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Redevelopment Board Minutes 09/26/2011

Minutes of Monday, September 26, 2011, 6:15 pm
Arlington Redevelopment Board
2nd Floor Conference Room, Town Hall Annex
Approved: October 17, 2011

Present: ~Michael Cayer, Bruce Fitzsimmons (Chairman), Andy West (joined in progress), Christine Scypinski, Ted Fields (joined in progress)
Also present: ~Sandi Silk, Red Projects LLC, Budge Upton, Upton & Partners, Carol Kowalski, Secretary ex Officio

Mr. Fitzsimmons opened the meeting and provided an overview of the agenda, including two executive sessions.

Executive Session – Symmes

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. Cayer seconded by Ms. Scypinski, to go into EXECUTIVE SESSION, Mr. Fitzsimmons took a roll-call vote at 6:15pm:

Roll call vote:
Ms. Scypinski: yes
Mr. Cayer: yes
Mr. Fitzsimmons: yes

Mr. West arrived at 6:17pm at which time Mr. Fitzsimmons reviewed the need for the Executive Session and took Mr. West's roll call vote:
Mr. West: yes

Mr. Fields arrived at 6:33pm at which time Mr. Fitzsimmons reviewed the need for the Executive Session and took Mr. Fields' roll call vote:
Mr. Fields: yes

The open session was resumed at 7:07 PM by the Chair following the close of executive session on a roll call vote.

Re-open Special Permit, CVS, 25 Massachusetts Ave., awning signs

Mr. Fitzsimmons then opened the advertised hearing to re-open the Special Permit for 23-25 Massachusetts Avenue, for awning signs at CVS. Dianne Sica, District Manager for CVS, and Jeff Kwass of Viewpoint Signs appeared for CVS. Mr. Fitzsimmons asked Ms. Kowalski to review the concerns outlined in her report to the ARB, including the practice of locking the front doors during business hours, the problems arising from CVS deciding that the front of the store would be the "back" of the store, and blocking off windows. She also noted the historic building next door and the witness house across the street. Mr. Fitzsimmons expressed the Board's strong preference to see the windows be open and unobstructed, citing public safety to allow a police officer to see into the store. Ms. Scypinski commented that the storefront windows appear to be used completely for storage. Mr. Fields noted that the Lexington CVS has historic photos in its windows. Responding to Ms. Sica's explanation that the re-location of the pharmacy counter resulted in these problems, Mr. West asked that since it created a domino effect of problems, CVS should simply make the big change necessary in order to solve these other problems. He also mentioned creating a friendlier façade, flower boxes, and more awnings. Mr. Fitzsimmons summarized saying that improvements had to be made to further consider the request. Ms. Scypinski asked the intentions with landscaping, since the one tree of the pair at entryway had been heavily pruned. She asked if landscaping could be considered for the Massachusetts Avenue front of the store. She noted that the existing landscaping has become dilapidated. Ms. Scypinski stated that she could not endorse additional signage if the front was going to be blocked. Ms. Sica said she could make some of the changes instantly, such as unlocking the front door. Mr. Cayer commented that CVS was not being a good neighbor by blocking the doors and windows. Mr. Kwass commented that the Andover store windows were blocked, from his recollection growing up there.

Mr. Fitzsimmons asked the CVS representatives to consider the fewest additional signs, since other businesses in the plaza could understandably perceive it as a precedent and would seek to escalate their quantity of advertising signage, as well.

Mr. Fields then moved to continue the hearing to October 17 at 7PM. Ms. Scypinski seconded and all voted in favor.

Possible zoning articles for 2012 warrant

The Board then discussed whether to consider submitting Town Meeting warrant articles to amend the zoning bylaw to allow accessory apartments, to encourage mixed use to preserve land zoned for business, to move sign regulation from the zoning bylaw into the general bylaws, and to allow the Cooke's Hollow plan to be considered for implementation. A zoning amendment to allow Cooke's Hollow failed at 2011 Annual Town Meeting.

APPROVAL OF MINUTES

Mr. Fields then moved to approve the meeting minutes of July 11, 2011 as amended. Ms. Scypinski seconded. The minutes were approved by a vote of 4-0, with Mr. West abstaining due to absence from that meeting.
Mr. Cayer then moved to adjourn, Mr. Fields seconded, all voted in favor and the meeting adjourned at 8:17pm.

Respectfully submitted,
Carol Kowalski
Secretary ex Officio



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Redevelopment Board Minutes 09/26/2011 Executive Session

Minutes of Monday, September 26, 2011, 6:15 pm EXECUTIVE SESSION
Arlington Redevelopment Board
2nd Floor Conference Room, Town Hall Annex

Present: ~Michael Cayer, Bruce Fitzsimmons (Chairman), Andy West (joined in progress), Christine Scypinski, Ted Fields (joined in progress)
Carol Kowalski, Secretary ex Officio

Also present by invitation of the Chair: ~Sandi Silk, Red Projects LLC, Budge Upton, Upton & Partners, Brian Sullivan, Town Manager, Clarissa Rowe, Board of Selectman.

Ms. Silk and Mr. Upton reported that many substantive details were still being worked out by the several parties. She stated that a meeting was scheduled for September 27.

Mr. West arrived and Mr. Fitzsimmons reviewed the motion to enter executive session and asked Mr. West to indicate his vote. Mr. West voted yes. Mr. Fitzsimmons then reported on a meeting he had with the Town Manager, Mr. Cayer, Charlie Foskett and Steve DeCoursey from the Finance Committee. He also reported on a meeting he had had with the assisted living company, the Shelter Group, and stated that he was impressed by them.

Mr. Fitzsimmons asked to confirm that the equity partners were aware of the Town's position. Ms. Silk responded that they are aware. Mr. Upton replied that they were assuming that they are and that they are relying on JAG to communicate effectively with their equity partner. Ms. Silk said they are fully aware and have paid close attention to the Town's desires.

Mr. Sullivan commented that the Town invested a substantial amount of money to control the project and went through a process. It was important that all parties understand that the Town wants the right project for the long-term. The Town wants a conversation with the three parties, a meeting with Starwood to ensure no miscommunication. Going from condo to apartments was a bitter pill and we want maximum opportunity for home ownership units on the site. We want to position the Town in best way possible for condo and know who will control those decisions, he concluded.

Ms. Silk stated they were willing to bring Starwood in at the appropriate time.

Mr. Cayer asked who would be meeting on September 27, and Ms. Silk responded Jim Butz, Greg Lamb, James Duncan, and herself, and Mr. Upton stated that he and Jake Upton, and Bill Locke would attend for Upton & Partners.

Mr. Upton stated that the joint venture agreement needed to be processed, the LDA needed to be updated; the guaranteed maximum construction price had to be negotiated. Ms. Silk added items to this list, stating that they would have to work very quickly while the permit was still valid.

At 6:33pm, Mr. Fields arrived. Mr. Fitzsimmons reviewed the motion to enter executive session and asked Mr. Fields to indicate his vote. Mr. Fields voted yes.

Ms. Rowe, recalling that Mr. Fitzsimmons had reported that Ms. Silk and Mr. Butz called him weekly, asked JAG to give the Town Manager or the Selectmen an update frequently as well. She then commented that we asked the townspeople to put money on the line to buy this, it is a matter of public trust. Ms. Kowalski asked if the parties had met with Starwood. Ms. Silk responded that they had met once; Jake Upton had gone to Washington D.C. to meet with Starwood. Mr. West asked if they were familiar with the assisted living aspect. She responded that they had not gotten to that yet but Starwood saw the video on line.

The Board reviewed the projected time frame, thanked Ms. Silk and Mr. Upton, who then left the Executive Session. There was agreement among those present on the importance of getting Starwood into the discussion. Discussion turned to the notion of the working group, since the Selectmen had the fiscal responsibility for the Town's investment, including Al Tosti and Charlie Foskett.

Mr. Fitzsimmons reviewed that three weeks earlier there had been agreement to have the same people who were meeting with JAG (Kevin O'Brien, Ms. Kowalski, Ms. Rice, Mr. Sullivan, and himself) and to add Mr. Foskett and Mr. Tosti's designee, Stephen DeCoursey, to vet the financial piece. That ad hoc committee would report in advisory capacity to the ARB. Ms. Rowe confirmed that no Selectmen were involved. Mr. Fitzsimmons commented no bureaucratic layer. Discussion ensued about the importance of getting condominiums, and that the condominium market in Arlington was strong, and the project was designed as a condominium project. Mr. Fitzsimmons observed that there was very little financing for condominium projects currently. Ms. Rowe observed that Starwood could get to decide that we'd have 30 years of rental. Mr. Sullivan added that the market could go right for condos, and they would be able to keep it rental. Mr. West stated that the units are sized for condominium. Mr. Cayer stated that we won't compromise on the 100% design as approved. Mr. Sullivan asked Ms. Kowalski to arrange a meeting of the working group, JAG, Upton and Starwood as soon as possible.

Mr. Cayer then moved to end executive session, Mr. Fields seconded, and Mr. Fitzsimmons took a roll call vote, Mr. West: yes, Ms. Scypinski: yes, Mr. Fields: yes, Mr. Cayer: yes, Mr. Fitzsimmons: yes.
The executive session was adjourned at 7:07pm.

Respectfully submitted,
Carol Kowalski
Secretary ex Officio