



**Town of Arlington, Massachusetts**  
Department of Planning & Community Development  
730 Massachusetts Avenue, Arlington, Massachusetts 02476

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**DECISION OF THE BOARD**

**Environmental Design Review Docket #3545**  
**87-89 Broadway, Arlington, Massachusetts 02474**  
**Kevin Flynn, Springboard Schools, Inc.**

**November 15, 2017**

This Decision applies to the Special Permit application filed by Kevin Flynn, Springboard Schools, Inc. for a mixed-use, 4-story, 8,848 square foot building with 3 residential units (located on floors 2 through 4) and 1 commercial unit (located on the first floor). A basement would contain mechanical systems and storage space. The lot area is 6,004 square feet, in the B-4, Vehicular-Oriented Business District. Each residential unit has 3 bedrooms. Six (6) parking spaces are provided in the parking lot behind the commercial space. The project needs a Special Permit to allow Mixed-Use in the B-4 zone, and under 11.06 Environmental Design Review because of its location on Broadway.

A public hearing was held on November 13, 2017.

**Materials submitted for consideration of this application:**

Application for EDR Special Permit and Impact Statement with supporting documents, including Survey, Existing Conditions, Site Plans, Renderings, and Elevations, dated October 12, 2017

In order to grant this Special Permit, the following criteria must be met, per Section 10.11, Arlington Zoning Bylaw:

**1. 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.**

Mixed-use is allowed by Special Permit in the B-4 zone. The Board finds that this condition is met.

**2. Section 10.11a-2**

**The requested use is essential or desirable to the public convenience or welfare.**

The existing lot is vacant, and until recently, had been used for automobile repair. The proposed uses, retail and residential, are more compatible with the existing uses on Broadway, as well as in keeping with the Master Plan's vision for Broadway, which recommended increased density on underdeveloped sites. Further, the Housing Production Plan cites Broadway as a location for "advancing residential development in smart growth locations along commercial corridors that offer connectivity to amenities, transit and services." The Board finds that this condition is met.

**3. Section 10.11a-3**

**The requested use will not create undue traffic congestion, or unduly impair pedestrian safety.**

The use will not cause undue traffic congestion or impair pedestrian safety. There is a single driveway access point on Broadway. The minimum number of required spaces are provided, i.e., 6 or 2 per residential unit. The six parking spaces are reserved for the residential units. No parking is required for the commercial space. Commercial customers will park on Broadway or a neighboring street. The Board finds that this condition is met.

**4. 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 3 residential units will not overload the public water, drainage or sewer system. A stormwater plan is not required due to the size and location of the project, and the fact that the amount of pavement on the lot is being reduced by approximately 55%. Underground stormwater recharge chambers will be installed. The Board finds that this condition is met.

**5. Section 10.11a-5**

**Any special regulations for the use set forth in Article 11.**

The Board finds that this condition is met.

**6. 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 requested use would enhance, rather than impair, the neighborhood character, and would not be a detriment. The Board finds that this condition is met.

**7. 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.**

The requested use would not cause an excess of that particular use. Rather, it would be complementary to the neighborhood's other residential and commercial uses. The Board finds that this condition is met.

In order to grant this Special Permit, the following Environmental Design Review Standards must be met, per Section 11.06, Arlington Zoning Bylaw:

**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 site was completely paved and covered with automobiles in its most recent use, leaving no natural landscape to preserve. The Board finds 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 R-1 or R-2 district or on public open space.**

The proposed development is a compatible neighborhood use. Most recently the lot was used for automobile repair, and was in poor condition, covered with pavement and automobiles. The new use, which is primarily residential, includes a small commercial space that could provide services to local residents, is preferable to the previous use. The Zoning Bylaw encourages change of uses in the B-4 district from

automotive to other uses, particularly mixed-use. The Board finds 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.**

Open space is located around portions of the site's periphery and would be seen from several vantage points by passersby and by inhabitants of adjacent uses. Coniferous vegetation would function as a buffer between the driveway entrance and the adjacent use. The Board finds that this condition is met.

**4. EDR-4 Circulation**

**With respect to vehicular and pedestrian and bicycle circulation, including entrances, ramps, walkways, drives, and parking, special attention shall be given to location and number of access points to the public streets (especially in relation to existing traffic controls and mass transit facilities), width of interior drives and access points, general interior circulation, separation of pedestrian and vehicular traffic, access to community facilities, and arrangement of vehicle parking and bicycle parking areas, including bicycle parking spaces required by Section 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 proposed building's circulation is appropriately pedestrian-oriented: both the commercial space and residential units would be accessed from the sidewalk along Broadway. Parking is suitably assigned to the rear of the property. The Board finds that this condition is met.

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

**Special attention shall be given to proper site surface drainage so that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Available Best Management Practices for the site should be employed, and include site planning to minimize impervious surface and reduce clearing and re-grading. Best Management Practices may include erosion control and stormwater treatment by means of swales, filters, plantings, roof gardens, native vegetation, and leaching 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.**

Underground stormwater recharge chambers would be used. Options for employing raingardens on peripheral open space should be considered. The Board finds that this condition is met.

**6. EDR-6 Utilities Service**

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

Utilities would be underground and the proposed methods of sewage and solid waste disposal are indicated. The Board finds that this condition is met.

**7. EDR-7 Advertising Features**

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

The proposal does not contain advertising features. Future signage for the residential and commercial space will require administrative review and approval.

**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 proposal includes a 1,065 square foot basement for mechanical equipment and storage space. An enclosed trash and recycling pen would be located in the property's rear. The Board finds 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 proposed use would be highly visible and accessible from the street and from adjacent properties. The use would encourage greater pedestrian-oriented activity. The Board finds that this condition is met.

**10. EDR-10 Heritage**

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

The property is not located on any local or State historic property listing, and there would not be any disturbance to historically significant resources. The Board finds 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 building would be reasonably set back from adjacent uses, and parking would be located in the rear of the property and partially underneath the structure. The Board finds 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.**

Energy Star appliances and mechanical systems would be used, as well as closed-cell foam insulation. Options for installing rooftop solar panels and green-roof systems should be considered. The Board finds that this condition is met.

The following General and Special Conditions are incorporated into this Special Permit as follows:

## Conditions

### **A. General**

1. The final plans and specifications for the site, including all buildings, signs, exterior lighting, exterior materials, and landscaping shall be subject to the approval of the Arlington Redevelopment Board. Any substantial or material deviation during construction from the approved plans and specifications is subject to the written approval of the Arlington Redevelopment Board.

The following amendments shall be incorporated into the final plans per recommendations from the November 13, 2017, Redevelopment Board meeting: add one window to the ground floor lobby area near the elevator; add one ring and post bike rack to the sidewalk in front of the ground floor commercial space; add plantings to provide a buffer between the parking lot at 87-89 Broadway and the parking lot and green space at Learn to Grow; and continue HardiePlank® Lap Siding around the entire ground floor of 87-89 Broadway, instead of continuing the EIFS (synthetic stucco). The Board requests that the master condominium documents include the following language: 1. clearly designated trash and recycling collection for each unit, including location and protection of receptacles in the driveway, and 2. Tenants may bring bikes up stairwells and in the elevator to their respective units.

2. The Board maintains continuing jurisdiction over this permit and may, after a duly advertised public hearing, attach other conditions or modify these conditions as it deems appropriate in order to protect the public interest and welfare.
3. 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 Town Bylaws.

4. 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.
5. The Applicant shall provide a statement from the Town Engineer that all proposed utility services have adequate capacity to serve the development.
6. The applicant shall provide evidence that a plan for drainage and surface water removal has been reviewed and approved by the Town Engineer.

## **B. Special**

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 as necessary to remain in compliance with the approved site plan.
3. Upon the issuance of the building permit the Applicant shall file with the Building Inspector and the Arlington Police Department the names and telephone numbers of contact personnel who may be reached 24 hours each day during the construction period.