



Town of Arlington  
Zoning Board of Appeals  
51 Grove Street  
Arlington, Massachusetts 02476  
781-316-3396  
[www.arlingtonma.gov](http://www.arlingtonma.gov)

### LEGAL NOTICE

Notice is herewith given in accordance with the provisions of Section 3.2.3A of the Zoning Bylaws that there has been filed by **Kanchan Gupta** of Arlington, Massachusetts on April 25, 2020 a petition seeking permission to alter her property located at **46-48 Park Avenue Extension - Block Plan 083.A-0001-0044.0** Said petition would require a Special Permit under **Section 6.1.10 (A) Location of Parking** Spaces of the Zoning Bylaw for the Town of Arlington.

Hearing in regard to the said petition will be remotely conducted via "Zoom" **Tuesday evening June 23, 2020 at 7:30 P.M or as soon thereafter as the petitioner may be heard. Please visit the Town of Arlington website for hearing information.**

**DOCKET NO 3622**

Zoning Board of Appeals  
Christian Klein, RA, Chair

REQUEST FOR SPECIAL PERMIT

TOWN OF ARLINGTON

In the matter of the Application of REQUEST OF A SECOND DRIVEWAY  
to the Zoning Board of Appeals for the Town of Arlington:

Application for a Special Permit is herewith made, in accordance  
with Section 10.11 of the Zoning Bylaw for the Town of Arlington,  
seeking relief from the following specific provisions of the Zoning  
Bylaw, and as described fully in the attached form, Special Permit

Criteria: NEED RELIEF FROM SECTION 6-1-10 LOCATION OF  
PARKING SPACES "A"

The Petitioner/Applicant states he/~~she~~<sup>✓</sup>they is/~~are~~ the owner -  
occupant of the land in Arlington located at 46-48 PARK AVE. EXTN.  
with respect to such relief is sought; that no unfavorable action  
has been taken by the Zoning Board of Appeals or its predecessors  
upon a similar petition regarding this property within the two (2)  
years next immediately prior to the filing hereof. The applicant  
expressly agrees to full compliance with any and all conditions and  
qualifications imposed upon this permission, whether by the Zoning  
Bylaw or by the Zoning Board of Appeals, should the same be  
granted. The Applicant represents that the grounds for the relief

sought are as follows: THE CURRENT DRIVEWAY IS  
SHARED BY THE 2 UNITS OF 46-48 PARK AVE. EXTN.  
AND THE HOUSE AT 50 PARK AVE. EXTN. THIS LEADS  
TO CONGESTION IN THE DRIVEWAY AND INADEQUATE/  
DANGEROUS ACCESS CONDITIONS FOR ALL 3 FAMILIES

E-Mail PAUL.KANST@GMAIL.COM Signed \_\_\_\_\_ Date: \_\_\_\_\_

Telephone 857-264-6459 Address 48 PARK AVE EXTN.

ARLINGTON MA

Special Permit Criteria- The following standards must be addressed and met for the grant of a Special Permit:

1). Indicate where the use requested is listed in the Table of Use Regulations as a Special Permit in the district for which the application is made or is so designated elsewhere in the Arlington Zoning Bylaw.

SECTION 6-1.10 - A PERMITS GROUNDS FOR  
REQUEST OF SPECIAL PERMIT IN CIRCUMSTANCES  
AS DETAILED.

2). Describe how the requested use is essential or desirable to the public convenience or welfare.

ADEQUATE ACCESS TO THE STREET FOR THE  
3 RESIDENCES CURRENTLY SHARING ONE DRIVEWAY  
WOULD LOWER THE RISK TO EACH OTHER AND  
ROAD TRAFFIC WHEN GETTING OUT. DUE TO THE  
CURRENT HIGH OCCUPANCY TRAFFIC GETS STALLED AS WE  
TRY TO GET IN/OUT OF THE DRIVEWAY

3). Describe how the requested use will not create undue traffic congestion, or unduly impair pedestrian safety.

THIS WILL INCREASE VISIBILITY GETTING IN/OUT  
OF THE DRIVEWAY, THUS INCREASING  
PEDESTRIAN AND ROAD SAFETY.

4). Describe how 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 any other area of the Town will be unduly subjected to hazards affecting health, safety or the general welfare.

NO IMPACT TO PUBLIC WATER, DRAINAGE OR  
SEWER SYSTEM

5). Describe how any special regulations for the use, set forth in Article 11, are fulfilled.

?  
PROPERTY IS NOT IN A FLOOD PLAIN

6). Describe how 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.

ADDITIONAL PARKING WILL HELP RESIDENTS  
HAVE BETTER AND SAFER ACCESS

7). Describe how 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.

PROVIDING ACCESSIBLE ADEQUATE SERVICES  
LONGER STION, MAKING THE NEIGHBORHOOD SAFER

TOWN OF ARLINGTON  
Dimensional and Parking Information  
For application to The Zoning Board of Appeals

1. Property Location: 46-48 PARK AVF. EXTN. Zoning District: R2
2. Present Use/Occupancy: 2 FAMILY No. of dwelling units (if residential) 2
3. Existing Gross Floor Area (see definition of Gross Floor Area (GFA) in Article 2 of the Town of Arlington Zoning Bylaw and provide supporting documentation (worksheet) showing dimensions of GFA by floor): \_\_\_\_\_
4. Proposed Use/Occupancy: CAMP No. of dwelling units (if residential) CAMP
5. Proposed Gross Floor Area (see definition of Gross Floor Area in Article 2 of the Town of Arlington Zoning Bylaw and provide supporting documentation (worksheet) showing dimensions of GFA by floor): \_\_\_\_\_

6. Lot size (sq. ft.)
7. Frontage (ft.)
8. Floor area ratio
9. Lot Coverage (%)
10. Lot Area per Dwelling Unit (Sq. ft.)
11. Front Yard Depth (ft.)
12. Left Side Yard Depth (ft.)
13. Right Side Yard Depth (ft.)
14. Rear Side Yard Depth (ft.)
15. Height (stories)
16. Height (ft.)
17. Landscaped Open Space (% of GFA)  
Sq. ft. > 10%
18. Usable Open Space (% of GFA)  
Sq. ft. > 30%
19. Parking Spaces (number)
20. Parking area setbacks
21. Loading Spaces (if applicable)
22. Type of construction

Present Conditions	Proposed Conditions	Min. or max. Required by Zoning
6000sf ±	6000sf ±	min. 6000 -
50'	50'	min. 60'
NA	NA	max. NA
20.4%	21.4%	max 35%
NA	NA	min. NA
10'	10'	min. 20'
10'	10'	min. 10'
7'	7'	min. 10'
65'	65'	min. 20'
2	2	max. 2.5
NA	NA	max. NA
> 10%	> 10%	min. 10%
> 30%	> 30%	min. 30%
1	2	min. 1
NA	NA	min. NA
NA	NA	min. NA
NA	NA	

OPEN SPACE/GROSS FLOOR AREA

Refer to Zoning Bylaw Article 2, Definitions and Article 6, Dimensional Regulations

Address 46-48, PARK AVE EXTN

Zoning District R2

OPEN SPACE

EXISTING

PROPOSED

Total lot area

Open Space (Usable)\*

Open Space (Landscaped)

N/A

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

\*Usable Open Space must be at least 75% open to the sky, free of automotive, traffic and parking, and readily accessible. Open space shall be deemed usable only if : 1) at least 75% of the area has a grade of less than 8% and no horizontal dimension less than 25 feet.

GROSS FLOOR AREA (GFA)

Accessory building

Basement or cellar (>5' excluding mechanical area)

1<sup>st</sup> Floor

2<sup>nd</sup> Floor

3<sup>rd</sup> Floor

4<sup>th</sup> Floor

5<sup>th</sup> Floor

Attic (>7'3" in height, excluding elevator, mechanical)

Parking garages (except as used for accessory  
Parking garages or off street loading purposes)

All weather habitable porches and balconies

Total Gross Floor Area (GFA)

N/A

REQUIRED MINIMUM OPEN SPACE AREA

Proposed Usable Open Space Percent of GFA

Proposed Landscaped Open Space Percent of GFA

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

This worksheet applies to plans dated \_\_\_\_\_ designed by \_\_\_\_\_

Reviewed by Inspectional Services

*[Signature]*

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

16MIP4058

**NEW ENGLAND LAND SURVEY**

Professional Land Surveyors

710 MAIN STREET  
N.Oxford, MA 01537

PHONE: (508) 987-0025

FAX: (508) 234-7723

REGISTRY SOUTHERN MIDDLESEX

**MORTGAGE INSPECTION PLAN**

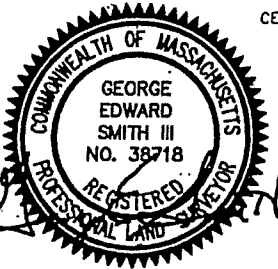
NAME OAVAS KANT

LOCATION 46-48 PARK AVENUE EXTENSION

ARLINGTON, MA

SCALE 1"=30' DATE 5/6/2016

BASED UPON DOCUMENTATION PROVIDED, REQUIRED MEASUREMENTS WERE MADE OF THE FRONTAGE AND BUILDING(S) SHOWN ON THIS MORTGAGE INSPECTION PLAN. IN OUR JUDGEMENT ALL VISIBLE EASEMENTS ARE SHOWN AND THERE ARE NO VIOLATIONS OF ZONING REQUIREMENTS REGARDING DWELLING STRUCTURES TO PROPERTY LINE OFFSETS (UNLESS OTHERWISE NOTED IN DRAWING BELOW). NOTE: NOT DEFINED ARE ABOVE GROUND POOLS, DRIVEWAYS, OR SHEDS WITH NO FOUNDATIONS, ETC. THIS IS A MORTGAGE INSPECTION PLAN; NOT AN INSTRUMENT SURVEY. DO NOT USE TO ERECT FENCES, OTHER BOUNDARY STRUCTURES, OR TO PLANT SHRUBS. LOCATION OF THE STRUCTURE(S) SHOWN HEREON IS EITHER IN COMPLIANCE WITH LOCAL ZONING FOR PROPERTY LINE OFFSET REQUIREMENTS, OR IS EXEMPT FROM VIOLATION ENFORCEMENT ACTION UNDER MASS. G.L. TITLE VII, CHAP. 40A, SEC. 7, UNLESS OTHERWISE NOTED. THIS CERTIFICATION IS NON-TRANSFERABLE. THE ABOVE CERTIFICATIONS ARE MADE WITH THE PROVISION THAT THE INFORMATION PROVIDED IS ACCURATE AND THAT THE MEASUREMENTS USED ARE ACCURATELY LOCATED IN RELATION TO THE PROPERTY LINES.



CERTIFY TO: LEADER BANK

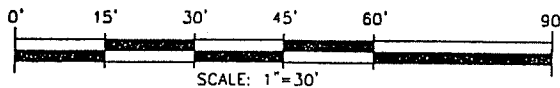
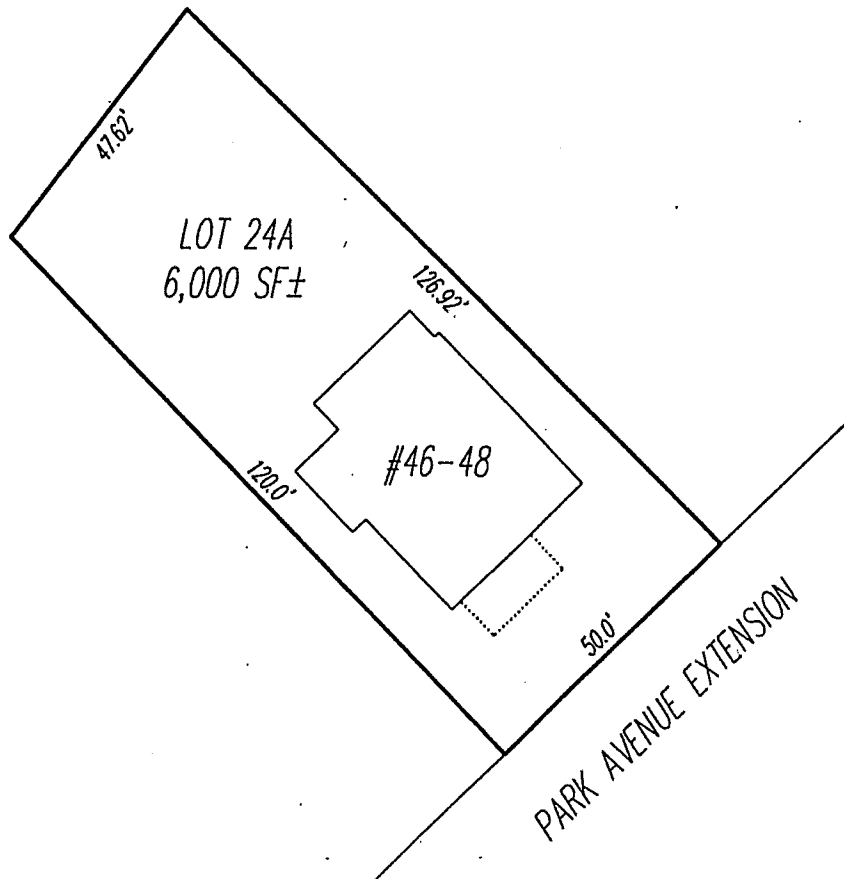
DEED REFERENCE: 48207/5

PLAN REFERENCE: 9830/312

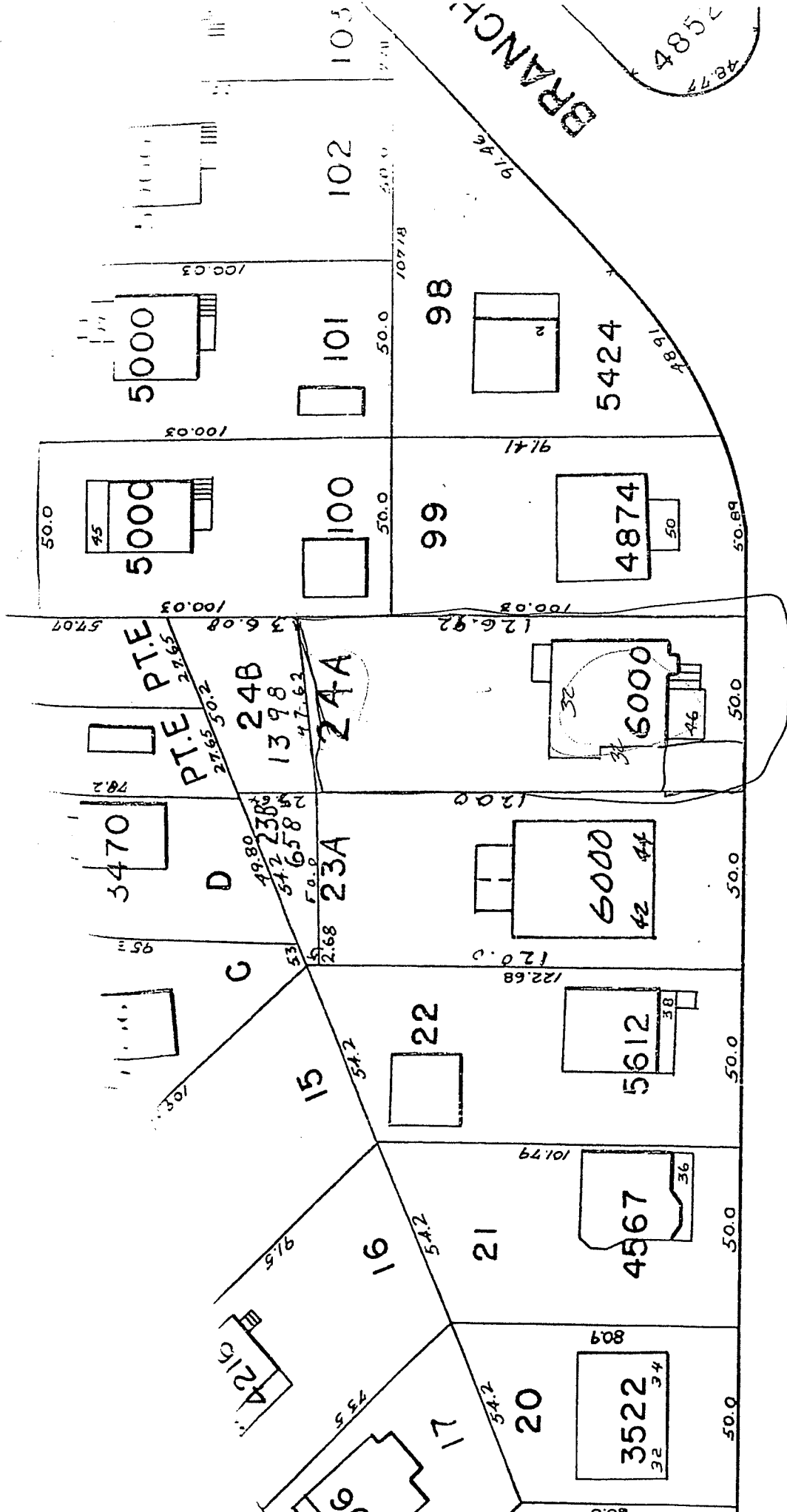
WE CERTIFY THAT THE BUILDING(S) ARE NOT WITHIN THE SPECIAL FLOOD HAZARD AREA. SEE FIRM:

25017C0416E DTD: 6/4/10

FLOOD HAZARD ZONE HAS BEEN DETERMINED BY SCALE AND IS NOT NECESSARILY ACCURATE. UNTIL DEFINITIVE PLANS ARE ISSUED BY HUD AND/OR A VERTICAL CONTROL SURVEY IS PERFORMED, PRECISE ELEVATIONS CANNOT BE DETERMINED.

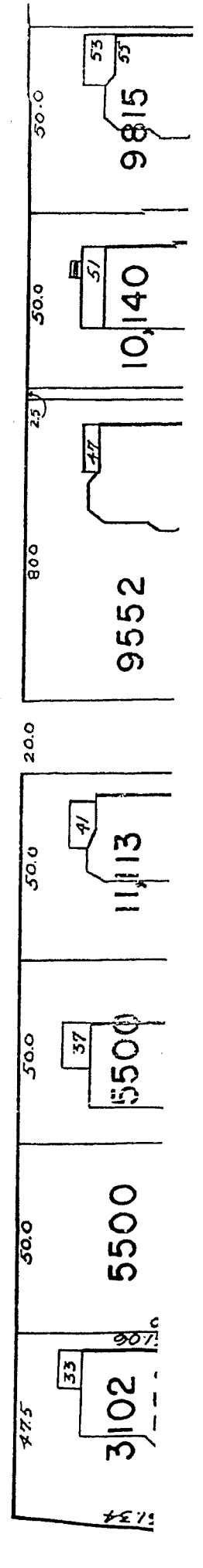


REQUESTED BY: SCHEIER KATIN & EPSTEIN P.C.  
DRAWN BY: CBC  
CHECKED BY: GES  
FILE: 16MIP4058



**PARK**

1225 STRUCTURE





### 6.1.10. Location of Parking Spaces

Required off-street parking spaces shall be provided on the same lot as the principal use they are required to serve, or when practical difficulties prevent their establishment on the same lot, they shall be established no further than 600 feet from the premises they serve, subject to approval by the Board of Appeals or Arlington Redevelopment Board, as applicable. Such spaces may be located outside or within a structure designed as a public or private garage. Projects subject to Section 3.4, Environmental Design Review, may provide parking off-site within 600 feet where it can be shown that a long-term, legally enforceable agreement has been made to secure off-site parking.

- A. **Parking in Residential Districts.** For single-family, two-family, duplex, and three-family dwellings, off-street parking shall not be permitted in the area between the front lot line and the minimum front setback except on a driveway not exceeding 20 feet in width leading to the required parking space(s). Off-street parking is permitted in (1) the side yard and rear yard on a paved driveway, or in the case of a corner lot of less than 6,000 square feet in the longer of the two front yards, up to a maximum of 24 feet in width, or (2) in an attached or detached garage, or (3) within the foundation of a dwelling provided the garaging is specifically designed for that purpose. Any driveway leading to off-street parking on a lot cannot exceed a 15% downward slope, as measured from the farthest point from the front property line, except by Special Permit. A space designed for parking within an existing garage is determined to meet the requirements of an off-street parking space. Side yards used for parking shall have a vegetated buffer when abutting a lot used for residential purposes, to minimize visual impacts.

For single-family, two-family, duplex, and three-family dwellings in R0, R1, R2, R3 and R4 districts, not more than one driveway shall be permitted unless there is a finding by the Special Permit Granting Authority for the development that a second driveway or a driveway that makes more than one intersection with the street may be added in a manner that avoids an undue concentration of population, allows adequate provision of transportation, and conserves the value of land and buildings in the vicinity. In no case may a second driveway for a single-family, two-family, duplex, or three-family dwelling violate any other dimensional or density regulations for the district in which it is located. For single-family, two-family, duplex, and three-family dwellings in R0, R1, R2, R3, and R4 districts, not more than two driveways are permitted.

- B. **Parking in Commercial Districts.** For properties located in the Business Districts, no parking shall be permitted in the front yard nor shall any driveways directly in front of a structure be permitted without a finding by the Board of Appeals or Arlington Redevelopment Board, as applicable, that the parking or driveway is necessary and convenient to the public interest.
- C. For Mixed-Use development, the first 3,000 square feet of non-residential space is exempt from the parking requirements of this Section 6.1.
- D. **Public Parking Lots.** The Board of Appeals or Arlington Redevelopment Board, as applicable, may allow the substitution of space within public parking lots in lieu of