

**Arlington Redevelopment Board**  
**March 20, 2017 Minutes**  
**Town Hall Annex, Second Floor Conference Room – 7:30pm**

This meeting was recorded by ACMi.

**PRESENT:** Andrew Bunnell (Chair), Kin Lau, David Watson, Andrew West, Eugene Benson

**STAFF:** Jennifer Raitt, Laura Wiener

**GUESTS:** Steve McKenna, Residential Study Group; Elizabeth Pyle, Residential Study Group, Karen E. Thomas-Alyea

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**Correspondence:**

Email received from Ed Hajduk of 16 Mt. Vernon Street. Subject: Town Zoning Amendment

Email received from Carrie Finison of 37 Walnut Street . Subject: Keep marijuana dispensary buffer zone.

Email received from Erin Hajduk of 16 Mt. Vernon Street. Subject: RMD Zoning

Email received from Ivy LaPlante, AYHSC, Subject: Public Comment on Article 9, Warrant TM 2017

Email and letter received from Attorney John Scheft of 70 Richfield Rd. Subject: Local Control Statement

Email received from Kristin Brennen of 28 Brattle Terrace; Subject A letter in Support of Article 9

Email received from Laura Kiesel Subject: Against medical marijuana buffer zone.

Email received from Sophia Sayigh of 24 Avon Place Subject: Warrant Article 9

Letter received from Adam Fine Esq., Vicente Sederberg LLC, Re: Review of Article 9

Memo dated 03/20/2017 from Adam Chapdelaine, Town Manager

Email received from Janice Weber of Crescent Hill Rd. Subject: Letter of Withdrawal

Email received from Elizabeth Pyle Subject: Driveway Slopes-House Alignments Research

Mr. Bunnell opened the meeting at 7:30PM and moved to the first item on the agenda, Public Hearing, Special Town Meeting (STM) ARTICLE 1 ZONING BYLAW AMENDMENT/DEFINITIONS, to see if the Town will vote to amend the Zoning Bylaws to change the definition of "Open Space, Usable" by reducing the required horizontal dimension, to allow for incentives for surface parking at newly-constructed single, two-family, duplex or three-family dwellings; or take any action related thereto. Mr. Bunnell invited Steve McKenna and Elizabeth Pyle, members of the Residential Study group to provide a brief synopsis of the research uncovered by the group which led to the suggested amendment. Ms. Pyle and Mr. McKenna stated that the group felt the proposed language addressed residents' concerns for safety regarding steeply sloped driveways with garages underneath houses, and that this amendment would help motivate builders by reducing the contiguous open space requirement. Mr. Lau supported the Article and appreciates the incentives for safety and visual appeal. Mr. West supported the Article with no additional comments. Mr. Watson understood that STM Article 1 and ATM Article 8 would both need to pass and suggested a contingency plan if one was not to pass. Mr. Benson expressed concerns about parking predictability and safety concerns for upward slopes as well as downward slopes.

Mr. Bunnell opened public comment.

Bob Radochia of 45 Columbia Rd. expressed concerns about reduced parking. Bruce Whelittle of 94 Coolidge Rd. expressed concern that this Article may bring more problems than solutions. Chris Loreti of 56 Adams Street felt that there was no need for the amendment and opposed the article.

No further public comment was made. Mr. Bunnell reminded all that public comment will remain open until March 27, 2017.

Mr. Lau motioned to continue Public Hearing STM ARTICLE 1 ZONING BYLAW AMENDMENT/DEFINITIONS to March 27, 2017. Mr. West seconded. All voted in favor. (5-0).

Mr. Bunnell moved to the next item on the agenda, Public Hearing ARTICLE 2 ZONING BYLAW AMENDMENT/RECREATIONAL MARIJUANA MORATORIUM, to see if the Town will vote to amend the Town's Zoning Bylaws by adding a new section 11.10, TEMPORARY MORATORIUM ON RECREATIONAL MARIJUANA ESTABLISHMENTS,

which would provide as follows, and further to amend the Table of Contents to add Section 11.10, "Temporary Moratorium on Recreational Marijuana Establishments."... or take any action related thereto. Jennifer Raitt, Director, Planning and Community Development (DPCD), reviewed a memo from the Town Manager dated March 20, 2017 requesting the filing of this warrant article in order to give both the Redevelopment Board and potentially Town Meeting the opportunity to extend the amount of time for the Town to consider the matter of Recreational Marijuana. Mr. Watson supported the article and waiting for regulations to be issued by the State. It was mentioned that email correspondence was received and reviewed. Mr. Benson and Mr. Bunnell supported the warrant with no additional comments. Mr. Bunnell opened the floor for public comment.

Jordan Weinstein of 23 Lennon Street asked what type of regulations the town expects to see and shared his opinion that there is "historical discrimination" against the use of marijuana.

Chris Loreti of 56 Adams Street felt that this issue should be taken up with the Board of Selectman.

No further public comments were made. Mr. Bunnell said that all that public comment will remain open until March 27, 2017.

Mr. Lau motioned to continue ARTICLE 2 ZONING BYLAW AMENDMENT/RECREATIONAL MARIJUANA MORATORIUM, to the March 27, 2017 meeting date. Mr. West seconded. All voted in favor (5-0).

Mr. Bunnell moved to the next item on the agenda, Continued Public Hearing ARTICLE 6 ZONING BYLAW AMENDMENT/ MIXED USE IN BUSINESS AND INDUSTRIAL ZONES, to see if the Town will vote to amend the Zoning Bylaw ARTICLE 6 SECTION 6 TABLE OF DIMENSIONAL AND DENSITY REGULATIONS for Mixed-Use development by reducing or removing the Minimum Lot area per Dwelling Unit Sq. Ft. requirement, or take any action related thereto. Laura Wiener stated that no additional comments had been received since the public hearing on March 13, 2017 and further stated that the Master Plan Implementation Committee has endorsed this Article.

Mr. Bunnell reopened public comment. No comments were made. Mr. Bunnell closed public comment.

Mr. Lau moved to recommend Article 6, ZONING BYLAW AMENDMENT/ MIXED USE IN BUSINESS AND INDUSTRIAL ZONES. Mr. West seconded. All voted in favor. (5-0)

Mr. Bunnell moved to the next item on the agenda, Continued Public Hearing ARTICLE 7 ZONING BYLAW AMENDMENT/ DEFINITIONS ARTISANAL FABRICATION to see if the Town will vote to amend the Zoning Bylaw ARTICLE 2 DEFINITIONS for Artisanal Fabrication by increasing or removing the maximum square foot area requirement, or take any action related thereto. The Board spoke in support of the article and felt it would encourage new business types including breweries and commercial kitchens in addition to businesses that employ local residents. No additional public comments were received.

Mr. West moved to recommend ARTICLE 7 ZONING BYLAW AMENDMENT/ DEFINITIONS ARTISANAL FABRICATION. Mr. Watson seconded. All voted in favor. (5-0).

Mr. Bunnell moved to the next item on the agenda, Continued Public Hearing ARTICLE 8 ZONING BYLAW AMENDMENT/ RESIDENTIAL DRIVEWAY AND PARKING ACCOMODATION ZONING CHANGES, to see if the Town will vote to amend the Zoning Bylaw to address design and construction of new residential driveways and parking accommodations by: amending ARTICLE 8 SECTION 8.07 PARKING IN RESIDENTIAL DISTRICTS to set the maximum allowable grade for driveways accessing below-grade garages for single, two-family, duplex, or three-family dwellings at 15 percent (15%) unless authorized by special permit; amending ARTICLE 8 SECTION 8.07 PARKING IN RESIDENTIAL DISTRICTS to require vegetated buffers; amending ARTICLE 8 SECTION 8.07 PARKING IN RESIDENTIAL DISTRICTS to allow for incentives for surface parking at newly-constructed single, two-family, duplex or three-family dwellings; amending ARTICLE 8 SECTION 8.01 OFF-STREET PARKING REQUIREMENTS to decrease the number of off-street parking spaces required per dwelling

unit from two (2) to one (1) for all single, two-family, duplex, or three-family dwellings; amending ARTICLE 6 SECTION 6 TABLE OF DIMENSIONAL AND DENSITY REGULATIONS to consider changes to minimum setbacks; or take any action related thereto. Mr. Watson supported the Article and noted that this was a reasonable compromise. Mr. Benson appreciated the safety concerns and supported the Article. One comment letter of support was received from Pete Howard. Elizabeth Pyle and Steve McKenna spoke in support of the Article. No additional comments were made from the Board.

Mr. Bunnell reopened the floor for public comment. Chris Loreti of 56 Adams Street confirmed that the parking requirements are for all residential properties and not only for new construction.

Mr. West moved to recommend ARTICLE 8 ZONING BYLAW AMENDMENT/ RESIDENTIAL DRIVEWAY AND PARKING ACCOMODATION ZONING CHANGES. Mr. Lau seconded. All voted in favor. (5-0).

Mr. Bunnell moved to the next item on the agenda, Continued Public Hearing ARTICLE 9 ZONING BYLAW AMENDMENT/MEDICAL MARIJUANA TREATMENT CENTER BUFFER ZONE, to see if the Town will vote to amend the Zoning Bylaw to add a section 5.07 establishing a buffer zone for Medical Marijuana Treatment Centers (“MMTC”, also known as Registered Marijuana Dispensaries “RMD”); prohibiting siting of such facilities within a radius of five hundred feet of a school, daycare center, or any facility in which children commonly congregate; the 500 foot distance under this section to be measured in a straight line from the nearest point of the facility in question to the nearest point of the proposed MMTC: and further defining for the purposes of this section a “facility in which children commonly congregate” to include: dance schools, gymnastic schools, technical schools, vocational schools, public and private K-12 schools, public libraries, facilities that offer tutoring or after school instruction, licensed daycare facilities (including private home daycare), pediatrics offices, parks that have play structures and athletic fields intended for use by children, accredited Headstart facilities, and commercial establishments that host children’s parties; or take any action related thereto. Karen E. Thomas-Alyea spoke in favor of the Article with an emphasis on child safety and further stated that the state proposed buffer zone should apply. Mr. Bunnell reopened public comment.

Sophia Sayigh spoke in favor of a Medical Marijuana Treatment Center (MMTC) and the benefit it provides to people with debilitating diseases and felt there was no need for a buffer zone.

Mr. Bunnell felt that the buffer zone unfairly restricted any such facility from locating in town. He further recommended a study group be created to discuss the underlying concerns with MMTC’s, and to study the buffer zone question. Mr. Lau concurred with Mr. Bunnell. Mr. West felt that the votes of the Town as a whole need to be considered and felt that this Article's intent was to eliminate MMTC from opening in Town. Mr. Watson recognized the multitude of perspectives and thought that the different viewpoints together in a study group would be beneficial. Mr. Benson felt that there should be a way for the Town to regulate MMTC’s without a buffer zone and thought the Article was too broad.

Mr. West moved to recommend no action. Mr. Lau seconded. All voted no action. (5-0).

Mr. Bunnell moved to the next item on the agenda, Continued Public Hearing ARTICLE 10 ZONING BYLAW AMENDMENT/R2 to R1 DESIGNATION, to change the Zoning District in the Mount Gilboa Historic District from the current Zoning District of R2 to its former District of R1. The proposed area shall encompass the following streets: 2-133 Crescent Hill Avenue, 2-16 Park Place, 3-115 Westmoreland Avenue and 11-197 Westminster Avenue; or take any action related thereto. Jennifer Raitt, Director, informed the Board that correspondence from the proponent was received asking to withdraw this Article.

The Board voted unanimously (5-0) to recommend No Action on the Article.

Mr. West moved to adjourn the meeting. Mr. Lau seconded. All voted in favor. (5-0).

