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Redevelopment Board Minutes 04/04/2011

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Minutes of Monday, April 4, 2011
Arlington Redevelopment Board
2nd Floor Conference Room, Town Hall Annex
Approved: 6-8-11

Members Present:
Michael Cayer
Ted Fields
Bruce Fitzsimmons
Chris Loreti, Chairman
Andrew West

Also present were members of the public.

Mr. Loreti opened the meeting with Symmes business, and turned to the further introduction of Jefferson Apartment Group (JAG). James Duncan, Sandi Silk, and Jim Butz of JAG introduced themselves and described a meeting they held with the Symmes Neighborhood Advisory Committee on April 3. They asked to be on the Board's April 11 meeting, and to hold a separate meeting April 14, and would like to be on the Board's April 18 agenda. They explained that JAG was in a 30-day due diligence period with PNC Bank, and that some information had to remain confidential at this time. Mr. West reviewed with JAG the letter the Board had sent to PNC Bank last year, asking how the liens, the affordable housing requirements, the Land Disposition Agreement and the Special Permit requirements would be addressed. Mr. Duncan replied that JAG would address this question at the following meeting. Regarding the timeline, Mr. Duncan said they would work through the summer to begin construction on the project as permitted before the end of the year.

The Board then heard from the Symmes Neighborhood Advisory Committee (SNAC). SNAC members Michele Barry, Janice Brodman, and Beth Ann Friedman reviewed the meeting held Sunday April 3 with JAG. They expressed concern about stages of financing and expressed their concern with JAG's credibility, due to recent past employment of JAG's principals with current Symmes owner JPI, and their proposal to build as permitted, when other developers presented to the Town by James Duncan had withdrawn from the project, concluding that it could not be built as permitted.

The Board then discussed the Symmes Special Permit and affordable housing requirements. Ms. Kowalski reviewed Town Counsel opinion on the matter. Mr. Fitzsimmons reviewed the timeline and the 2010 Massachusetts permit extension act. After discussion, several Board members concluded that the permit was intact, but that this determination was not necessary for the Board to make. The Board would get involved to the extent necessary to consider a request to extend the permit beyond December 2011.

The Board then returned to consideration of zoning bylaw amendment warrant articles. Town Moderator John Leone attended. He determined that the draft language regarding a financial contribution in the draft vote language for Article 13 was not within the scope of the warrant article. The Board thanked Mr. Leone for his determination. After discussion of Article 9, Mr. Fields moved to approve the recommended vote. Mr. Fitzsimmons seconded and all voted in favor. Mr. Fitzsimmons then moved to approve the recommended language for the vote on Article 11, Mr. Fields seconded and all voted in favor. Mr. Cayer moved to approve the amended language for the vote on Article 12. Mr. Fitzsimmons seconded and all voted in favor.

After further discussion of Article 13, Mr. Fitzsimmons moved a vote of no action. Mr. West seconded and all voted in favor. The Board asked for more information from staff on Article 14, to remove assisted living from the affordable housing requirements. Ms. Wiener presented information on area communities' experience with assisted living and affordable housing, concluding that none were developed without subsidies. Ms. Wiener reported that a special permit was issued for one in the Town of Wellesley, but they are having difficulty deciding how to price the units due to the high cost of services. In Brewster, the subsidizing agency withdrew, and the affordable units are now empty. The affordable assisted living development in Brookline was constructed by a non-profit, so it is not comparable. Mr. Fields moved to approve the recommended vote as drafted, with the amended summary. Mr. Fitzsimmons seconded and all voted in favor.

Mr. Cayer moved no action on Articles 15 and 16. Mr. Fields seconded and all voted in favor. After discussion, Mr. Fields then moved to approve the draft recommended vote for Article 17 for athletic sponsorship signs at Peirce Field. Mr. Cayer seconded and all voted in favor.

The Board then reviewed its draft report to the Zoning Board of Appeals on the application for a special permit for sponsorship signs at Peirce Fields. Mr. Fitzsimmons commented that a prohibited use cannot be allowed by special permit. The Board commented that the requested use may ultimately be allowed by the pending zoning amendment. Mr. West then moved to approve the Board's report to the ZBA on the application for a special permit, as drafted. Mr. Fitzsimmons seconded and all voted in favor.

The Board took up consideration of the March 14 meeting minutes. Mr. Fitzsimmons moved approval, as amended, Mr. Fields seconded, and all voted in favor.

Regarding the Symmes project, Mr. West stated that it is important for the Board to know how Symmes owner JPI or PNC Bank, is evaluating proposals from developers. Mr. Fitzsimmons explained that if the developer buys the note on the mortgage, it would be a private transaction not involving the ARB, although the developer would then need the Board's approval to renegotiate any part of the Land Disposition Agreement.

The Board asked for an updated tracking report for the April 11 meeting.

Mr. West then moved to adjourn, seconded by Mr. Fields. All voted in favor and the meeting adjourned at 10:37PM

Respectfully submitted,
Carol Kowalski
Secretary ex Officio



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