference Material	821_Mass_Ave_-_09232024_Dubyaga__M.pdf	821 Mass Ave - 09232024 Dubyaga, M
Reference Material	821_Mass_Ave_-_09232024_Englisher__L.pdf	821 Mass Ave - 09232024 Englisher, L
Reference Material	Correspondence_Fanale_09232024.pdf	821 Mass Ave - 09232024 Fanale, K
Reference Material	Correspondence_Gailus__T_09232024.pdf	821 Mass Ave - 09232024 Gailus, T
Reference Material	Correspondence_Golden_09232024.pdf	821 Mass Ave - 09232024 Golden, A
Reference Material	821_Mass_Ave_-_09232024_Peterson__R.pdf	821 Mass Ave - 09232024 Peterson, R
Reference Material	821_Mass_Ave_-_09242024_Gravely__B.pdf	821 Mass Ave - 09242024 Gravely, B
Reference Material	821_Mass_Ave_-_10022024_Harasti__E.pdf	821 Mass Ave - 10022024 Harasti, E

- Reference Material      821\_Mass\_Ave\_-\_10162024\_Tutunjian\_\_K.pdf      821 Mass Ave - 10162024 Tutunjian, K
- Reference Material      821\_Mass\_Ave\_-\_10202024\_Powers\_\_M.pdf      821 Mass Ave - 10202024 Powers, M
- Reference Material      821\_Mass\_Ave\_-\_10212024\_Brown\_\_M.pdf      821 Mass Ave - 10212024 Brown, M
- Reference Material      821\_Mass\_Ave\_-\_10212024\_Cullinane\_\_J.pdf      821 Mass Ave - 10212024 Cullinane, J
- Reference Material      821\_Mass\_Ave\_-\_10212024\_Forrest\_\_S.pdf      821 Mass Ave - 10212024 Forrest, S
- Reference Material      821\_Mass\_Ave\_-\_10212024\_Gailus\_\_A.pdf      821 Mass Ave - 10212024 Gailus, A



**From:** Robin Bergman

**Sent:** Monday, July 1, 2024 5:10 PM

**To:** Claire Ricker; Rachel Zsembery; Stephen Revilak; Kin Lau; Shaina Korman-Houston; Eugene Benson

**Subject:** Preserve Scotch Pine at Historic Atwood House 821 Mass Ave

Attention Arlington Redevelopment Board,

I am a 40 year Arlington resident writing regarding tonight's Public Hearing on the Historic Atwood's House at 821 Mass Ave, as I am unable to attend in person.

I understand that the current plans threaten to remove the 100+ year old Scotch Pine along with 7 other mature trees.

We have already witnessed the removal of many mature trees on Mass Ave, for example at Uncle Sam Plaza, at Whittemore Park, etc, that are leaving heat islands at a time when we should be protecting and preserving the tree canopy to fight the climate crisis and offer cooling, flood control and habitat protection as the climate is getting hotter and wetter.

As evidenced by earlier plans for this parcel, it's not necessary to remove the Pine and maybe also preserve some of the other trees by tweaking the plans. It is also a shame to lose the historic house through neglect. It is important to enforce the bylaws on this project so as to encourage future compliance. We must also take preserving the tree canopy more seriously as we no longer have time to wait to grow more mature trees.

Please vote to preserve this tree and as many others as possible. Please add this to your correspondence records for this issue.

Thanks for your consideration,

Robin Bergman

Park Avenue

Town Meeting Member, Precinct 12

From: Alisa Pascale

Sent: Monday, July 1, 2024 8:27 PM

To: Rachel Zsembery; Stephen Revilak; Kin Lau; Shaina Korman-Houston; Eugene Benson; Claire Ricker

Subject: Save the Tree!

Please ask that the developer save the tree at 821 Mass Ave. I was appalled that the town let the developer further down Mass Ave take down over 50 trees for a development there!! We don't have to continue allowing developers take down beautiful mature trees around town. Please stand up to the developers, which it seems to me town does far too little, and protect our tree canopy starting with the Pine at 821 Mass Ave.

Regards,

Alisa Pascale

109 Westminster Ave

Arlington, MA

## Correspondence: Follow-up to July 1 Hearing on 821 Mass Ave

From: Wynelle Evans

To: Rachel Zsembery; Eugene Benson; Shaina Korman-Houston; Kin Lau; Stephen Revilak; Claire Ricker

Tue 7/2/2024 4:21 PM

Dear all—

Thank you for last night's careful review of the Special Permit application for 821 Mass Ave, and especially for hearing the many calls to preserve the pine tree.

After listening carefully, and reviewing my notes today, I have a couple of questions, and one comment:

A. The language of the original Special Permit, issues in 2009, is clear in stating that demo of the house requires an amendment of the SP. See these two sections of the 2009 SP, with my emphasis:

EDR-10 Heritage: With respect to Arlington's heritage, removal or disruption of historic, traditional, or significant uses, structures or architectural elements shall be minimized insofar as practical, whether these exist on the site or on adjacent properties. The site has no historical structure, and the site has no historical significance. Before it became an auto dealership, there were three or four houses on the site, including the Atwood House, which remains today. The Atwood House is listed as a significant building under Arlington Town Bylaws, as is the Baptist Church next door. The applicant has stated that the Atwood House will be retained on the site, and the proposed plan reflects that. Any addition or modification of the Atwood House would have to respect Town bylaws regarding significant structures. Any modification of the Atwood House will require an amendment of this special permit. The Board finds that the proposal meets this standard.

And again in Special Conditions of the SP:

5. The Atwood House shall remain at its present location on the site, and reasonable and diligent efforts shall be used to maintain its present condition to prevent any damage from the elements or otherwise, until it is redeveloped. It is acknowledged that ten parking spaces behind the Atwood House are reserved for its use. It is further acknowledged that the plan of the site leaves space behind hte Atwood House to accommodate a possible future expansion of the structure, and that no use of that portion of the site will preclude such an expansion. Redevelopment of the house will require the amendment of this special permit, regardless of whether the proposed use of the structure is allowed by right or by special permit (as such are listed in the Arlington Zoning Bylaw). No requests to move or demolish the house by amending this special permit will be made within 24 months of the date of issuance of this permit.



My question is how a new SP to allow demo of the house can be issued without declaring the existing SP invalid, or expired? Otherwise, there will be two SPs for one project.

B. The Board asked if gas or electricity would be used to heat/cool the building, and Mr. Rojas replied that he would come back with that information. This project is both new construction and also a change of use, so is covered in the Fossil Fuel Free Bylaw, encoded in Title VI, Article 10 of the Town Bylaw, as of May 21, 2024. There are apparently no building permits on file for the demo and new project, so no exception to the Bylaw. Before Mr. Rojas goes to too much effort, will someone alert him that Arlington has this fossil fuel ban in place?

C. Mr. Benson and Mr. Rojas mentioned that the pine tree doesn't cast any shade toward the sidewalk, and so likely provides no heat island mitigation. However, even without direct shading to the sidewalk, trees can lower surrounding temperatures by deflecting solar radiation, shading buildings, and transpiration, not to mention their use in carbon storage.

<https://www.epa.gov/heatislands/using-trees-and-vegetation-reduce-heat-islands#:~:text=Transpiration%20is%20a%20process%20in,collecting%20on%20leaves%20and%20soil.>

<https://www.deeproot.com/blog/blog-entries/new-research-on-the-impact-of-trees-on-the-urban-heat-island-effect/>

Other factors can help to bring down urban temperatures, including green roofs and walls, ground level vegetation, cooler pavement options, etc. Bus stops are special areas of concern in urban areas, and there is one in front of the church, just steps from the front of 821 Mass. Ave.

For more info on heat island risks and mitigation, see these sites:

<https://www.nlc.org/article/2023/02/13/urban-heat-island-effect-solutions-and-funding/#:~:text=To help with urban heat,normal pavement with cool pavement>

<https://www.epa.gov/heatislands/heat-island-cooling-strategies>

<https://www.mdpi.com/2071-1050/15/14/10767>

Thank you for your attention to these issues, and especially for your concern about our threatened and indispensable tree canopy.

Best wishes,  
Wynelle

---

Wynelle Evans  
TMM, Pct. 14  
781.859.9291 cell  
evco7@rcn.com

**From:** Liz Simpson

**Sent:** Tuesday, July 2, 2024 9:13 PM

**To:** Claire Ricker; Rachel Zsembery; Stephen Revilak; Kin Lau; Shaina Korman-Houston; Eugene Benson

**Subject:** Preserve Scotch Pine at Historic Atwood House 821 Mass Ave.

**Subject: Preserve Scotch Pine at Historic Atwood House 821 Mass Ave.**

Dear Arlington Redevelopment Board,

I am an Arlington resident and it has come to my attention that the current redevelopment plans threaten to demolish the Scotch Pine tree that has witnessed our town's history for over 100 years. I have already commiserated with neighbors about the demolition of the huge tree on the new development on Mass Ave. We do not want to lose more of our healthy, majestic, historic trees.

**The tree does not have to be killed** - there are many ways to architect and design the new project that would preserve the tree, as was evident from an earlier plan submitted to ARB in 2020 - in which this tree was preserved and the building was shifted slightly closer to CVS. There are many other ways to incorporate the tree into the design - like creating a courtyard where the tree would be the crown jewel and the attraction magnet , as well as many other possibilities.

Mass Ave is already a heat island area - with many mature trees gone due to development or age. With temperatures climbing up and up every year - our best line of defense is preservation of trees that provide priceless benefits - cooling, water absorption, clean air and many more!

***For all the above reasons, I urge you to preserve the tree.***

Thank you in advance for your attention to this.

Sincerely,

Liz Simpson  
49 Appleton Street  
Arlington, MA

To: Arlington Redevelopment Board  
Subj: Atwood House Pine Tree  
Date: July 3, 2024

I have heard that the large Scotch Pine tree in front of the Atwood House at 821 Mass Ave was a subject of discussion at Monday's ARB hearing, and there was much speculation as to its health.

I have some nostalgic feelings for that tree. It is right by a bus stop that was part of my daily commute. For more than 40 years I was greeted by that tree on my way home. I recall that it changed very little over the decades.

Thanks to Google Street view, I can now confirm that my recollection is correct. Below are snapshots going back to the days of the Hodgdon-Noyes dealership. The Scotch Pine is virtually unchanged from that time. It looks to be as healthy as it was back in 2007.

I hope that these photos will be of use in your deliberations.

Don Seltzer

Harvest Circle  
Lincoln



# The Atwood House Scotch Pine over the years

2007 Last Year of Hodgdon-Noyes Auto



2011 New CVS store completed





2019 Reopening of Special Permit



Oct 2023



**From:** Marina Popova

**Sent:** Tuesday, August 06, 2024 9:32 PM

**To:** Claire Ricker; Eugene Benson; Shaina Korman-Houston; Kin Lau; Stephen Revilak; Rachel Zsembery

**Subject:** Follow up: please save the 100-y.o. Pine tree at 821 Mass Ave !

Open Letter to ARB 08/06/2024

Please add to the ARB correspondence for the next meeting when the 821 Mass Ave will be on the agenda

Dear ARB members,

I'm writing to you to follow up on my earlier email with concerns about preservation of the Pine Tree at the 821 Mass Ave location.

At the ARB meeting on 01/01/2024, a redevelopment plan for 821 Mass Ave parcel was discussed, including the issue of preserving the historical 100-y.o. Scotch pine.

The main points of the discussion, pertaining to the tree, were:

1. the developer claimed that the Arlington Tree Warden has inspected the pine tree and marked it as not healthy
2. the ARB members mentioned a few reasons to not save the tree:
  - a. not healthy (per developer's claim)
  - b. no way to protect the root zone of the tree with the building are so close to it
  - c. desire to move the building closer to the front (which is not in the Plan)
  - d. having lower-level business windows visible to invite more foot traffic

After reviewing the current and the 2020 redevelopment Plans, and attending the Arlington Tree Committee meeting on 07/10/2024 - I would like to address the points above as well as add additional comments.

1. First, the developer's claim that the tree is not healthy:

This question was asked at the Arlington Tree Committee on 07/10/2024, and the Arlington Tree Warden, Tim Lecuivre, explained that the Tree Warden is only authorized to inspect and assess trees covered by the Arlington bylaws, which this Pine tree is not.

I agree with the ARB decision to request another assessment of the tree's health. However, since the Arlington Tree Warden cannot do that, it should be one of the certified arborists listed on the Arlington Tree Committee site: <https://www.arlingtontrees.org/mission> - and not one hired by the developer.

To expedite the process - I have approached a well known certified arborist from Arbor Care Tree Services, Mark A. Bezreh, to assess the tree's health, which he did and confirmed that the tree is healthy. See attached report.

2. **building location, root protection and foot traffic:**

It is definitely possible to shift the building closer to CVS, or push the whole building (or just one half of it ) back - to create a courtyard with the tree. The Plan of 2020 [see attached] shows exactly this design - which makes it a feasible and doable option. This option was not discussed or addressed at the last ARB meeting, and I hope it can be considered going forward. Having a courtyard with a tree also makes the area much more inviting to pedestrians - to take a rest in the shade, enjoy hanging out with friends , etc.

Having the building shifted towards CVS would also create enough space to not damage the roots of the tree. See attached Plan with this option.



3. legality of the current Plan:

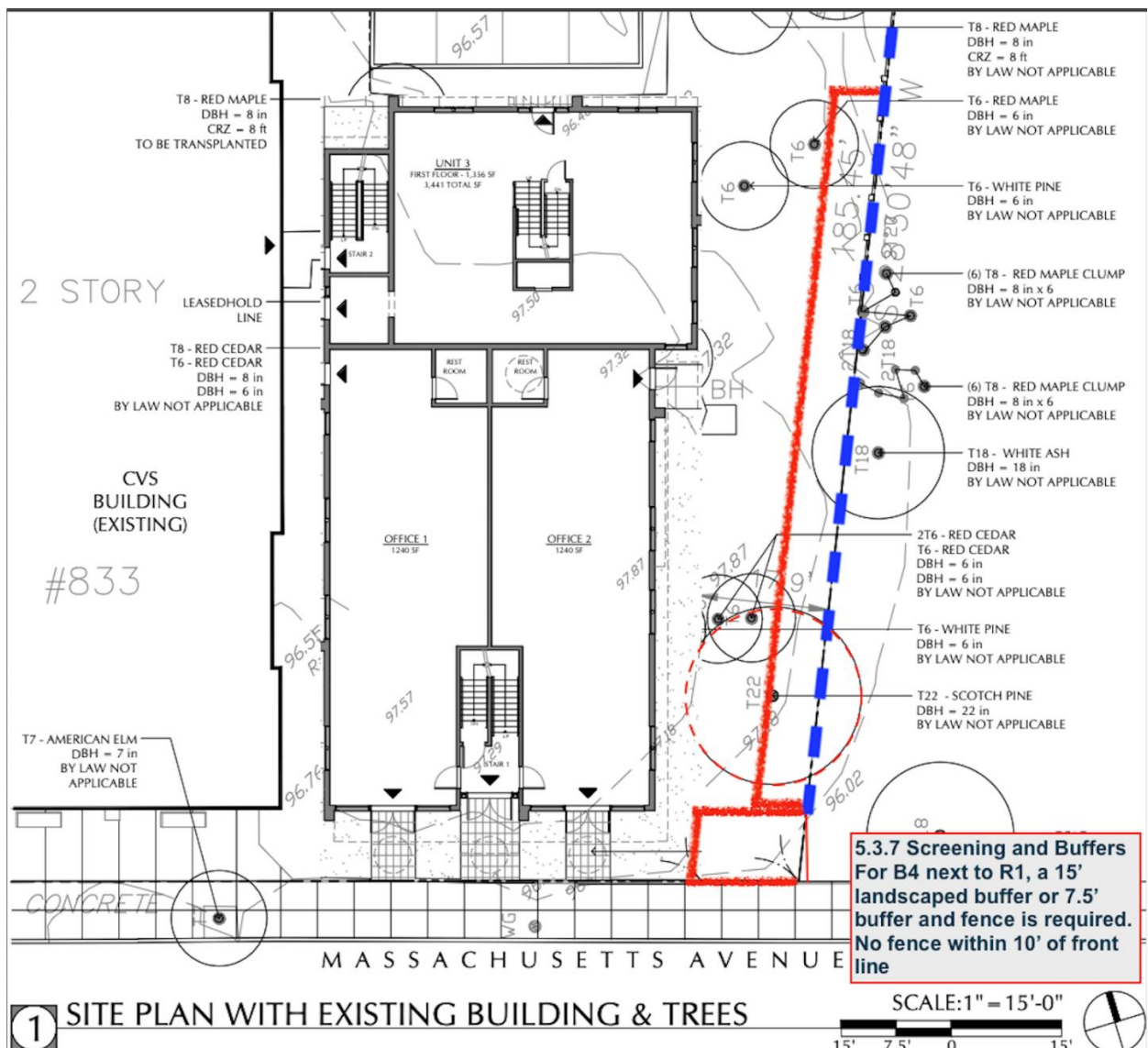
Not only shifting the building closer to CVS would protect the tree - it would also **satisfy requirements of the article 5.3.7 of the zoning bylaw**

<https://www.arlingtonma.gov/home/showpublisheddocument/43413/638500759460700000> - that

requires a landscaped buffer between B or I lots and abutting residential districts. In this instance a B4 next to R1 requires either a 15' landscaped screening buffer, or a 7.5' buffer if there is a six foot high fence to screen from the neighbors. However, this fence cannot be used within the first ten feet from a public way.

The Planning Dept noticed this violation in their memo of 06/26/2024 (Section EDR-3 Open Space) [see ref below] and suggested that the ARB considers granting a waiver. However, there is no justification for such a waiver because there is no hardship or lack of a practical solution. The building footprint can be slightly reduced, or the building could be shifted closer to CVS [see the Plan of 2020] as there is no minimum spacing required between the two buildings - based on the Lease document from the Registry of Deeds [see attached]

Take a look at the option of shifting the mixed use building to within 6' of CVS, based on the 2024 and 2020 submitted plans [see attached] Not only is there plenty of space for the required 5.3.7 screening buffer, but it places the building beyond the critical root zone of the scotch pine.



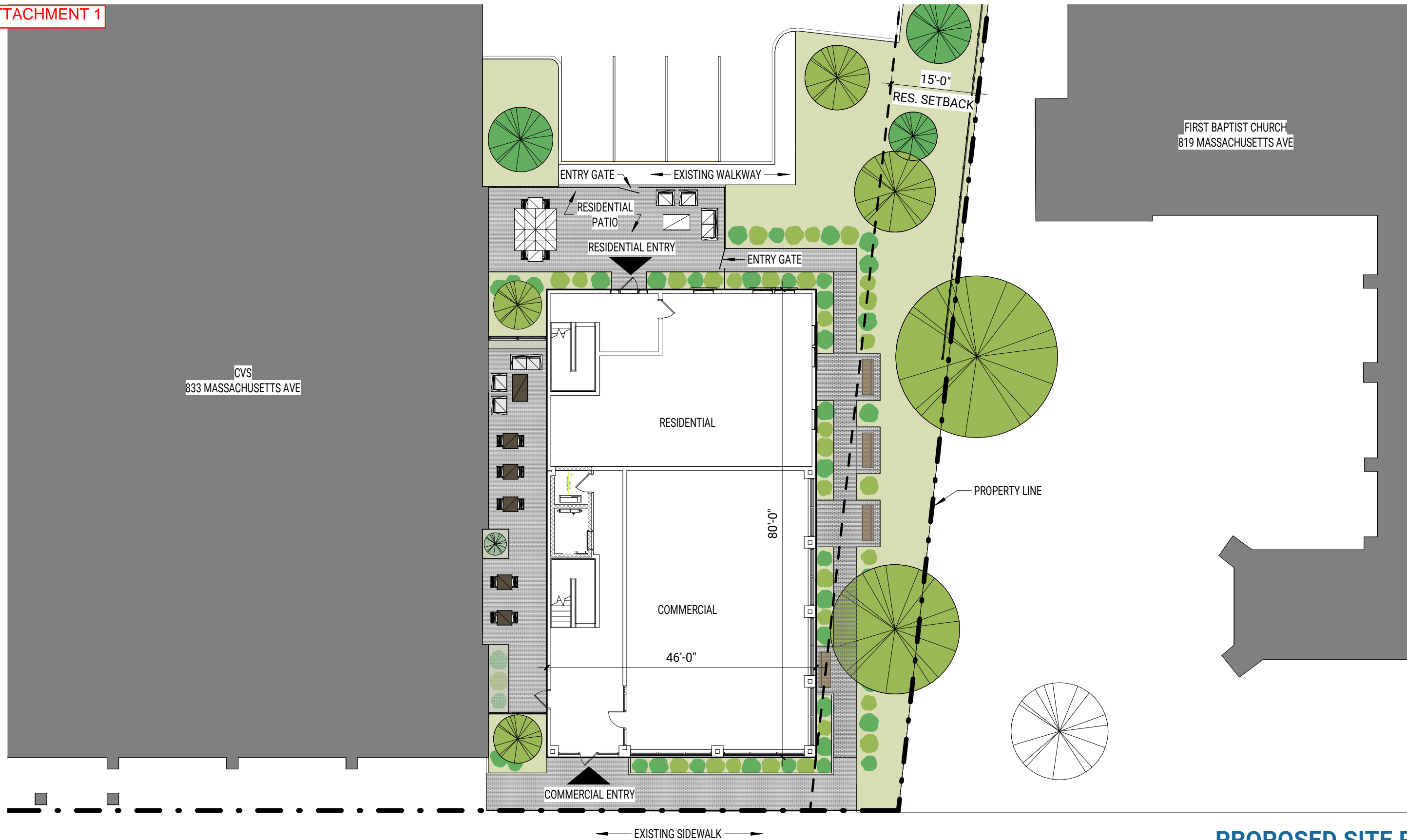
Also, I wanted to reply to the information I received about a potential wrong signup: I was let know that at the ARB meeting on 07/15/2024, the ARB Chair, Rachel Zsembery, reported that her name and email appeared in the Scotch Pine petition without her permission. I want to assure you that this happened without my knowledge. I am very sorry this happened, and I hope it was an isolated "bad joke" by someone. I am taking this seriously though and will be sending an update to the petition signers soon, and will ask to let me know if anyone thinks they are signed up by mistake - so that I could immediately remove their names/emails from the petition.

Thank you!

Marina Popova  
255 Ridge Str, TMM Pct 13

#### References and Attachments:

1. Planning Department Memo, 06/26/2024, that points out violation of the bylaw, article 5.3.7:  
<https://arlington.novusagenda.com/agendapublic/AttachmentViewer.ashx?AttachmentID=21669&ItemID=18364>
2. Current Site Plan - submitted to the ARB as part of the applicant's drawing package 6-13-2024:  
<https://arlington.novusagenda.com/agendapublic/AttachmentViewer.ashx?AttachmentID=21668&ItemID=18364>
3. Attachment 1 - Site Plan as of 03/2020 - with the Scotch Pine preserved!
4. Attachment 2 - Email from the Arbor Care Tree Services with the assessment of the pine tree by Mark A. Bezreh
5. Attachment 3 - lease document at the Registry of Deeds for the parcel of 821\_837 of Mass Ave, retrieved from the MassLandRecords public site:  
<https://www.masslandrecords.com/MiddlesexSouth/default.aspx?AspxAutoDetectCookieSupport=1%20blank&AspxAutoDetectCookieSupport=1#>



PROPOSED SITE PLAN

821 MASS. AVE

Comprehensive Design Progress Package

03.16.2020 Project Schedule

pg 19 02869077

Existing Conditions

02

Potential Renovation Scope

03



Mark Bezreh mark@arborcaretree.com via gmail.com  
Jul 31, 2024, 3:04 PM (6 days ago)  
to marinap4arl@gmail.com

Marina Popova  
255 Ridge Street  
Arlington, MA 02474

Dear Marina:

Regarding the red pine tree at the front corner of 821 Mass Ave. Arlington. The tree appears to be in decent health and reasonably stable. Please let me know if you have any questions.

Thank you,  
Mark A. Bezreh, MCA #1618

President  
Arbor Care Tree Service, Inc.  
11 Fowle Street  
Woburn, MA 01801  
781-648-1100  
mark@arborcaretree.com  
www.ArborCareTree.com

JAN-27-2010 15:30

**ATTACHMENT 3**



2010 00015818  
Bk: 54217 Pg: 169 Doc: LEASE  
Page: 1 of 9 01/27/2010 03:22 PM

013-9

**MEMORANDUM OF LEASE**

Notice is hereby given of the Lease hereinafter described.

**PARTIES TO LEASE:**

**LANDLORD:**

Noyes Realty, LLLP  
114 Andros Road  
Key Largo, FL 33037

**TENANT:**

Massachusetts CVS Pharmacy, L.L.C.  
a Massachusetts limited liability company  
One CVS Drive  
Woonsocket, RI 02895

**DATE OF EXECUTION OF LEASE:**

August 20, 2009, as amended October 28, 2009

**INITIAL TERM OF LEASE:**

The Initial Term of the Lease shall commence on January 26, 2010 and shall expire twenty-five (25) years from the Date of Rent Commencement, plus any months and day necessary to have the term expire on the next January 31st.

**DESCRIPTION OF LEASED PREMISES:**

That certain lot or parcel of land situated at 821-837 Massachusetts Avenue, in the Municipality of Arlington, County of Middlesex, Commonwealth of Massachusetts, as more particularly described in Exhibit A attached hereto and incorporated herein by reference.

**OPTIONS TO EXTEND LEASE:**

Tenant has the option to extend the Term of this Lease, for three (3) extension periods of five (5) years each, exercisable by written notice given not later than six (6) months prior to the expiration of the Initial Term or the expiration of the then applicable extension period.

**RIGHT OF FIRST REFUSAL**

Tenant has the right of first refusal to purchase all or any portion of the Premises.

50754-229

**EXCLUSIVITY:**

(a) If Landlord, or any of Landlord's Affiliates, hold or acquire any interest in any land immediately adjacent to the Premises or at the same intersection as the Premises, in the event that the Premises is located at an intersection, (whether accomplished directly by direct ownership, or indirectly through the use of leases, cross-easement agreements or similar documents), during the Term, Landlord agrees that (unless any premises on said land are already so leased and/or used) Landlord shall not allow any of the premises on such land to be leased or to be used for a health and beauty aids store, a greeting card and gift store, a candy store, a store offering one-hour or other on-site photo processing, a vitamin store, a pharmacy mail order facility, a drug store, a pharmacy prescription department, and/or a Dollar Store.

(b) As used in the Lease: the term "pharmacy prescription department" shall include the dispensing of prescription drugs by physicians, dentists, other health care practitioners, or entities such as health maintenance organizations, where such dispensing is for profit; and a "health and beauty aids store" shall mean a store which devotes more than five percent (5%) of its retail selling space to the display and sale of health and beauty aids.

**MISCELLANEOUS:**

This instrument is only a brief summary of certain provisions for the purpose of giving notice of the Lease and is not deemed to amend the Lease in any respect. Reference is hereby made to the Lease for a more complete description of the terms. In the event of any conflict between the terms of the Lease and the terms of this Memorandum of Lease, the terms of the Lease shall control.

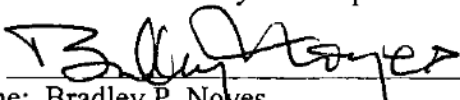
**[Remainder of Page Intentionally Blank; Signatures Follow]**



**IN WITNESS WHEREOF**, the parties hereto have duly executed this Memorandum of Lease as of this 26<sup>th</sup> day of January, 2010.

**LANDLORD:**

Noyes Realty, LLLP  
a Florida limited liability limited partnership

By:   
Name: Bradley P. Noyes  
Its: General Partner

**TENANT:**

Massachusetts CVS Pharmacy, L.L.C.  
a Massachusetts limited liability company

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Its: \_\_\_\_\_

IN WITNESS WHEREOF, the parties hereto have duly executed this Memorandum of Lease as of this 26<sup>th</sup> day of January, 2010.

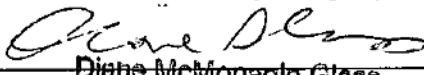
**LANDLORD:**

Noyes Realty, LLLP  
a Florida limited liability limited partnership

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Its: \_\_\_\_\_

**TENANT:**

Massachusetts CVS Pharmacy, L.L.C.  
a Massachusetts limited liability company

By:   
Name: Diane McMonagle-Glass  
Its: Assistant Secretary

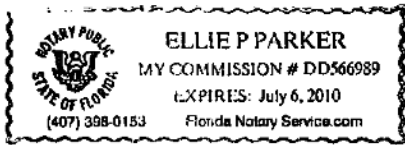
ACKNOWLEDGEMENTS

STATE OF FLORIDA )  
 ) SS:  
County of Monroe )

On this 26<sup>th</sup> day of January, 2010, before me personally appeared Bradley P. Noyes, who, being by me duly sworn, did depose and say that he is the General Partner of Noyes Realty, LLLP, a Florida limited liability limited partnership described in this instrument and that he executed this instrument on behalf of said company and that he had authority to do so.

Ellie P Parker  
Name: ELLIE P Parker  
NOTARY PUBLIC

(NOTARY SEAL)



STATE OF RHODE ISLAND )  
 ) SS:  
COUNTY OF PROVIDENCE )

On this \_\_\_\_ day of January, 2010, before me personally appeared \_\_\_\_\_, who, being by me duly sworn, did depose and say that he/she is the \_\_\_\_\_ of Massachusetts CVS Pharmacy, L.L.C., a Massachusetts limited liability company described in this instrument and that she executed this instrument on behalf of said company and that he/she had authority to do so.

\_\_\_\_\_  
Name: \_\_\_\_\_  
NOTARY PUBLIC



ACKNOWLEDGEMENTS

Commonwealth of Massachusetts )  
 ) SS:  
County of \_\_\_\_\_ )

On this \_\_\_\_\_ day of January, 2010, before me personally appeared \_\_\_\_\_, who, being by me duly sworn, did depose and say that he is the \_\_\_\_\_ of Noyes Realty, LLLP, a Florida limited liability limited partnership described in this instrument and that he executed this instrument on behalf of said company and that he had authority to do so.

\_\_\_\_\_  
Name: \_\_\_\_\_  
NOTARY PUBLIC

STATE OF RHODE ISLAND )  
 ) SS:  
COUNTY OF PROVIDENCE )

On this 25 day of January, 2010, before me personally appeared Maria M. Monette Glass, who, being by me duly sworn, did depose and say that he/she is the Asst. Sec. of Massachusetts CVS Pharmacy, L.L.C., a Massachusetts limited liability company described in this instrument and that she executed this instrument on behalf of said company and that he/she had authority to do so.

Dawn M. Bucci  
Name: \_\_\_\_\_  
NOTARY PUBLIC

Dawn M. Bucci  
Notary Public  
State of Rhode Island  
My Commission Expires 07/24/2010

**EXHIBIT A****LEASED PREMISES DESCRIPTION**

The parcels of land in Arlington, Middlesex County, Massachusetts, bounded and described as follows:

**PARCEL ONE/RECORDED LAND**

The land in said Arlington, with the buildings thereon now numbered 835 Massachusetts Avenue, bounded:

- SOUTHWESTERLY by said Massachusetts Avenue, fifty-five and 83/100 (55.83) feet;
- NORTHWESTERLY by land now or formerly of Kimball, two hundred fifty-three and 62/100 (253.62) feet;
- NORTHERLY by land now or formerly of Cutter, one hundred thirty-nine and 28/100 (139.28) feet;
- SOUTHEASTERLY by land now or formerly of Noyes Realty LLLP, being the second parcel herein described, by three lines totaling three hundred fifty and 42/100 (350.42) feet.

Containing approximately nineteen thousand eight hundred twenty-four (19,824) square feet of land.

**PARCEL TWO/RECORDED LAND**

The land in said Arlington, with the buildings thereon numbered 833 Massachusetts Avenue, bounded:

- SOUTHWESTERLY by said Massachusetts Avenue, fifty (50) feet;
- NORTHWESTERLY by land now or formerly of Noyes Realty LLLP, being the first parcel hereinbefore described, by three lines totaling three hundred fifty and 42/100 (350.42) feet;
- NORTHEASTERLY by land now or formerly of Frost Insecticide Company, one hundred twenty-nine and 8/10 (129.8) feet;
- SOUTHEASTERLY by land now or formerly of Teel, two hundred seventy-eight and 9/10 (278.9) feet.

Containing approximately twenty-eight thousand seven hundred eighty-nine (28,789) square feet of land.

PARCEL THREE/RECORDED LAND

A certain parcel of land with the buildings thereon, situated in said Arlington and being a parcel shown as containing 18,700 square feet of land on a "Plan of Land of Emily A. Teel, Arlington, Mass.", Middlesex Southern District Registry of Deeds in Book of Plans 207, Plan 8 bounded and described as follows:

SOUTHWESTERLY           by Massachusetts Avenue, 123.65 feet;  
 NORTHWESTERLY        by land formerly of N. L. Chaffi, 278.9 feet;  
 NORTHEASTERLY        by land now or formerly of Frost Insecticide Company, 46.43 feet;  
 and  
 SOUTHEASTERLY        by land now or formerly of Howard in three courses, as shown on said plan, 66.65 feet; 87.79 feet and 90.65 feet.

PARCEL FOUR/RECORDED LAND

A certain parcel of land with the building thereon in Arlington, County of Middlesex, and said Commonwealth, the unregistered parcel being shown as Lot A on a plan entitled "Plan of Land of Emily A. Teel, Arlington, Mass." dated April 29, 1912, C. H. Cannett, C.E., recorded with Middlesex South District Deeds, Plan Book 207, Plan 8, and according to said plan more fully bounded and described as follows:

SOUTHWESTERLY        by Massachusetts Avenue 49.07 feet;  
 WESTERLY and  
 NORTHWESTERLY       by a lot containing 18,700 sq. ft. of land, by two courses respectively measuring 90.65 feet and 154.44 feet;  
 NORTHEASTERLY       by land of Frost Insecticide Co., 38.06 feet;  
 SOUTHEASTERLY       by land of Arlington Baptist Society, 169.54 feet; and again  
 SOUTHEASTERLY       by Parcel Five herein after described 62.6 feet.



PARCEL FIVE/REGISTERED LAND

A certain parcel of land situated in Arlington, County of Middlesex and said Commonwealth, the registered Parcel being shown as Lot B on a Subdivision Plan filed in the Registry of Deeds for the South Registry District of Middlesex County in Registration Book 4, Page 341 with Certificate 523 (Plan #312A). According to said plan the parcel is bounded and described as follows:

SOUTHWESTERLY	by Massachusetts Avenue, 12 feet;
NORTHWESTERLY	by land now or formerly of Emily A. Teel, 62.6 feet; and
SOUTHEASTERLY	by Lot A as shown on plan hereinbefore mentioned, 60.2 feet.

**From:** John Anderson

**Sent:** Monday, August 12, 2024 4:41 PM

**To:** Rachel Zsembery; Stephen Revilak; Kin Lau; Shaina Korman-Houston; Eugene Benson; Claire Ricker

**Subject:** Please protect the Scottish pine at 821 Mass Ave

Dear members of the Arlington Redevelopment Board,

Thanks for working to protect the Scottish pine at 821 Mass Ave as you deliberate about development plans.

I recognize the challenges of managing development and preservation, and I hope you will weigh the real and symbolic value of old trees in Arlington. Old trees are important in their own right. They serve as symbols of enduring growth. They provide shade and support our overall tree canopy that reduces the urban heat island effect (which will continue to grow in importance as climate continues to change and heat up). Eventually all old trees will die, and we'll need to replace them, but maintaining them supports habitat and a special kind of beauty and psychological connection.

I realize the pine at 821 Mass Ave is only a single tree, and it's among many. Still, consider it as an iconic one because it's been there since before prohibition ended, before the stock market crash of 1929, before WWII. It's seen a lot.

As a member of First Parish Arlington, I'm also concerned about the future of the historic maple at the corner of Mass Ave and Pleasant St. Many of us love that tree and wish it could survive for many more decades. It may not, but we're trying to care for it. Other trees that are not as prominent as that also deserve care.

Please work with developers to manage projects around old trees and also to make room for trees to grow old as part of a plan for ongoing community development that includes healthy people and healthy wildlife.

We're all better off when we live closely with trees, forests and other green landscapes. Arlington is blessed with a reasonably high amount of green space, and protecting that - in some cases one tree at a time - supports our continuing well being.

Thanks for your consideration and deliberation.

John Anderson  
37 Berkeley St.

From: Judy Mintz

Sent: Monday, August 12, 2024 11:33 AM

To: Rachel Zsembery; Stephen Revilak; Kin Lau; Shaina Korman-Houston; Eugene Benson; Claire Ricker

Subject: Save tree

ARB members,

Please consider having the developer modify their plan for the building next to CVS to preserve the beautiful, old growth pine tree.

Thanks,

Judy Mintz

161 Wollaston Avenue



**From:** Christine Aquilino

**Sent:** Tuesday, August 13, 2024 7:17 PM

**To:** Stephen Revilak; Stephen Revilak; Kin Lau; Shaina Korman-Houston; Eugene Benson; Claire Ricker

**Subject:** Town Trees

Hello town members,

I am writing in support of the recent petition to save the 100-year old Scotch Pine on Mass. Ave. slated to be felled to allow for commercial development. But I also want to bring up concerns about other trees on private property around Arlington.

In just the last few years, in a small area around the Turkey Hill neighborhood where I live, there has been a devastating loss of trees. At least five or six large oaks were cut down when a house was purchased near my street so the new homeowners could remove most of the house they bought — a Cape — and expand into a much larger house. I'm not sure why they cut down all the trees on their property — about 5 large trees, probably oaks -- but it dismayed all of us who live near there. Another house on Washington Street which had several large trees on it, very old as well, was purchased and the new homeowner cleared that property of trees as well — probably even older than the Scotch pine tree. And another house near by had several large pines cut down for no reason I could discern. This is an exorbitant loss of tree canopy. On my small lot I have planted several trees, but they are young and cannot compensate for this loss.

I think in this period of climate crisis, there needs to be some kind of restriction on the felling of old trees, which provide shade, keeping streets and surrounding properties cool, and sequester carbon. We need to take the climate crisis seriously and do everything we can to mitigate the effects.

Christine Aquilino  
81 Edmund Rd.  
Arlington, MA

**From:** Diane Krause  
**Sent:** Friday, August 23, 2024 7:25 PM  
**To:** Stephen Revilak  
**Subject:** 100 year-old pine at 821 Mass Ave.

Hello,

I urge you to require the developer to modify their plan and preserve this tree. It's my understanding an arborist has determined the tree is healthy and that there other options where the building can be shifted closer to CVS in order to save the tree.

I further urge that in the future the ARB consider trees on properties that come before the board to determine if they can be saved. —This should be done automatically, in my opinion, if it's not done now, and part of every deliberation. Developers who say they'll just "plant another tree" miss the point—it takes 20 years for a tree to mature and if it can be preserved now, then it should be. Climate change makes this a critical issue for all of us.

Thank you,

Diane Krause  
High Haith Rd.

**From:** L DiStasio

**Sent:** Sunday, September 22, 2024 8:52 PM

**Subject:** Arlington 100 year old Pine Tree - 821 Mass. Ave.

Hello Board Members,

I am writing as a concerned Arlington Resident and Taxpayer' Please preserve this tree.

I am told it is in good health by our own Tree Inspector and I ask you to please encourage the developer to modify their plan and preserve this tree.

Thank you,

Laura DiStasio

Wildwood Avenue



**From:** Anne Ellinger

**Sent:** Sunday, September 22, 2024 7:01 PM

**Subject:** Re: 821 Mass ave

Please require the developer to change plans for 821 so they do not need to remove a 100 year old tree. Every tree in Arlington matters.

Anne Ellinger

21 Linwood St., Arlington

resident for 40 years

**From:** Arshan Gailus

**Sent:** Sunday, September 22, 2024 11:38 PM

**To:** Rachel Zsembery; Stephen Revilak; Kin Lau; Shaina Korman-Houston; Eugene Benson; Claire Ricker

**Subject:** Comment on the 821 Mass Ave. plan

Dear members of the ARB,

I am writing to ask that you require the developers at 821 Mass Ave. to modify their design in order to preserve the 100 year old Austrian pine. Mature trees are simply not replaceable - the new plantings often done are good (and should be done anyway) but the truth is they cannot replace mature trees in their environmental, wildlife, or community benefits. It is imperative that development protect mature trees for these many benefits they provide!

Furthermore, it appears that in this case, straightforward modifications to the plan could be made to not only save the tree, but also bring the plans into compliance with Zoning bylaw 5.3.7 which the plans are currently in violation of.

Please require the developer to modify their designs to save this tree and bring their plans into actual compliance with Zoning bylaws.

Thank you for your time,

-Arshan Gailus

30 Bowdoin St.

**From:** Suzanne Garcia

**Sent:** Sunday, September 22, 2024 7:34 PM

**To:** Claire Ricker

**Subject:** Save the Pine!

Please consider supporting the townspeople

Trying to save one of Arlington's best features-it's many mature and beautiful trees.

Thank you.

Suzanne Garcia

23 Damon Pl



**From:** Jane Hammer

**Sent:** Sunday, September 22, 2024 8:34 PM

**To:** Rachel Zsembery; Stephen Revilak; Kin Lau; Shaina Korman-Houston; Eugene Benson; Claire Ricker

**Subject:** Uphold landscape buffer bylaw and Pine Tree at 821 deserves care and protection

Dear ARB members,

The times dictate care and protection of our large trees and our thoughtful bylaws and citizen efforts to care for greenspace and landscape as a matter of right for all those who live in Arlington. Please commit to requiring that the landscape buffer be integral to the development at 821 Mass. Ave., that the elder pine tree not only be saved but also be pro-actively cared for by a professional arborist.

Thank you,

Jane Hammer

15 Philemon Street

Arlington (resident and property owner in Arlington since 1996)

**From:** DHC

**Sent:** Sunday, September 22, 2024 9:15 PM

**To:** Rachel Zsembery; Stephen Revilak; Kin Lau; Shaina Korman-Houston; Eugene Benson; Claire Ricker

**Subject:** Pine Tree at 821 Mass Avenue

Dear Members of the Arlington Redevelopment Board –

As an Arlington resident and homeowner, I respectfully urge you to require the developer at 821 Mass Avenue to modify their plan and preserve the beautiful old pine tree in the front yard.

Each and every tree in Arlington adds to the beauty and livability of our town and our environment – but this tree, with its size and longevity is especially dear, as it has been here much longer than the rest of us have.

Thanks so much for your consideration,

Deborah Henson-Conant

**From:** Karen Samuelson

**Sent:** Sunday, September 22, 2024 8:14 PM

**To:** Rachel Zsembery; Stephen Revilak; Kin Lau; Shaina Korman-Houston; Eugene Benson; Claire Ricker

**Subject:** Tree preservation

Dear ARB members,

Please preserve the tree at 821 Mass. Ave. Make it a part of the contract with the developer. We have lost too many trees to developers. Keeping Arlington green is an important aspect of what makes this a viable community. I hope you will take this into consideration.

Sincerely,

Karen Samuelson

precinct 13



**From:** Mariel Vandersteel

**Sent:** Sunday, September 22, 2024 7:27 PM

**To:** Claire Ricker

**Subject:** Save the pine!

Hi there,

I'm writing to urge you reconsider the development plans for 821 Mass Ave. Having such an epic display of nature is a gift and one that should hold weight and importance in our community.

Respectfully,

Mariel

**From:** C Wagner

**Sent:** Sunday, September 22, 2024 8:39 PM

**To:** Rachel Zsembery; Stephen Revilak; Kin Lau; Shaina Korman-Houston; Eugene Benson; Claire Ricker

**Cc:** Marina Popova

**Subject:** 100y.o. Pine

At the Atwood house there is a 100 year-old pine tree which will be lost if the developer cannot be convinced to simply move the new structure 8 feet towards the Cvs. Can't you do this?

I'm shocked at the losses of open space and livability that the MBTA density overlay is bringing. You can require the developer to not ruin this property. Please do it.

Please enter this in the meeting documents.

Thank you,  
Carl Wagner  
Edgehill Road  
Precinct 15 town meeting member

**From:** Joanne Cullinane

**Sent:** Monday, September 23, 2024 8:42 AM

**To:** Rachel Zsembery; Stephen Revilak; Kin Lau; Shaina Korman-Houston; Eugene Benson; Claire Ricker

**Subject:** Preserve the Tree at 821 Mass Ave

Dear members of the SB and the ARB:

I'm writing to ask that you respect our Town bylaws and reject plans by developers to remove the large tree at the 821 Mass Avenue development and bypass rules about screening buffers between the new development and the church property.

The tree on this site has been found healthy not once but twice now and if it's future is "uncertain," it is mainly because the humans around it who are charged with protecting our Town's tree canopy might kill it. For what? What will have been gained? Nothing, as the development could easily go forward and incorporate the tree into its planning. Much will be lost, though. Not just a mature tree, of great importance to the Town's ecosystem as a whole, but also the trust of the town's residents in the ARB to do its job as protector of our environment and our laws.

The developers are proposing to move the building closer to the church without explanation or justification. This, after the owner let a historic building he was told to preserve fall into disrepair and be partially dismantled in violation of a prior order. This, after previously presenting plans that would situate the new building so as to save the tree. They are proposing changes because they see how many trees Arlington has killed of late and assume trees do not matter to this Town. It is time to set the record straight.

Moving the building back towards CVS allows you as guardians of our laws to uphold another bylaw you are entrusted with upholding - namely 5.3.7: Required Landscaped Buffer, for a 15' screening buffer. Let developers know or bylaws and not all up for interpretation or outright dismissal.

Thank you for standing for Arlington and for recognizing that our bylaws are thoughtfully created, there for good reason, and not to be waived away because a developer thinks that without the tree they might make more money from an already no-doubt lucrative development. I believe the tenants would appreciate a beautiful tree in their courtyard.

Sincerely,

Joanne Cullinane



**From:** Jonathan Donahue

**Sent:** Monday, September 23, 2024 10:27 AM

**To:** Rachel Zsembery; Stephen Revilak; Kin Lau; Shaina Korman-Houston; Eugene Benson; Claire Ricker

**Subject:** Save the Tree

Dear Redevelopment Board,

I am writing in support of saving the large tree at 821 Massachusetts Avenue. Arlington is becoming increasingly urban, with new condos going up all over town. We must be careful about making wanton decisions to remove parts of the natural world that we still need for shade, wildlife support, and general appearance and atmosphere. We need only look to neighboring suburbs and parts of urban Boston that appear blighted, bland, and harsh, due to a lack of natural canopy.

Let's not do that here! Keep the tree!

Thank you,  
Jonathan Donahue  
Dudley Street

**From:** Maria Dubyaga

**Sent:** Monday, September 23, 2024 2:28 PM

**To:** Rachel Zsembery; Stephen Revilak; Kin Lau; Shaina Korman-Houston; Eugene Benson; Claire Ricker

**Subject:** Request for Consideration of Tree Preservation and Bylaw Compliance

Dear Arlington Redevelopment Board members,

I hope this letter finds you well. I am writing on behalf of myself and my family regarding the development project near 821 Mass Ave historical Atwood House, particularly the potential removal of the 100-year-old pine tree.

This tree represents much more than just greenery; it is an important part of the town's identity, having stood tall for a century. Pine trees can live up to 1,000 years, meaning this tree could potentially continue to thrive for many generations to come if properly cared for. Its removal has raised serious concerns for us, as we believe that preserving it is vital to maintaining the town's connection to nature and heritage.

### **Tree Health**

While the recent inspection by Hartney Greymont acknowledged potential environmental stresses, it does not definitively state that the tree is unhealthy. As with all living things, there is always some uncertainty about the future. On the other hand, Mark A. Bezreh, a certified arborist from Arbor Care Tree Services, assessed the tree as being in "decent health and reasonably stable." Given these differing assessments, we feel strongly that the tree deserves a chance to continue thriving.

### **Legal Violations**

Additionally, we have concerns regarding compliance with the Arlington Zoning bylaws, specifically Section 5.3.7, which requires a 15-foot landscaped buffer. By moving the building about 8 feet closer to CVS, it appears possible to comply with this bylaw while also preserving the tree. This adjustment would demonstrate that development can be compatible with preserving the town's natural assets.

### **Importance to Our Family and the Community**

For our family, as well as many others in the town, this tree symbolizes the long-standing connection between the community and its environment. Preserving it would not only protect our natural heritage but also send a message that the town values its residents and environment as much as development and profit.

We sincerely hope you will reconsider the plans to remove this tree. We believe a thoughtful compromise can be reached that respects both the community's values and the needs of the project. Thank you for your attention to this matter.

Sincerely,  
Maria Dubyaga

**From:** Larry Englisher

**Sent:** Monday, September 23, 2024 5:27:44 PM

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

**Subject:** 821 Mass Ave Development

Dear ARB members,

I urge you to do all you can to preserve the large pine tree at 821 Mass Ave by requesting the developer to alter the proposed plan. The town keeps losing massive trees that have taken many decades to grow and simply cannot be replaced. ARB should not disregard these town assets in making decisions about redevelopment.

Larry Englisher

6 Lantern Ln

Arlington



**From:** Karen Fanale

**Sent:** Monday, September 23, 2024 12:29:51 PM

**To:** Rachel Zsembery; Stephen Revilak; Kin Lau; Shaina Korman-Houston; Eugene Benson; Claire Ricker

**Subject:** Docket #3798, 821 Massachusetts Avenue

Good afternoon:

I am an Arlington resident and I am writing to you regarding the redevelopment plan for 821 Mass Ave. Although I no longer see public comments on your website, I am in complete agreement with Marina Popova's recent letter.

First, the current redevelopment plan is in serious VIOLATION of the zoning bylaws: "5.3.7 Required Landscaped Buffer" which requests a 15 foot landscape screening buffer. The Planning Dept. noticed this violation in its memo of 6/26/2024 and suggested a waiver. However, there is NO justification for this - there is no hardship or lack of a practical solution. The building footprint can be reduced or the building can be moved closer to CVS while not destroying any trees. I urge you to not grant a special waiver.

Secondly, regarding the destruction of the 100 year old pine tree (as well as other trees on the property), the report submitted by the developer is misleading as to the tree experiencing "stresses from an urban environment." I myself feel stress from living in an urban environment! The tree is not beyond saving, though it may be suffering from some neglect. I urge the Board to do further testing and not base your decision upon the developer's tree inspector, or anyone's personal desire to have a storefront flush to the sidewalk.

I will also say that if the Town cares about climate change, then cutting down 7 trees on this property is not the best or wisest solution. See below from the Arbor Day Foundation:

<https://www.arborday.org/trees/climatechange/>

**As trees grow, they help stop climate change by removing carbon dioxide from the air, storing carbon in the trees and soil, and releasing oxygen into the atmosphere. Trees provide many benefits to us, every day. They offer cooling shade, block cold winter winds, attract birds and wildlife, purify our air, prevent soil erosion, clean our water, and add grace and beauty to our homes and communities.**

In closing, I am writing you to urge for a better solution for this property's redevelopment that will both adhere to the Town's bylaws and prevent the unnecessary felling of trees on the property. I have seen too many trees cut down in the Town recently for redevelopment.

Thank you for your consideration

Karen Fanale  
Arlington, MA  
Precinct 17

**From:** tbartevyan

**Sent:** Monday, September 23, 2024 8:26 AM

**To:** Rachel Zsembery; Stephen Revilak; Kin Lau; Shaina Korman-Houston; Eugene Benson; Claire Ricker

**Subject:** Centennial Pine Tree at 821 Mass Ave

Dear Members of the Arlington Redevelopment Board,

I am a resident of Concord with close family members in Arlington, and a frequent visitor to Arlington.

I share the concerns of those who want to preserve the Centennial Austrian Pine Tree at 821 Mass Ave.

The evaluation from Hartney Greymont, *a firm hired by the designer of the project*, refers to some existing signs of aging on the tree and claims that abiotic factors such as heat and draught might continue the tree's decline.

A different independent evaluation by Arbor Care Tree Services has declared the tree to be "in decent health and reasonably stable."

How can one take the first evaluation from an arborist hired by an associate of the developer to be objective?

What does their statement say, except that the tree is old and may be affected by external environmental circumstances? Which one of us will not be affected by external environmental circumstances? Does this mean those of us who are older or slightly ill are therefore dispensable?

I know first hand that several newly planted young trees in Arlington have shown signs of stress from draughts. Some of our family members have voluntarily watered some of them.

This is even more reason to keep a long lived mature tree which has survived so many years and has developed the strength to withstand environmental stresses.

It is also obviously loved by many people. Trees are also crucial in mitigating climate change.

It sounds like it is very possible to alter the plans of the proposed development slightly and save the tree.

Please do what is right for the environment and for the wellbeing of the public in Arlington and elsewhere.

Save the tree.

Thank you.

Tanya B. Gailus  
62 Prescott Road  
Concord, MA 01742

**From:** Andrea Golden

**Sent:** Monday, September 23, 2024 11:02 AM

**To:** Eugene Benson; Rachel Zsembery; Stephen Revilak; Kin Lau; Shaina Korman-Houston; Claire Ricker

**Cc:** Marina Popova

**Subject:** Pine at 821 Mass. Ave

Hello ARB members,

I'm respectfully writing to ask about the plans to remove the Scotch pine at 821 Mass. Ave.

I understand that plans to remove the tree are ongoing. With the rapid redevelopment of that stretch of Mass. Ave, could a revised plan to include more greenery with the pine as a component, be considered?

Thank you,

Andrea Golden

183 Overlook Rd.



**From:** Rebecca Peterson

**Sent:** Monday, September 23, 2024 2:42 PM

**To:** Rachel Zsembery; Stephen Revilak; Kin Lau; Shaina Korman-Houston; Eugene Benson; Claire Ricker

**Subject:** 821 Mass Ave - 100+ year-old pine tree

Dear ARB Members -

I urge you to do everything in your power to protect this enormous and beautiful tree. With all the talk about climate change, why on earth would the ARB allow a developer to cut down this towering pine? There is not another tree like it anywhere in the vicinity.

Claire Ricker's June 26 memo to the ARB mentions that the developer's plans violate the required 15-foot buffer in our bylaws. Why is the developer not being told to adjust his plans? The building footprint could be slightly reduced, or the entire building could be shifted slightly closer to CVS.

What is the point of bylaws if they are continuously waived, allowing large developments to go up and mature trees to come down? New skinny trees installed by a developer are decidedly NOT the same as this very tall, very old tree.

Please help save this tree. Everything doesn't deserve a waiver.

Thank you,  
Rebecca Peterson  
Florence Ave.

From: biosphere@public-information.org

Sent: Tuesday, September 24, 2024 1:15 PM

To: Rachel Zsembery; Stephen Revilak; Shaina Korman-Houston; Eugene Benson; Claire Ricker

Subject: Save the Scottish Pine

Dear Arlington Redevelopment Board,

I write to urge you to please save the 100-year-old Scotch Pine in Arlington Center, due to be destroyed as a result of development. No certified arborists have said that the tree is not healthy; it is in fact showing signs of age but its well-being has been determined to be stable.

We are a time when every tree really matters, especially the old ones that benefit us much more than several newly planted trees. In Jamaica Plain recently, the architects went back to the drawing board in order to preserve a beloved, huge maple tree and still build their building the same size. Please require that the builders be creative like that to preserve a wonderful tree.

Thank you for listening.

Sincerely,

Brittany Gravely  
Boston, MA

**From:** Elisabeth Harasti

**Sent:** Wednesday, October 2, 2024 1:37 PM

**To:** Rachel Zsembery; Stephen Revilak; Kin Lau; Shaina Korman-Houston; Eugene Benson; Claire Ricker

**Subject:** Please save the Scotch Pine

Dear ARB Members:

I'd like to add my voice to the many who are respectfully requesting that you spare the life of just one tree in your efforts to remove anything that doesn't pay pension-funding taxes or put money in the pockets of euphemistically-designated developers from Arlington. I'm going to paste Marine Popova's words below, because she is so much more eloquent and less angry-sounding than I could ever be. All we ask is that you please consider very slightly moderating the rate of destruction while those of us who can afford to relocate scramble to find someplace we can live without shame for what we're allowing to happen to our environment, leaving those of us who can't to struggle, probably hopelessly, against the relentless destruction of this once-lovely town by a few privileged, powerful, and heartlessly greedy individuals.

From Marina:

*This is a very healthy, magnificent tree that is older than probably most people living in Arlington! There are very few trees like this left in Arlington and MA in general - and they should be treasured, admired and protected at all costs. Dollar amounts alone cannot adequately represent the value this tree provides to our environment and the whole Arlington Community!*

*The tree does not have to be killed - there are many ways to architect and design the new project that would preserve the tree, as was evident from an earlier plan submitted to ARB in 2020 - in which this tree was preserved and the building was shifted slightly closer to CVS. There are many other ways to incorporate the tree into the design - like creating a courtyard where the tree would be the crown jewel and the attraction magnet , as well as many other possibilities.*

*The Mass Ave is already a heat island area - with many mature trees gone due to development or age. With temperatures climbing up and up every year - our best line of defense is preservation of trees that provide priceless benefits - cooling, water absorption, clean air and many more!*

Elisabeth Harasti  
24 Orchard Place  
Arlington



**From:** Kara Tutunjian

**Sent:** Wednesday, October 16, 2024 9:47 PM

**To:** Rachel Zsembery; Stephen Revilak; Kin Lau; Shaina Korman-Houston; Eugene Benson; Claire Ricker

**Cc:** Marina Popova

**Subject:** Environmental Design Review Docket #3798, 821 Massachusetts Avenue

Dear ARB Members,

I have recently learned development plans for this address involve the destruction of a 100-year old Austrian pine tree that has been evaluated for stress. I saw that the recommendation was to have a local extension test a tissue sample to see if the tree could be treated, if necessary. I also read that Mark A. Bezreh from Arbor Care Tree Services conducted a health assessment of the tree and confirmed via email that the tree is "in decent health and reasonably stable."

Arlington has been losing a number of trees and there are plans to lose more as development activities continue throughout the town.

Recently planted immature trees do not nearly provide the same ecosystem services that established, mature trees can provide (stormwater and heat island mitigation, carbon dioxide absorption, shade to people and animals, habitat and migratory connections for local and "traveling" wildlife).

Further, I have read that the building designs violated local zoning bylaws by not including a 15-foot landscaped screening buffer.

I am writing to ensure that everything that can be done to protect the town's mature trees and green spaces is being done whenever possible, including redesigning the building footprint and location to accommodate the pine and to include a 15-foot landscaped buffer.

Thank you,  
Kara Tutunjian  
Wollaston Ave.

**From:** Meghan Powers

**Sent:** Sunday, October 20, 2024 11:12 AM

**To:** Rachel Zsembery; Stephen Revilak; Kin Lau; Shaina Korman-Houston; Eugene Benson; Claire Ricker

**Subject:** Save the pine tree at 821 Mass Ave!

Dear ARB board members,

I am writing to urge you to revise the plan for 821 Mass Ave to ensure the 100yr old pine tree is not harmed or removed by the construction. This tree provides irreplaceable benefits to Arlington including water retention, carbon sequestration, air filtration, and aesthetic benefits. In this era of climate catastrophe, healthy mature trees are our best allies in the fight against global warming. A tree this old cannot be replaced by a young sapling - younger trees are much more susceptible to drought and other stressors.

In addition, the current plan is in violation of existing bylaw "**5.3.7 Required Landscaped Buffer**" which requires a 15-ft buffer. I urge you to move the building plan 8' closer to CVS, which would bring it in compliance with the bylaw and preserve the tree. Every tree is important. Please fight to protect the future of Arlington and preserve our town tree canopy.

With urgency and hope,

Meghan Powers

Arlington Resident

**From:** Marjorie Brown

**Sent:** Monday, October 21, 2024 2:39:34 PM

**To:** Claire Ricker

**Subject:** Preservation Of the Austrian Pine tree at 821 Mass Ave

Dear Clare,

I support the efforts of Marina Popova to preserve the pine tree on the property at 821 Maas Ave. Please require the developer to preserve this tree and follow the recommendations of the Arborcare evaluation. Please also follow the recommendations that Ms. Popova is presenting about the regulations requiring a buffer zone between the property and CVS.

Sincerely,

Marjorie Brown

128 Pleasant St #202

Arlington, MA



**From:** Joanne Cullinane

**Sent:** Monday, October 21, 2024 3:14:56 PM

**To:** Rachel Zsembery; Stephen Revilak; Kin Lau; Shaina Korman-Houston; Eugene Benson; Claire Ricker

**Cc:** Diane Mahon; Stephen DeCoursey; Len Diggins; Eric Helmuth; John Hurd

**Subject:** Preserve the Pine at 821 Mass Ave

Dear members of the SB and the ARB:

I'm writing to ask that you dutifully reject plans by developers to remove the large tree at 821 Mass Avenue, and to ignore laws about screening buffers between the new development and the church next door.

The tree on this site has been found healthy not once but three times now and its future is only "uncertain" because some humans charged with protecting our Town's trees would rather kill it. As you know from prior plans, and from the fact that condos need not be 3000 sq ft to be profitable, the development could easily incorporate the tree into its planning.

As residents, we want to trust the ARB to do its job as protector of our environment and our bylaws. Is it *practicable* to preserve this tree, as the law stipulates must be done? Absolutely.

The developers have proposed to move the building closer to the church without necessity or justification. This, after the owner let a historic building he was told to preserve fall into disrepair and be partially dismantled in violation of a prior order. This, after previously presenting plans that would situate the new building so as to save the tree. Requiring that they move the building back towards CVS allows you as guardians of our laws to uphold our bylaws regarding practicable accommodations of the environment, as well as another bylaw you are entrusted with upholding - 5.3.7: Required Landscaped Buffer - for a 15' screening buffer.

Thank you for standing for Arlington and for recognizing that our bylaws are thoughtfully created and not to be waived willy-nilly because an individual developer can make bigger luxury units and hence more money if trees weren't "in the way." Of greater importance to residents of the Town is the preservation of trees where possible. The pine's preservation is eminently possible.

Sincerely,

Joanne Cullinane

**From:** Stephen Forrest  
**Sent:** Monday, October 21, 2024 12:46 PM  
**To:** Rachel Zsembery  
**Subject:** 821 Mass Ave and 100 year old Pine

Good afternoon Ms. Zsembery,

I'm emailing about the upcoming meeting concerning the old pine tree at 821 Mass Ave.

I'm sure the board is receiving a lot of communications and petitions.

From looking at this issue I'm just confused as to why it takes so much effort and studies and meeting after meeting just to save a historic tree. I'm not trying to criticize. I myself work in state government and I know how processes work and that there are many levels of debate and study but it just seems that this is one of the main problems with how this process isn't really working. In the end if the developer just takes a chainsaw and cuts it down there won't be any real repercussions.

There just should be a way to put in writing that you can't cut the tree down, period, and if the tree is cut down then the developer loses their ability to develop the property as they want. People should be able to do what they want with their land but it has to be within reason.

I won't go on and on about the agency I work for and my specific knowledge of the science behind saving the tree. I am emailing you as a resident of Arlington and the process thus far has been frustrating and there just doesn't seem to be a good reason for it.

I hope the tree is saved but I also hope we refine our processes so that we have reasonable and defined requirements that can help us navigate what should be a rather simple process.

Good luck in the meeting and I hope you and the board will protect the town's natural resources.

Thanks,  
Steve

**From:** Arshan Gailus

**Sent:** Monday, October 21, 2024 12:29 PM

**To:** Claire Ricker

**Subject:** Public comment for Arlington Redevelopment Board meeting today

Hello,

I am writing with a comment regarding the 821 Mass Ave redevelopment plan to be discussed at your meeting today.

Please require that the developer modify their plans to save 100 year old Austrian Pine on the property and to be brought into compliance with Town Bylaws.

The developer's current plan is in violation of article 5.3.7 of the zoning bylaw and the EDR-1 requirement (Arlington Bylaws Section 3.4). It is entirely feasible for the developer to use a modified plan that would satisfy these regulations and save the tree because their earlier version of their plan did in fact do all of those things.

Please do not let the developer slip by with violating our bylaws and destroying a tree that is older than all of us. We must protect our trees and we have these regulations for a reason. And allowing developers to needlessly skirt our bylaws sets a terrible precedent for the future.

Please do not grant the developer a waiver on these requirements and insist that they modify their plan back to be in compliance with our bylaws and save the tree.

Thank you for your time,

-Arshan Gailus

30 Bowdoin St.