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Redevelopment Board Minutes 06/27/2011

Minutes of Monday, June 27, 2011, 7:00pm
 Arlington Redevelopment Board
 2nd Floor Conference Room, Town Hall Annex
 Approved : 9/12/11

Present: ~Michael Cayer, Ted Fields, Bruce Fitzsimmons (Chairman), Andy West, Christine Scypinski,
 Also present: ~Carol Kowalski, Secretary ex Officio and members of the public.

SYMMES OPEN SESSION

The Chairman called the meeting to order at 7:00pm with an overview of the qualitative criteria for reviewing the four development proposals, including quality of site design, team, efficiency, risk, and changes to the Special Permit or Land Disposition Agreement. Mr. Fitzsimmons also stated that the consultant's review of the developers' construction pro formas was presented on June 20. He then asked for comments or questions from the public. At the Chair's request, Michele Barry, Chair of the Symmes Neighborhood Advisory Committee (SNAC) summarized SNAC's June 23rd, 2011 letter to the Board. Janice Brodman, of 41 Pine Street, commented that she represented the Summer Street neighbors who feel that Pulte is the superior plan because of its low density. She also cited existing traffic problems which she felt would worsen with the currently approved plan. Mark _____ of Woodside Lane commented that he lives next door to the cell tower, and he hoped that could move soon. BethAnn Freedman commented that she has more confidence in the Upton team because of the commitment to landscaped open space and their plan for homeownership. She expressed concern that Jefferson Apartment Group may not have a plan to convert to condominium ownership.

Mr. Fitzsimmons then concluded the open session by outlining the schedule and process for the next meetings.

EXECUTIVE SESSION, Roll Call Vote

Mr. Fitzsimmons then stated that the Board needed to discuss the purchase, exchange, lease or value of real property, and that doing so in an open session may have a detrimental effect on the negotiating position of the public body, and that the Board would enter executive session.

On a motion by Mr. Fields seconded by Ms. Scypinski, to go into EXECUTIVE SESSION, Mr. Fitzsimmons took a roll-call vote at 7:20pm:

Roll call vote: Ms. Scypinski: yes; Mr. Cayer: yes; Mr. Fields: yes; Mr. West: yes; Mr. Fitzsimmons: yes.

The Executive Session ended on a roll call vote at 10:07PM and the meeting adjourned.

Documents considered at this meeting: SNAC June 23, 2011 letter (received June 27, 2011)

Respectfully submitted,
 Carol Kowalski
 Secretary ex Officio

SYMMES NEIGHBORHOOD ADVISORY COMMITTEE

June 23, 2011

Bruce Fitzsimmons, Chairman
 Arlington Redevelopment Board (ARB)
 Town Hall Annex
 730 Massachusetts Avenue
 Arlington, MA 02476

Dear Chairman Fitzsimmons and ARB Members:

In the past few months, the Symmes Neighborhood Advisory Committee (SNAC) has organized meetings with the neighbors and the four developers for the Symmes site: Jefferson Apartment Group (JAG), Upton Partners, Diversified Funding, and Pulte. This letter is to formally submit the neighbors' opinions as a result of these meetings and other information (including the developers' public information online for all to examine).

In short, the neighbors believe that the four developers can be grouped into two categories:

- A. Larger buildings with some townhouses, rental to owned—JAG and Upton
- B. Townhouses or mostly townhouses, mostly or entirely owned—Diversified and Pulte

Within each category, the neighbors have strong preferences of Upton over JAG and Pulte over Diversified. For the neighbors, the debate then became one of Upton compared to Pulte, which was preferred by whom and why.

Upton over JAG:

1. The Upton plan is preferable for its lower overall residential unit count, offer to buy the MOB site, and plan to make the MOB land permanent open space—this is the most usable open space of any of the plans the neighbors have seen.
2. The Uptons have mitigated the risk of changes to the permits by meeting with neighbors and appellants and by securing agreements with the appellants about the changes.
3. Jake Upton has continued his relationships with neighbors over the years since JPI abandoned the site, and as such has established more of a rapport and a greater degree of trust than the JAG representatives have done.
4. The Uptons are local developers who personally oversee their projects so that, along with the relationships already established, neighbors will be better able to deal easily and directly with the people in control of the project.
5. The Uptons have command of the issues involved in developing the property. They have financing, a construction company lined up, clear understanding of the costs involved, and a tentative timeline for conversion of rentals to condos.
6. JAG has been vague on all relevant points in most meetings with neighbors and the ARB.
7. The neighbors did not appreciate JAG's stated desire to buy the note, foreclose on JPI, wipe out the liens, and proceed to build the plan as permitted. Neighbors interpreted this as arrogant, thoughtless, and reflective of a desire to shirk the responsibilities that these same people created when they were with JPI.
8. Neighbors believe that JAG's changes from their original plans, statements, and financing are obvious attempts to copy the Upton Partners plans, which the neighbors believe serves to confirm the neighbors' choice of Upton Partners over JAG. Neighbors also do not have confidence that JAG really plans to convert the units from rentals to condos, as their initial plan was clearly to keep the units as rentals.
9. The neighbors continue to question the obvious conflict of interest in James Duncan's role as the JPI person vetting proposals even as JAG was being formed and making plans to try to secure the project.

Pulte over Diversified Funding:

1. Pulte's plan of 94 townhouses has far fewer units than Diversified Funding.
2. Pulte's townhouses would all be owned, whereas Diversified Funding would include a somewhat large rental-to-owned condo building (albeit well located given the site's topography).

3. Neighbors appreciate Mark Comeau's many months of efforts to build relationships with them as compared to Diversified Funding, which remained anonymous and out of reach of the public until very late in the process.
4. The meeting with Pulte also included the architect, the engineers, and the finance expert, all of whom were able to go into detail about their plans and their flexibility to accommodate both town and neighbor preferences. This enabled Pulte to go into more detail than Diversified was able to.

Comparing Upton to Pulte:

The neighbors have always wanted an outcome more in line with the original intent of the project: as few units as possible to a scale that fits into the surrounding neighborhood, owned property rather than rental, and as much usable open space as possible for the general public. To that end, the neighbors are divided between Upton Partners and Pulte:

1. The Pulte plan requires substantial changes to the permits whereas the Upton plan's changes are minor and already supported by the appellants. Many neighbors believe that since neighbors and, particularly, abutters, are the most likely to challenge the plans in the permitting process, the Pulte plan would not be challenged because neighbors like it. That said, a meaningful proportion of the neighbors nevertheless prefer the Upton plan because they believe that the Pulte plan will open a Pandora's Box in the permitting process. Having already endured one such nightmare, these neighbors would prefer to go with the Upton plan.
2. While the majority like the townhouses more than the larger buildings, many like the greater usable open space of the Upton plan.
3. The majority like that the Pulte townhouses would be 100% owned from the start, whereas they see great risk in the Upton Partners' planned conversion of rental units to owned units, the risk being that these may never convert due to market forces not being sufficiently aligned.
4. Some believe that because the Upton plan addresses more of the town-wide stakeholders' needs, it is more likely to be successful at all phases. However, others believe that Pulte could do a version that meets those other needs (e.g., assisted living near Summer St. with townhouses everywhere else).
5. Some are concerned with the complaints they've heard and read about Pulte regarding the quality of their products as well as their challenges with subs using illegal immigrants and/or not paying their workers. Others note that Pulte New England is very highly rated by the Better Business Bureau.
6. While the Upton Partners' entire plan, including financials, has been made available to the neighbors, the finances of the Pulte plan have not. Therefore the neighbors cannot estimate the relative financial impact of each plan on the Town.
7. In both cases, the projects would be supervised locally. In both cases, the people with whom neighbors have established relationships would remain on the project to work with us.
8. Some neighbors are concerned that Pulte may use subcontractors and/or laborers from out of state.
9. Many neighbors find Pulte's financing more secure than that of Upton Partners. Others counter that Upton Partners works on fewer projects at a time and finishes its projects, whereas Pulte has at times sat on and then sold projects rather than developing them.

Since the neighbors are divided between Upton Partners and Pulte, there is not a firm endorsement of either plan. That said, even neighbors that actually prefer the Pulte plan have also stated that they find the Upton Partners' plan to be a reasonable compromise. Their biggest worry is that the ARB will approve JAG, which the neighbors have continued to unanimously oppose.

Thank you very much for your thorough review of the four developers' proposals and for including the SNAC and neighbors in as much of the process as possible.

Sincerely,

SNAC Members

Michele Barry, Chair
Greg Jackmauh
Lisa Lazarczyk
BethAnn Friedman
Janice Brodman

Copy To: Arlington Board of Selectmen, Arlington Town Planner



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Redevelopment Board Minutes 06/27/2011 Executive Session

Minutes of Monday, June 27, 2011
Executive Session, Arlington Redevelopment Board
Town Hall Annex, 2nd-Floor Conference Room
Approved: 1-7-13

Members Present: Present: ~Michael Cayer, Ted Fields, Bruce Fitzsimmons (Chairman), Christine Scypinski, Andrew West, Kevin O'Brien was also present.

Having taken a roll call vote in open session, Mr. Fitzsimmons opened the Executive Session. The Board discussed the differences in units, timing, and financial comparison between the condominium intentions of Upton and JAG. The Board noted that site design, LDA or permitting efficiency or risk, developer experience or strength and financial return to the Town were all important factors. The Board noted that Pulte disqualified themselves due to lack of financial information and lack of information, and longest construction horizon. Diversified had a poor site plan, and needed the Town to donate the Medical Office Building site to make their project work, and would need a completely new permit.

Mr. Fields then moved to close the executive session at 10:07pm. Ms. Scypinski seconded. A roll call vote was taken. Ms. Scypinski voted yes, Mr. Cayer voted yes, Mr. Fields voted yes, Mr. West voted yes, and Mr. Fitzsimmons voted yes.

Respectfully submitted,
Carol Kowalski
Secretary ex Officio