TOWN OF ARLINGTON REDEVELOPMENT BOARD

PLANNING & COMMUNITY
DEVELOPMENT

Application for Special Permit In Accordance with Environmental Design 2022 NOV 15 P 1: 10
Review Procedures (Section 3.4 of the Zoning Bylaw)

1.	Property Address: <u>185 Massachusetts Aver</u>	iue, Arlington, N	ΛA		
	Name of Record Owner(s): Nicholas Poulos Phone: (781) 646-4911				
	Address of Owner: c/o Robert J. Annese, Esquire,	1171 Massachu	setts Ave., Arlington, MA 02474		
	Street		City, State, ZIP		
2.	Name of Applicant(s) (if different than above): The			To	
	Address: 15 Washington Street, Haverhill, MA 03		Phone: (603) 401-52456	200	
	Status Relative to Property (occupant, purchaser, etc	:.):propo	sed Lessee	E Z Z	
3.	Location of Property: Map 028.0, Block 0004,	Lot 0012.0		CLER	
	Assessor's Block Plan, B		2	Om.	
				78	
4. Deed recorded in the Registry of deeds, <u>Book 70537</u> , <u>Page 288</u> ;				S	
	or- registered in Land Registration Office, Cert. No_		, Book, Page	MA OF	
5.	Present Use of Property (include # of dwelling units,	if any): property	y is presently vacant and is a commer	cial property	<u>(0</u>
	dwelling units			+ m	
_	D 111 CD 111 11 C1 111				
6.	Proposed Use of Property (include # of dwelling units	s, if any): propo s	sed Greek restaurant, both sit down a	ind take-out	
	containing eighteen (18) seats				
7.					
٠.	Permit applied for in accordance with the	Section 6.14	Table of Off-Street Parking		
	following Zoning Bylaw section(s):	500000000000000000000000000000000000000	Regulations		
	Tonowing Zonnig Bylaw Socion(s).	Section 6.1.5,	Parking Reduction in Business		
		<u>(c)</u>	Industrial and Multi-Family		
			Residential Zones		
		Section 6.1.12	Bicycle Parking		
		Section 5.5.3	Use Regulations for Business Districts		
		Section 6.2.4	Sign Bylaw		

8. 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.

Please see Environmental Impact Statement affixed to this Application, incorporated into is terms by reference.

(In the statement below, strike out the words that do not apply)

The applicant states that <u>The Fat Greek, LLC</u> is the Lessee under agreement of the property in Arlington located at <u>185</u> <u>Massachusetts Ave.</u> 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.

The Fat Greek, LLC

By its Attorney: Robert J

1171 Massachusetts Avenue, Arlington, MA 02476

Address

781-646-4911

Phon

Town of Arlington Redevelopment Board Application for Special Permit in accordance with Environmental Design Review (Section 3.4)

Required Submittals Checklist

	ences are to Arlington Zoning Bylaw		
_ <u>X</u> _	Dimensional and Parking Information Form		
<u>_x</u>	_ Site plan of proposal		
	Model, if required		
_ <u>X</u> _	_ Drawing of proposed structure		
_ <u>X</u> _	Proposed landscaping. May be incorporated into site plan		
	Photographs		
_ <u>X</u> _	Impact statement		
	Application and plans for sign permits		
<u>X</u>	t during construction for projects		
FOR	OFFICE USE ONLY		
	Special Permit Granted	Date:	
	Received evidence of filing with Registry of Deeds	Date:	
	Notified Building Inspector of Special Permit filing	Date:	

TOWN OF ARLINGTON REDEVELOPMENT BOARD

Petition for Special Permit under Environmental Design Review (see Section 3.4 of the Arlington Zoning Bylaw for Applicability)

For projects subject to Environmental Design Review, (see section 3.4), please submit a statement that completely describes your proposal, and addresses each of the following standards.

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.

There is no landscaping at the site and there is no ability to provide landscaping at the site.

2. **Relation of Buildings to Environment.** Proposed development shall be related harmoniously to the terrain and to the use, scale, and architecture of existing buildings in the vicinity that have functional or visual relationship to the proposed buildings. The Arlington Redevelopment Board may require a modification in massing so as to reduce the effect of shadows on abutting property in an RU, RI or R2 district or on public open space.

The proposed development will be harmoniously related to the terrain and to the use, scale, and architecture of existing buildings in the vicinity of the building.

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 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.

There is no open space at the site and there is no ability to provide open space.

4. **Circulation**. With respect to vehicular, 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 property fronts on Massachusetts Avenue, having 25 feet of frontage and there is no parking at the site itself, therefore any parking to be provided would need to be provided on Massachusetts Avenue as is the case with the majority of the other restaurants which have been in East Arlington for many years and have functioned without pedestrian or traffic problems.

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 storm water treatment by means of swales, filters, plantings, roof gardens, native vegetation, and leaching catch basins. Storm water 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 at 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 insure the maintenance of all storm water 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 the future maintenance needs.

There will be no change to the existing water drainage at the site and there have been no problems with surface drainage.

6. **Utility 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.

There will be no change to the utility service at the site and the existing utility service is above ground and not underground.

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. Advertising features are subject to the provisions of Section 6.2 of the Zoning Bylaw.

The Applicants have submitted a plan showing the size, color and advertising features for the for proposed sign and suggest that the sign will not detract from the use and enjoyment of surrounding properties.

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.

There are no special features that will impact the site and the Applicants suggest that there will be no need for screening methods as there will be no significant aromas emanating from the site that would impact residential neighborhoods located to the rear of the property.

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 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.

See response to Standard No. 4.

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 practicable, whether these exist on the site or on adjacent properties.

There will be no changes to the structural or architectural elements of the existing building.

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 impact on light, air, and water resources, or on noise and temperature levels of the immediate environment.

With respect to the use of the property it will not result in the emission of vapors or fumes from any cooking that occurs within the building which would adversely impact light, air, and water resources or create undue noise or adverse temperature levels in the immediate environment.

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.

There will be no exterior construction at the site but rather all of the construction will be interior.

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.

[LEED checklists can be found at http://www.usgbc.org/DisplayPage.aspx?CMSPageID=220b]

In addition, projects subject to Environmental Design Review must address and meet the following Special Permit Criteria (see Section 3.3.3 of the Zoning Bylaw)

1. The use requested is 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 use requested is listed in the Table of Use Regulations as a special permit.

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

The requested use would be desirable to the public convenience or welfare because approval of the use will eliminate a vacant commercial property based in East Arlington and will offer a different variety of food to inhabitants of the Town consisting of a Greek cuisine.

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

The requested use will not create undue traffic congestion, or unduly impair pedestrian safety as there will be no change in the use of the property from its historical use as both a yoga studio and a restaurant. Any motor vehicle trips to the site will not be extended whether for take-out food orders or sit down food visits, therefore there will be no undue traffic congestion and no impairment of pedestrian safety.

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 requested use will not overload any public water, drainage or sewer system or any other municipal system.

5. Any special regulations for the use, set forth in Article 11, are fulfilled.

Any special regulations for the use, set forth in Article 11, are fulfilled.

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 will fit in harmoniously with other commercial properties neighboring it in East Arlington as virtually all of those properties are retail or restaurant properties and consist of for the most part, one-story buildings.

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.

There will not be an excess of this particular use in East Arlington as the Applicants are given to understand that there are no other Greek restaurants in East Arlington.

TOWN OF ARLINGTON

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

	Property Location: 185 Massachusetts Avenue, Arlington, MA Zoning District: B3				
2.	Present Use/Occupancy:vacant	No. of	dwelling units (if	residential) <u>0</u>	
A	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: basement 1,090 sq. ft , first floor 1,000 sq. ft.				
4. F	Proposed Use/Occupancy: <u>Greek restau</u>	<u>rant</u> No.	of dwelling units	(if residential) <u>0</u>	
A	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 dimension of GFA by floor): 2,090 sq. ft with only the first floor to be used for the restaurant purposes				
		Present Conditions	Proposed Conditions	Min. or max Required by Zoning	
6.	Lot size (sq. ft.)	1,250 sq. ft.	1,250 sq. ft.	min.	
7.	Frontage (ft.)	25	25	min.	
8.	Floor area ratio			max.	
9.	Lot Coverage (%)				
10	. Lot Area per Dwelling Unit (Sq. ft.			min.	
11	. Front Yard Depth (ft.)	0	0	min.	
12	. Left Side Yard Depth (ft.)	0	0	min.	
13	. Right Side Yard Depth (ft.)	0	0	min.	
14	. Rear Side Yard Depth (ft.)	4	4	min.	
15	. Height (stories)	1	1	max.	
16	. Height (ft.)			max.	
	. Landscaped Open Space (% of GFA) . ft			min.	
	. Usable Open Space (% of GFA) I. ft			min.	
19	. Parking Spaces (number)			min. 5 *	
20	. Parking area setbacks		· · · · · · · · · · · · · · · · · · ·	min.	
21	. Loading Spaces (if applicable)			min.	
22	Type of construction	Wood	Wood		

^{*} The requirement is one space per 4 seats of total seating capacity. Seasonal outdoor seating for restaurant shall not count toward total seating capacity. See Section 6.1.4.

The Fat Greek, LLC

Environmental Impact Statement

The Applicants are the owners of a Greek restaurant located at 15 Washington Street, Haverhill, Massachusetts, with the restaurant name being "The Fat Greek". The existing restaurant in Haverhill offers both sit down and take-out food with a concentration in Greek food.

The Applicants propose to lease space at 185 Massachusetts Avenue for the purpose of opening a similar Greek style restaurant offering once again, both sit down and take-out food with the proposal requesting 18 seats.

The property is located in a B3 zone and the gross floor area for the restaurant itself would be 1,000 square feet for the first floor and the basement at the leased premises would contain 1,090 square feet for a total of 2,090 square feet.

Since the basement square feet of 1,090 and the first-floor square feet of 1,000 in total exceed 2,000 square feet of gross floor area, the Applicants may require a Special Permit under Section 5.5.3 i.e., Use Regulations for Business Districts contained in the zoning bylaw.

The property was immediately previously used as a yoga studio and prior to that it was used to sell bakery products.

The first floor of the premises will be used for the restaurant purpose and the basement will be used for food preparation.

The proposed operation would be open 7 days a week from 11:00 a.m. to 10:00 p.m. and it is anticipated that there would be between 8 to 10 employees, including the 3 principals of the business.

Where the Applicants are proposing 18 seats, there would be a requirement for one parking space for every four seats and the Applicants would be required to provide five parking spaces in connection with their proposal.

They would also be seeking a parking reduction in a business and industrial multi-family zone in accordance with the provisions of Section 6.1.5, further subsection (c) and would be proposing they could provide bicycle parking as well as bicycle storage at the property and they would also be open to any other means acceptable to the Members of the ARB which they could reasonably achieve for the site.

They would be required to provide one long-term bicycle parking space for staff which they will do and one to two short-term bicycle parking spaces on the site as well.

They are proposing a sign to be located on the top front of the building measuring 3' 6" tall and 12' 9" long as shown in the image which is affixed to this statement and will be seeking relief, if necessary, with respect to the proposed sign.

As the Members of the ARB as aware, there is a dearth of parking spaces available in East Arlington and that of course has been the case for many years and will continue to be the case for many years given the type and density of construction of commercial buildings in East Arlington.

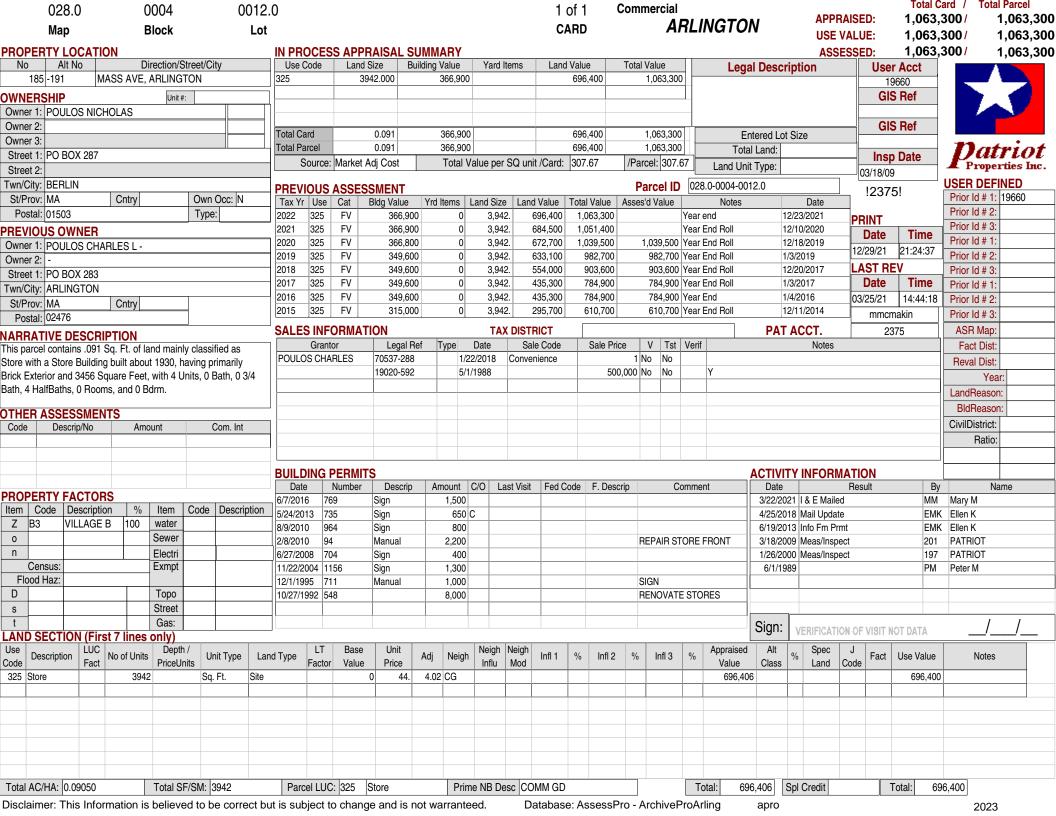
Nevertheless, restaurants have continued to exist in an economically viable way for years in East Arlington with appropriate relief from either the Zoning Board of Appeals or the ARB.

The Applicants' restaurant proposal is in harmony with other uses in the immediate vicinity of the 185 Massachusetts Avenue property as those uses are either retail oriented or restaurant oriented.

Once again, the proposal presents an opportunity to remove a vacant property from the list of vacant commercial properties in the Town and introduce to the site a viable sit down and take-out restaurant which has had a successful track record in the City of Haverhill for many years.

This Application also presents an opportunity to fill vacant space in a storefront property, fronting on Massachusetts Avenue which is an objective that is certainly in the interest of the Town as well as the property owner.

For all of the above reasons the Applicants respectfully request that the ARB grant the zoning relief requested.





Google Maps 202 US-3



Image capture: Mar 2022 © 2022 Google

FAT GREEK WALL SIGN

185 MASSACHUSETTS AVENUE

144



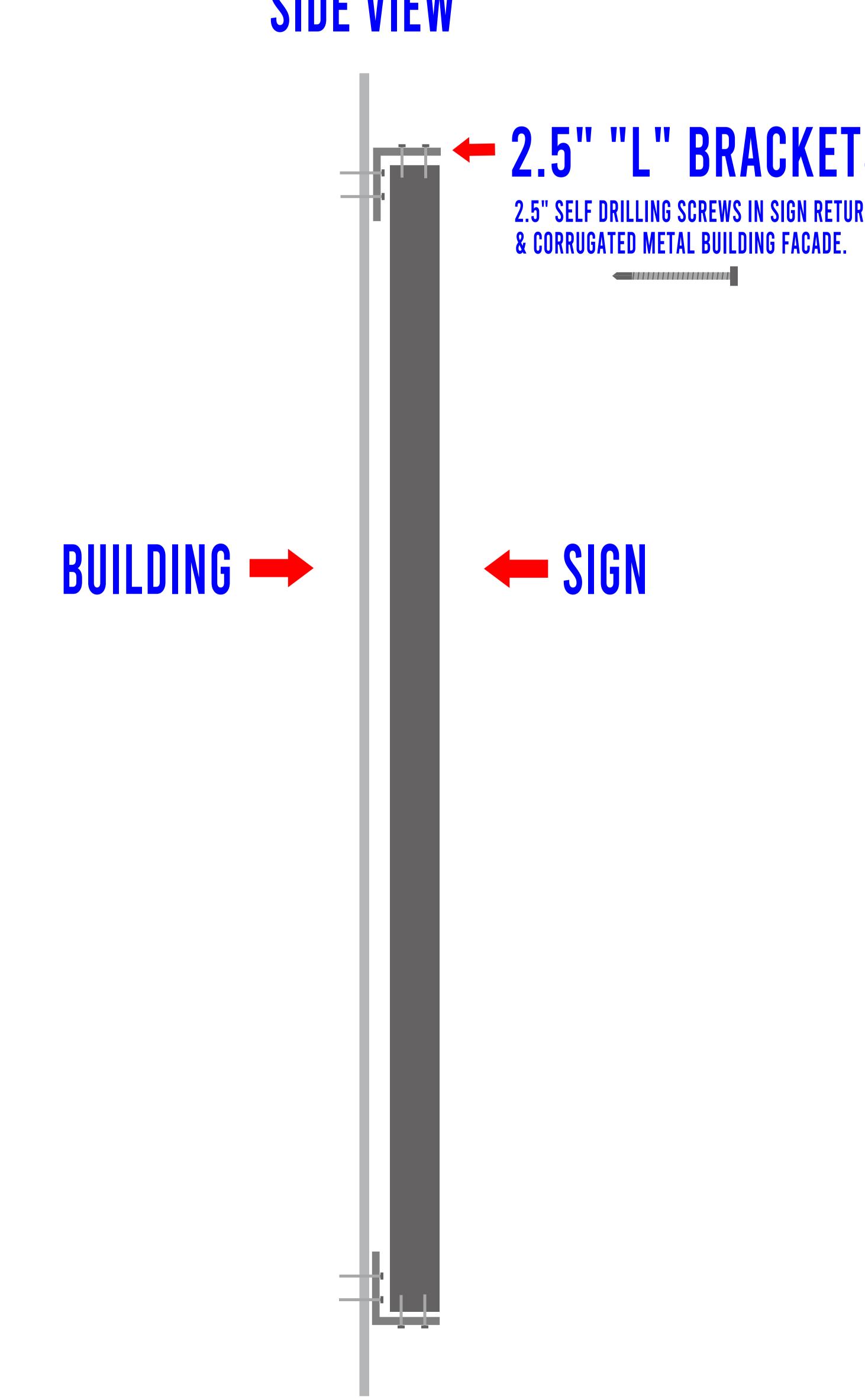
Hand Crafted Mediterranean

FAT GREEK SIGN ON BUILDING

INSTALLED ON CORRUGATED METAL FACAD WITH - (6) 2.5" STAINLESS "L" BRACKETS

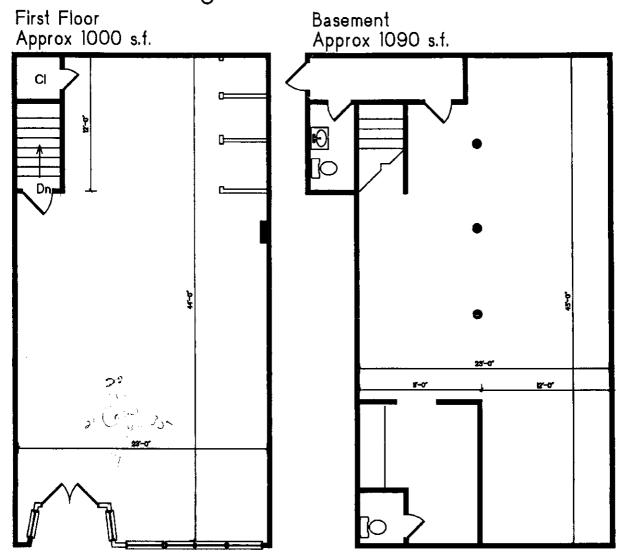


INSTALLATION OF SIGN ON BUILDING FACADE SIDE VIEW





185 Massachusetts Avenue Arlington, Massachusetts



Prepared for C. Brendan Noonan Co.

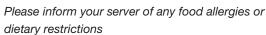


This drawing is an artistic rendering intended for marketing purposes only. The dimensions and/or square footage are approximate and should be verified by an independent source. This drawing is copyright protected and therefore licensed for use by those named on the floor plan.

FAMPHIC SCALE MASSACHUSETTS **AVENUE** Ŧ,\$Z 133'± TO WINTER STREET-SEE PLAN 681 OF 1960 FOR LOT F2 Ŧ,\$Z LOCATION: 185 MASSACHUSETTS AVE. ARLINGTON, MA DATE: SEPTEMBER 7, 2018 SCALE: 1'= 20' FIRST FLOOR= 1,010 ±SQ.FT. CERTIFY THAT THIS PLOT PLAN IS THE RESULT OF A FIELD SURVEY. PROFESSIONAL LAND SURVEYOR 185 MASSACHUSETTS AVE. LANATA & ASSOCIATES, INC. P.O. BOX 1401 ARLINGTON, MASSACHUSETTS 02474 PLOT PLAN TELEPHONE: (781) 777-1510 PREPARED BY

Desserts

Baklava\$4
Loukoumades (Greek fried donut holes)
Classic
Cookies & Cream\$6 Hazelnut praline, powdered sugar, crushed cookies
Boston Cream\$6 Chocolate glaze, custard cream
Fluffer Nutter\$6 Peanut butter sauce, fluff, peanut butter cookies
Salted Caramel
Drinks
Bottled Water\$2
Soda\$2
Epsa\$3
Sourouti Mineral Water\$3
Amita\$3
Rose Lemonade\$3
Frappe Greek Ice Coffee\$4
Domestic Beer\$4
Imported Beer\$5
Kids Menu
Kids Gyro
Kids Chicken Finger Dinner\$6 3 Chicken fingers with fries or rice
Kids Grill Cheese\$5 Grilled pita with imported feta cheese with fries or rice
Diagon inform your namer of any food allowaics or







978-377-7813

Thefatgreekusa.com



Monday - Saturday: 11am - 10pm Sunday: temporarily closed

We Deliver





15 Washington Street Haverhill, MA 01832

Gyros	Souvlaki (Grilled meat on a skewer)	Soup	
Pork\$10.5	Souvlaki Dinner	Served with grilled pita	
Wrapped in pita, pork, tzatziki, tomatoes, onions, fries	Choice of souvlaki (2 skewers) pita bread, tzatziki, side salad and choice of rice or fries		\$5
Chicken\$10.5	Pork, Chicken\$16	Greek lentil soup	
Wrapped in pita, chicken, FAT SAUCE, tomatoes, onions, fries	Lamb\$19	Avgolemono	
Lamb & Beef \$12.5	Per skewer: Served with grilled pita	Spreads & Dips	
Wrapped in pita, lamb & beef, tzatziki, tomatoes,		Served with grilled pita	
onions, fries	Pork, Chicken \$5 Lamb \$7		<u></u>
Veggie\$10	Lamb	Tzatziki Greek yogurt, cucumber, garlic	\$6
Wrapped in pita, greens, tzatziki, tomatoes, onions,	Mixed Grill		
cucumber, imported feta cheese, fries	Served with grilled pita	™Tirokafteri	\$6
Vegan\$10 Wrapped in pita, greens, tomatoes, onions, hummus, cucumbers, fries	Sampling of pork and chicken gyro meat, loukaniko, pork, chicken and lamb souvlakia, tzatziki,	Imported feta, roasted red peppers, Greek yogurt, chili flakes	
	tirokafteri, pita and fries	❷ Hummus	\$6
Fat Greek \$12.5	Feeds two to three\$49	Garbanzo beans, tahini, garlic, lemon	
Wrapped in pita, all three gyro meats, tzatziki, FAT SAUCE, sriracha, tomatoes, onions, fries	Feeds four to six\$89	Trio	\$1!
Skinny Greek \$10.5	Salads	Any choice of three	
Wrapped in pita, chicken, tzatziki, greens,	Served with grilled pita	Fries	
tomatoes, onions	Garden \$7 Mixed greens, tomatoes, onions, cucumbers, house	Classic	\$5
Loukaniko \$10.5 Wrapped in pita, Greek sausage, FAT SAUCE,	dressing	Hand-cut fries	+ -
onions, fries	Caesar\$7	Spicy Spicy	\$6
	Romaine lettuce, croutons, parmesan cheese,	Seasoned Hand-cut fries	
Falafel \$10.5 Wrapped in pita, tzatziki, Falafel, tomatoes, onions,	caesar dressing	Greek	\$7
cucumbers, mixed greens	Greek\$9.5	Hand-cut fries, imported feta, oregano	+-
_	Mixed greens, tomatoes, onions, cucumbers,		
Gyro Friesadd \$1	imported feta, kalamata olives, golden Greek	Sides	
Gyro deconstructed over a bed of hand cut fries	peperoncini, house dressing	Falafel	\$7
Rice Bowls add \$1	Horiatiki\$11	Spanakopita	\$6
Gyro deconstructed served over rice	Traditional Greek salad, tomatoes, onions, cucumbers, imported feta, kalamata olives,	Tiropita	\$6
Smoohad Datata	golden Greek peperoncini ,house dressing	Dolmades	
Smashed Potato add \$1 Gyro deconstructed over our signature smashed			
potato	Add a Protein		
•	Gyro Meat: Pork, Chicken \$4	Imported Feta	\$5
Burrito add \$2	Lamb & Beef\$5		\$4
Make any gyro into a burrito - flour tortilla with fries, mixed greens and rice	Souvlaki skewer: Pork, Chicken \$5	€® Rice	
mixed greens and nice	Lamb\$7		
Dinner add \$3		Pita Bread	
Make any gyro a dinner, deconstructed with side salad	Vegan Gir Gluten Free SPICY Spicy	Sauces	\$1