

Arlington Redevelopment Board
October 17, 2016 Minutes
Central School, Main Room – 6:30pm

This meeting was recorded by ACMi.

PRESENT: Andrew Bunnell (Chair), Kin Lau, Mike Cayer, Andrew West, David Watson

STAFF: Jennifer Raitt, Laura Wiener

GUESTS: John Worden; Joseph Lekach, Co-Founder, Massachusetts Patient Foundation; Valerio Romano, VGR Law Firm; Doug Heim, Town Counsel; Christine Bongiorno, Director, Health and Human Services; Bruce Kidder, Construction Manager, Caffè Nero

Correspondence:

The Chairman opened the meeting at 6:30pm and turned to the first agenda item Public Hearing, Special Town Meeting Warrant Articles. Mr. Bunnell invited John Worden to speak on behalf of Article 10 Rock Removal Regulated, Amend the Zoning Bylaw by adding Section 11.03, Removal of Sand, Gravel, Quarry, or Other Earth Materials, to require a special permit and a hearing before the Zoning Board of Appeals for the removal of quarry stone, rock, or ledge. Mr. Worden distributed a substitute motion that included a change in radius and notice requirements from 1,800 to 600 feet and granted the ZBA the authority to issue a permit, within the limited circumstances, without holding a public meeting. He continued by clarifying that the regulation would not apply to anyone who did not need heavy equipment for rock removal and sought an endorsement from the Board. Mr. Lau supported the idea but felt the proposed Article was not fair to all homeowners. Mr. Bunnell stated that there were protections in the Town Bylaws and asked what could be changed to ensure enforcement of these bylaws. The Board members felt that regulations existed in the current bylaw and that regulatory enforcement needed to be addressed. Mr. Bunnell opened the floor for public comment:

Debbie Nowell of 101Hillsdale Ave. suggested notification to surrounding neighbors rather than a ZBA application process. Steve Revilak of 111Sunnyside Ave. thought that the noise abatement protections in the Town Bylaws would be a better approach toward solving the problem. Mr. Bunnell closed public comment.

Mr. Lau motioned to take no action, Mr. West seconded. All in favor (4-0).

Mr. Cayer joined the meeting.

Mr. Bunnell opened the next item on the Agenda, ARTICLE 11 MEDICAL MARIJUANA TREATMENT CENTERS, REGISTERED MARIJUANA DISPENSARIES SITING 500 FEET FROM SCHOOLS, AND NOT WITHIN THE SAME BUILDING AS EARLY EDUCATION PROGRAMS. Amend the Zoning Bylaw Section 5.04, Use 7.10, to institute a buffer zone as a criteria for obtaining a special permit for Medical Marijuana Treatment Centers (Registered Marijuana Dispensaries) as defined in Chapter 369 of the Acts of 2012, namely being a 500 foot buffer from Medical Marijuana Treatment Centers to elementary schools, middle schools, or high schools that are under the supervision of the Massachusetts Department of Elementary and Secondary Education, as well as a prohibition on Medical Marijuana Treatment Centers from locating within the same building or structure as an early education child care program licensed by the Massachusetts Department of Early Education and Care, as well as create a buffer of 1,000 feet between any Medical Marijuana Treatment Centers. Doug Heim, Town Counsel, provided background information on buffer zones as defined by Massachusetts Law. Mr. Bunnell invited Valerio Romano, attorney for The Massachusetts Patient Foundation to address the Board. Mr. Romano explained that the proposed Warrant Article was an effort to create clarity defining a buffer zone. Mr. Cayer expressed discomfort adopting anything less than the state required buffer zone. Mr. Watson felt that the Article set forth was not in alignment with Town Meeting buffer zone discussions. Mr. Bunnell opened the floor for public comment.

Peter Ricks of Melrose Street thought the location of the buffer zone was reasonable and responsible and expressed support for the proposal. Chris Moore of School Street supported the Article and suggested shrinking the buffer zone. Jason Cofield of 94 Robbins Rd. asked for a vote of no action. Christine Bongiorno, Director, Health and Human Services and Staff to the Board of Health, sought clarity when defining, "where children commonly congregate." Chris Loreti of 56 Adams St. recommended no action. Dave Dombrowsky of 36 Brunswick Rd. favored no buffer zone and recommended no action. Mr. Bunnell closed public comment.

Mr. Cayer motioned to take no action, Mr. Lau seconded. All in favor (5-0).

Mr. Bunnell opened the next item on the agenda Public Hearing EDR Special Permit, 321 Broadway, Bruce Kidder, Caffe' Nero, Docket #3517 to allow Use 6.12(b)—Restaurant, including but not limited to...cafeteria, more than 2,000 square feet gross floor area, at 321 Broadway. Bruce Kidder, Construction Manager for Caffe' Nero, addressed the Board. Mr. Kidder stated his intention to open a European style café in the space previously occupied by CVS. Mr. Watson asked for consideration for bike storage within the facility. Mr. Cayer asked for clarification on sign placement, color and materials. Mr. Bunnell inquired about delivery, traffic, and trash management and suggested coordinating with surrounding businesses to minimize the frequency of trash pickup. Mr. Bunnell opened the floor for public comment:

Michael Rudderman of 9 Alton Street supported the project and asked that vendors and employees follow posted parking regulations. Mr. Bunnell closed public comment.

Mr. Cayer moved to approve the application as presented. Mr. Lau seconded. All in favor (5-0).

Mr. Bunnell opened the next item on the agenda, Director's Report. Ms. Raitt updated the Board on new hires in the Department of Planning and Community Development. She informed the Board that Ali Carter is the new Economic Development Coordinator and Julie Wayman is the new CDBG Administrator. She further stated that the position for the Conservation Administrator is posted. Ms. Raitt shared that four million dollars (\$4 Million) in capital funds were requested to improve the Senior Center. The Report to Special Town Meeting was reviewed and changes were made.

Mr. Lau moved to approve the Minutes from September 26, 2016. Mr. Cayer seconded. Mr. Watson abstained. All in favor (4-0).