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## Redevelopment Board Minutes 01/23/2012

Minutes of Monday, January 23, 2012, 7:00pm  
 Arlington Redevelopment Board  
 2<sup>nd</sup> Floor Conference Room, Town Hall Annex  
 Approved: 2/13/12

Present: ~Michael Cayer, Bruce Fitzsimmons (Chairman), Ted Fields, Christine Scypinski  
 Also present: Senior Planner Housing Director Laura Wiener, Planner Don Benjamin and members of the public

The meeting opened with a discussion of Town Meeting warrant articles to submit for zoning bylaw amendments. Ms. Wiener reviewed the revised draft of the accessory apartment zoning warrant article which is intended to be conservative, in response to the Town Meeting Member survey. The Board would hold a public information session in the near future. The staff would continue to seek input from the ZBA and the Director of Inspectional Services on potential increase in workload for enforcement. Mr. Fitzsimmons then asked for comments from the public Jane Howard, Woodland Road, asked what would happen if someone had a porch in the R1 district and intended to enclose it to create an apartment. In response the Board added the phrase "gross floor area" within the "dwelling", instead of the "building".

Mr. Cayer moved to include the accessory apartment article as amended in the warrant for 2012 annual Town meeting. Mr. Fields seconded, all voted in favor.

The Board then turned to the warrant article on public art. The Chair introduced Planner Don Benjamin who has worked with community art professionals interested in this warrant article in order to allow murals. Ms. Howard asked how public art would be handled, adding that a town committee for art and culture was created by Town Meeting, but never appointed. Mr. Benjamin responded that the art professionals would rather focus on art activities and not become a local government committee. Arlington Center for the Arts is willing to act as fiscal agent. Mr. Benjamin reported that this model has worked well in other communities. Mr. Fitzsimmons asked what would happen if someone did not go through the process? Staff commented that government cannot, by law, control a mural on private property, citing decorative scrollwork on a local home. We cannot, by law, control the content or message of art or of commercial advertising signage. Staff added that the Arlington public art group could make a recommendation to the Board of Selectmen which the Board could accept or ignore.

Ms. Scypinski moved to include the warrant article to remove the phrase "designed to attract the eye" from the sign definition in the 2012 Town Meeting warrant. Mr. Fields seconded. All voted in favor.

The Board then turned to the draft article to remove sign regulation from the zoning bylaw so that the signs may be regulated in the general bylaw. The change could allow regulation by use, rather than by district, making sign regulation more streamlined and easy to understand. The question arose of whether special permits could still be allowed for signs in greater number, location or size than otherwise allowed, and who would make that determination. Staff would research the question and provide information to the Board.

Mr. Cayer then moved to include the article in the 2012 Town Meeting warrant, as presented, contingent on the related article being submitted by the Board of Selectmen to add regulation of signs in the Town general bylaws. Mr. Fields seconded and all voted in favor.

Mr. Fields then moved to include the warrant article to preserve business use in business districts. Ms. Scypinski seconded an all voted in favor.

The Board then discussed appointments to committees. After discussion, Mr. Fitzsimmons would contact the incumbent on the Zoning Bylaw Review Committee to ensure that she no longer wishes to serve, and since the Redevelopment Board had previously voted to appoint Mr. Cayer, Mr. Cayer would be willing to serve if needed. Staff would check with the Town Moderator and Town Clerk on whether there are other committees on which a Redevelopment Board member must serve as liaison.

The Board reviewed its work tracking report. The Chair reported on a meeting with the Town Manager, the Chair of the Board of Selectmen and David Holland from The Shelter Group, the company that intends to build and operate an assisted living facility at Symmes.

The Chair and Ms. Kowalski agreed they would meet together regarding the new lease for 23 Maple Street.

The Board then turned to the review of meeting minutes. The Chairman reported that he had reviewed the minutes of various executive sessions held by the Redevelopment Board, specifically on June 6, 2011, on June 13, 2011, on June 20, 2011, and on July 7, 2011. These executive sessions concerned the redevelopment of the Symmes Hospital site, and were entered into under exception six of the Open Meeting Law, which provides that a municipal body may enter executive session upon a declaration by the chair that the purpose of such session is to consider the sale, purchase, lease or exchange of real estate which if conducted in open session might have a detrimental impact on the negotiating position of the municipality. The minutes and materials from an executive session may be withheld from disclosure to the public in their entirety to preserve the purpose of the executive session. Based on his review of the executive session minutes in this context, Mr. Fitzsimmons found that the publication of the executive session minutes for June 6<sup>th</sup>, 13<sup>th</sup> and 20<sup>th</sup> would defeat the purpose of the executive session and should continue to be withheld. The Chair found no such purpose in continuing to withhold the minutes from the July 7<sup>th</sup> executive session and recommended that they be released after approval by the Board.

Mr. Fields then moved to approve the July 7, 2011 executive session minutes, as amended. Ms. Scypinski seconded and all voted in favor.

Ms. Scypinski then moved to approve the January 9, 2012 minutes as amended; Mr. Fields seconded and all voted in favor.

The meeting adjourned at 9:03pm on a motion duly made and seconded.

Documents used:  
 Work tracking report  
 Draft warrant articles  
 Master plan draft scope of tasks grid

Respectfully submitted,  
 Carol Kowalski  
 Secretary ex Officio

