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## Redevelopment Board Minutes 03/12/2012

Minutes of Monday, March 12, 2012, 7:00pm  
 Arlington Redevelopment Board  
 Second Floor Conference Room, Town Hall Annex

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

The Chairman called the meeting to order at 7:00pm and opened the required public hearing on zoning bylaw amendment warrant articles. He took the articles in the order of interest by attendees' show of hands. Mr. Fitzsimmons then turned to the amendment to preserve business use in business districts by allowing mixed use. Chris Loreti, 56 Adams Street commented that the B1 district was not appropriate for mixed use since the district is intended as a transition from residential districts from business districts. Mr. Loreti urged that the Board not remove section 4.04 on Mixed Use parking requirements since commercial developments with multiples businesses might not have enough parking. He also urged waiting until the master plan process was completed before changing the zoning in this way.

Mr. West commented that the intent was to ask Town Meeting to consider it now to encourage mixed use and discourage purely residential use, and that the upcoming Master Plan was why the Board did not propose more radical change to the zoning bylaw. He emphasized that the Board is not proposing to disallow residential in business districts, but the Board didn't want to exclude mixed use from happening during the years in which the community is developing the master plan.

Mr. Fitzsimmons then reviewed the salient points of article 8 to allow accessory apartments within existing homes in R0 and R1 districts. John Worden, 27 Jason Street, spoke against the article, opining that it would be like eliminating single-family zoning districts. If they were affordable units, maybe. He stated that it would be an invitation to developers. The definition should say that accessory apartments must be contained within the existing as of January 2, 2012, Mr. Worden stated.

Bob Radochia, Columbia Road, commented that accessory apartments should be limited to one per structure, but the conditions as drafted could be interpreted as allowing them in accessory structures. Enforcement should be in the bylaw. Mr. Fitzsimmons responded to a question from Mr. Radochia's saying that if it's in the assessors database as 2-family you couldn't rebuild it as a 2-family if it's in the R1 zone.

Pat Lieberson 5 Mystic Lake Drive spoke against the amendment, saying it would turn it into a 2-family. She said there was nothing about getting rid of it if circumstances change. Mr. Fitzsimmons said the new owner would have to file an affidavit that they would occupy one of the units. There would be no means-testing. Mr. Loreti asked if condition c)5 in the amendment meant that in circumstances with non-conformities there could be no accessory apartment. The Board responded yes, and Mr. Loreti asked that this be made more explicit. The Board agreed. Mr. Loreti asked that the purpose section be deleted, since attorneys try to argue based on the purpose, and it puts the ZBA in a difficult position.

Mr. Worden spoke on article 9 to allow interment of cremated remains in land controlled by the Conservation Commission in the open space district. He asked if it was different than last year's amendment, that an argument last year was it would allow this use anywhere. He was not sure this article addresses this concern. He asked if there were parking requirements. He said it would change a place of passive recreation into a funeral procession.

Article 10 historic banners: Mr. Loreti commented that banners aren't mentioned and the Jason Russell House isn't Town-owned.

Article 11 John Belskis, 196 Wollaston Avenue, presented problems with 40B hearings. Mr. Cayer asked if hearings are transcribed at applicant's expense. It would be up to the ZBA to bring transcription service in. He asked if this was done for any other hearings in Town. Shelly Dein, 7 Cleveland Street commented that she sees this as a way to make 40B a nuisance and more expensive for developers. This is a new imposition that doesn't exist on any other hearing the ZBA conducts, she noted. Mr. Cayer commented that if the Housing Appeals Committee only takes evidence under oath, we would be protecting the Town.

Mr. Loreti said he supported this article. The ARB requires certified plans signed under pains of perjury. One attorney recorded two ARB hearings to intimidate the Board. If we do this, how would we be sure we're getting accurate transcripts? Mr. Worden commented that it's distributed to both sides.

The Board then continued the public hearing on the zoning amendment warrant articles and took a break until 8:22pm at which time Mr. Fitzsimmons opened the public hearing on the application by The Shelter Group for an assisted living facility at the lower portion of the Symmes Hospital site. Attorney Josh Davis, Jake Upton, Budge Upton, Sandi Silk from Arlington 360, The Shelter Group Vice President David Holland, David Carliner with The Shelter Group, Robert Weidknecht from Beals & Thomas Civil Engineers, Katya Podsiadlo, Landscape Architect with Blair Hines Associates, Christopher Tynan from JSA Architects were introduced then Mr. Holland outlined the proposal and presented the 3-d model. A Stormceptor will be in the parking lot for stormwater treatment and roof drainage into the trunk line. A hydrant will be installed near the front entry and near the garage entry. Electric utilities will be underground. Forty-five parking spaces will be provided. The dumpster enclosure will be in a room in the garage. They described the materials including stone veneer, cementitious board, vinyl windows, stone patio and asphalt shingles. The Shelter Group presented a shadow study affecting one residence.

Five bollards lights were proposed for the entryway area but not all would be lit. A 30' flagpole was proposed for the center of the entryway with up-lights on decorative boulders. Sign would be 4' x 3' on 8" granite piers. Two uplights. Carved wood sign or high-density urethane. The Board asked for photometrics. Mr. Upton described the conservation restriction and property line coordination with Conservation Chair Nathaniel Stevens and Brian Rehrg of the Arlington Land Trust.

Mr. West commented that "stepping down" the building massing on the end facing Hospital Road was important. The Board asked that stonewall or seat wall be added at the pergola. Condenser units on top. No louvers.

Mr. West said the transformer should not be in a prominent place in the entry courtyard. The Board requested a section view from Summer Street straight up. Mr. Fields asked that 2-3 colors or an accent color be used.

Ms Scypinski commented favorably on the landscape plan. She asked if the hydrant showed up on the landscape plan, and asked for the material of the retaining wall, and asked that it be the same as the vista park wall. She asked for an alternate to readi-lock. Make it smaller, asked for ledge stone (redi rock product) and porous pavers in the entryway ring. She asked that the street trees coordinate with the Arlington 360 tree planting plan so that a variety of species, not a monoculture would be planted. She asked why honey locust trees were specified. The landscape architect responded that honey locust are salt-tolerant. Ms. Scypinski asked for native trees that are similar, such as Pin oak. Ms. Scypinski said to be careful about lighting, and to use full cut-off, down lighting, to avoid glare and light pollution.

The applicants discussed street names and the name of the park, which would relate to the history of the Symmes site.

The Board and applicant discussed the marketing trailer site. The trailer would be needed 9 - 10 months prior to

delivery of the first unit. An erosion control plan for existing trees was requested by the Board. Reforesting was discussed. Mr. Cayer asked to confirm that no advertising would be on the flagpole. He asked about traffic mitigation. Mr. Upton stated that with the prior traffic mitigation for 240 units, then capped at 200, and now with no development of the Medical Office Building site, and eliminating the lower town house units and adding 90 assisted living units the net reduction is 57%. Only one or two residents in the assisted living facility would have cars. Mr. Upton said there was a letter of credit on file to do a new traffic study after construction to optimize the signals on Summer Street and the sequence of lights on Brattle and Symmes Lane. The Board asked that the Transportation Advisory Committee report on their comments back to Mr. Upton. MBTA bus: Sandi Silk said the Route will remain. Letter between MBTA and JPI to resume the bus service.

Mr. Fitzsimmons: lot coverage 39.25% under threshold of 40% Erosion control. During construction Mr. Upton clean up. Budge Upton said will need to coordinate with the Conservation Commission. Need revised stormwater calculations. Share with Town Engineer. DPW Director had asked for roof infiltration. Perforated pipe with storm infiltration.

Mr. Fitzsimmons asked whether the roof-well mechanicals were visible from the vista park. Shielding needed. Noise level calculations for generator transformer. Planning to put emergency generator in the basement. Condensers in the roof well. Concern in courtyard about parking. Front yard setback requirement no provision to give relief for parking in front yard.

Mr. Fitzsimmons asked that the three employee bicycle parking spaces in the garage be shown on the plan. The Board advised that since the Building Inspector has the authority to reduce the loading space requirement, this approval should be obtained in writing. Mr. Fitzsimmons asked about the shadow study. The impact on the Brattle Street resident was satisfied with the proposed mitigation, Mr. Upton reported. Mr. Fitzsimmons was concerned about up-lighting on sign and trees. Ms. Kowalski would provide the lighting bylaw to Shelter.

Lorelei Kollegue asked for more information about The Shelter Group. Mr. Holland replied that they have been in business for thirty years operating Brightview Senior Living for fifteen years.

The hearing was continued and the meeting adjourned at 10:45am.

Documents used: draft zoning bylaw amendments language. Proposed screening of abutting residence dated Feb. 14, 2012, miscellaneous plan boards lent by the landscape architect.

The meeting adjourned at 10:45pm

Respectfully submitted,  
Carol Kowalski Secretary ex officio