



**Town of Arlington, Massachusetts**  
**730 Massachusetts Ave., Arlington, MA 02476**  
**Phone: 781-316-3000**

[webmaster@town.arlington.ma.us](mailto:webmaster@town.arlington.ma.us)

## Redevelopment Board Minutes 03/08/2010

Minutes of Monday, March 8, 2010  
 Approved March 22, 2010

Second Floor Conference Room, Town Hall

Members Present:  
 Roland Chaput  
 Bruce Fitzsimmons  
 Chris Loreti, Chairman  
 Ed Tsoi  
 Andy West

Also Present: Carol Kowalski, Director of Planning & Community Development and several members of the public.

ARB Chairman Mr. Loreti, called the meeting to order at 7:10pm and introduced the public hearing on the zoning bylaw amendment warrant articles. Mr. Loreti took the amendment on increasing the size of Zoning Board of Appeals (ZBA) out of order so that Selectman Clarissa Rowe could attend the Selectmen's meeting. Mr. Loreti asked Ms. Rowe for background on the proposed amendment since the Board of Selectmen had submitted the article. Ms. Rowe explained that when the Selectmen interviewed candidates for Zoning Board of Appeals in 2009, they recommended increasing the size of the board, saying it would provide more flexibility. Mr. Loreti asked Ms. Rowe whether the Board of Selectmen intended to continue to have associate members of the Zoning Board of Appeals. Mr. Loreti asked Zoning Board of Appeals Chairman Joseph Tulumieri how the associates currently participate. Mr. Tulumieri explained that associate members are asked to participate for major hearings, such as a 40B Comprehensive Permit hearing. He observed that in his professional work with other municipal Zoning Boards, a three-person board works well. He added that many communities with five-member boards continue to have quorum problems. Ms. Rowe commented that she and Mr. Hurd submitted the article at the request of the candidates they had interviewed for the ZBA. Mr. Tulumieri commented that he had polled the ZBA members for their opinion on the warrant article, and that one member replied, and that she was in favor of increasing the size of the ZBA.

Pat Lieberson, Town Meeting member, representing the League of Women Voters asked whether associate members might currently vote. Mr. Loreti replied that under state law, the associates could vote if a regular member is absent or if there is a conflict of interest in the matter being heard. Mr. Tulumieri added that the associate members may attend any public meeting, but they cannot vote. Mr. Loreti asked if they may participate in the discussion. Mr. Tulumieri said that an associate member did participate on one occasion and he did not rule it out of order. Mr. Tulumieri averred that dropping the voting standard from the unanimous vote required of three-member ZBAs to a super-majority vote of four members in a five member ZBA lowers the standard that an applicant has to meet to receive zoning relief. Mr. Loreti thanked Ms. Rowe and others for their input on this proposed bylaw amendment.

The Board then polled attendees on which articles had the most interest for public comment in order to hear the articles in that order. The Board then heard comment on the amendment to add a definition for Research & Development. Mr. Loreti explained that the Green Communities designation that Arlington seeks from the Commonwealth requires it, but that recent guidance indicates that without a definition, alternative energy research and development is assumed to be allowed. John Worden, Town Meeting Member, suggested adding the phrase "renewable energy" to the definition, since people can relate to it. Others in attendance agreed with this.

The Board then heard comment on the bylaw amendment to add solar photovoltaic installations. Shelly Dean, 7 Cleveland Street, member of Sustainable Arlington commented that this article is also related to the Town's anticipated Green Communities designation. She said that the group had contacted some of the Town's large property owners for their opinion, but had not heard back. Ms. Dean asked that the proposed bylaw allow installations that generate at least 250 kilowatt hours. Lisa Weil, 79 Piedmont Street expressed a similar concern, saying that in conferring with the state, credit for photovoltaic has to be at least 250 kilowatts by right. Ms. Dean commented that Green Communities representatives said that going up to 250 kilowatts would not satisfy the criterion. Ms. Weil said that state has not said how much would satisfy the criterion. Mr. Tulumieri asked whether the 15' height limit was too limiting, and asked what the installations looked like. Mr. Tulumieri asked why rooftop installations are not allowed. Mr. Loreti replied that under Massachusetts General Law Chapter 40A they are already allowed. Mr. Loreti also reviewed in the table of uses that the photovoltaic installations would be allowed in the Industrial district by right. Ryan Katofsky, Summer Street, commented that at the 15' height limit they might not work for a solar installation.

Regarding the variance application review bylaw warrant article, Mr. Tulumieri distributed alternative language for the Board's consideration. It would compel the Board to submit its review of variance applications within thirty days of receipt, thereby allowing the ZBA to proceed with the statutory deadline for the variance application. Mr. Fitzsimmons observed that as a practical matter, it would not make much difference since the advertising and notice requirements entail about thirty days from the time an application is filed and before a hearing is held.

The Board then heard comment on the bracket sign warrant article. Mr. Loreti described the purpose of the amendment, to allow businesses in certain districts the choice of a projecting sign. Mr. Worden commented that Town Meeting Members would ask about enforcement of existing signs. He also asked for confirmation of the proposed height limit on bracket signs, which is fifteen feet.

The Board described the amendment that would allow different types of fences used as parking lot screening. Mr. Worden asked whether a retailer with a parking lot abutting a sidewalk would then be able to erect a stonewall, instead of a solid fence. The Board did not know and agreed to look into this.

Mr. Loreti next described the sign illumination amendment that would prohibit signs made of exposed light bulbs. He further explained that some consider these to be prohibited at present, but with changing sign technology, it was important to clarify the prohibition. Ms. Lieberson asked whether this article would create more restrictions or fewer. Mr. Loreti replied that it's not intending to restrict anything that we did not already think was prohibited. He added that for a recent sign, the Building Inspector had a different interpretation, so it was important to clarify. Mr. Fitzsimmons added that the Board does not have a problem with LED illumination aimed at signs, only those aimed at the viewer.

Mr. Tulumieri asked whether the Board would take any action on the warrant article resolution regarding Symmes Medical Office space. Mr. Loreti replied that it was a Selectmen's article. Mr. Tulumieri opined that the resolution was a good idea.

Mr. Loreti concluded the public hearing portion of the meeting, explaining the Town Counsel advised that the public hearing remain open so the public may continue to submit comment on the proposed bylaw amendments. Mr. Chaput MOVED to keep the public hearing on the proposed zoning bylaw amendments open until March 19. The motion was seconded and APPROVED 5-0-0.

Mr. Loreti explained that another zoning bylaw amendment to update the floodplain zoning map would be heard at a

later date because the article was not submitted to the Board in time for this evening's hearing.

The Board then turned to the Symmes item, for which Tom O'Brien, Doug Manz, James Duncan of JPI, and Jeff Parsigian of Timber Ridge Homes, the prospective developer of the Symmes site, were attending. Mr. O'Brien explained that he now has his own company, HYM Investment, and that Timber Ridge had asked Mr. O'Brien and Doug Manz to assist Timber Ridge with Symmes. Mr. Parsigian described the principal owners of Timber Ridge, who are former executives of production builders Pulte Homes. He explained that Timber Ridge would propose one-hundred-thirteen townhouse condominiums. He presented a preliminary site layout concept and a rendering of a Timber Ridge townhouse condominium example under construction in Virginia, as an example of their attention to finishes and material.

Mr. Tsoi asked about a green square on the plan. Mr. Parsigian replied that the permitted plan required a basketball and recreation area at that location, so it was maintained in this site concept, although he was open to the Board's input on improving the site layout. Mr. Chaput asked them if they were familiar with the affordable housing requirements. Mr. Parsigian replied that they were aware of the requirement. Mr. Loreti asked if they were aware of all the requirements in the documents, and whether they had read the Board's 2009 letter to the bank holding the mortgage. Mr. Parsigian said they had not reviewed the documents in detail.

Mr. West commented that the density is lower than the approved plan, and he wanted to understand how the site plan works, and how the open spaces were oriented. How the site is ordered could be improved, he added. Mr. Parsigian said they were open to suggestions. Mr. Chaput commented that parking must be provided to allow public use of the public vista park. Mr. Chaput commented that articulation of the facades shown in the elevation rendering was positive, and that keeping detail and deep shadow line was good and to stay on that design direction. Mr. Fitzsimmons stated that given the difference in the plan, a new Special Permit would be needed. Mr. Fitzsimmons asked about the company's capitalization. Mr. Parsigian replied that the transaction would be all equity with no outside financing. Mr. Loreti asked if Mr. Parsigian had seen the Land Disposition Agreement and specifically the financial disclosure statements in the exhibits. Mr. Parsigian said they would complete the form, but that the private equity investors would not disclose their personal finances and investments. In response to a question about the due diligence period, Mr. Parsigian replied that they had a sixty-day due diligence period.

Kevin O'Brien was in attendance, consulting for the Town. He commented that the Vista Park should not be located behind buildings. Karen Johnson, Woodside Lane pointed out that the temporary cell tower would have to be relocated, and asked how much time was left in the lease term. Mr. Duncan of JPI said that they would have to look into this. Kevin O'Brien added that Mr. Parsigian and Mr. Duncan should understand that cell towers are not allowed in Arlington, and that antennae have to be mounted on a building. Michele Barry, Symmes Neighborhood Advisory Committee (SNAC) said that SNAC would appreciate an opportunity to collaborate. Ms. Kowalski added that Arlington is a bicycle and pedestrian-oriented community, so walking opportunities within the site and connecting the site to the rest of the surrounding community would be important in the site plan. She also asked about the utility corridor that was pointed out from Summer Street through the wooded slope. Mr. Manz said that some utilities were installed in Hospital Road, but the utility corridor from Summer Street was in the prior plan.

Mr. West asked for locations where members could travel to view other Timber Ridge developments, or to view pictures. Mr. Parsigian agreed to provide locations. Mr. Fitzsimmons mentioned Bishop's Forest town houses in Waltham, which were a Pulte development. Ms. Kowalski would provide the sections of the LDA to begin the disclosure process, and would work with Mr. O'Brien on a time-line. The Board would prepare to provide more formal input.

The Board then turned to the sign approval for the Meat House. Cliff Conti from New Hampshire signs and Peter Weiss, owner of the Meat House, attended. Mr. Fitzsimmons observed that the illumination had to be either exterior or interior, but could not be both under the bylaw. Mr. Conti said he would aim the gooseneck lights at the building. Mr. Weiss also said that the holes from the previous business's sign would be patched and painted. Mr. Conti agreed that the bottom of the letters for the Meat House would align with the bottom of the letters for the adjacent business, Massage Envy. The discussion turned to the illumination within the awning at the rear of the store. Mr. Conti said that "egg crate" baffling would eliminate direct glare from below the awning, and the light would be directed down for wayfinding, not to illuminate the awning. Mr. Loreti asked how late at night the signs would be illuminated. Mr. Weiss agreed that they would be turned off about one hour after closing. Mr. West then MOVED to approve the signage as submitted for the Meat House at 1398 Mass. Ave. Mr. Chaput seconded and the motion was APPROVED 5-0-0.

The Board then reviewed the Work Tracking report. Mr. Loreti asked Mr. West to provide a list of site layout issues for Symmes.

Mr. Loreti asked Ms. Kowalski for information on the nature of input the Board was expected to provide to the ZBA on the Comprehensive Permit application.

The Board asked Ms. Kowalski to get the date by which their report would be needed for the Report on the Warrant.

The Board determined that April 5 should be the public hearing on the FEMA floodmap zoning bylaw amendment.

The Board also urged that the Commercial Development public information meeting be scheduled within the next month.

The Board decided that the language for the zoning bylaw language should be finalized at the next meeting.

Mr. West asked that the February 23 notes of the joint Redevelopment Board and Selectmen's meeting be distributed to the Board in their March 22 meeting packet.

By a motion duly made and seconded the meeting adjourned at 10:15pm.

Respectfully submitted,

Carol Kowalski  
Secretary ex Officio