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Redevelopment Board Minutes 09/13/2010

Minutes of Monday, September 13, 2010
 Arlington Redevelopment Board
 Second Floor Conference Room, Town Hall Annex
 Approved 9/27/10, 2010

Members Present:
 Roland Chaput
 Bruce Fitzsimmons
 Chris Loreti, Chairman
 Ed Tsai
 Andrew West

Several members of the public were also present.

The meeting was called to order at 7:03 pm.

The Board began with the EDR Special Permit Hearing for 418 Mass Ave. Materials considered:
 Letter from Narain Bhatia, Sept. 3, 2010 re. 418 Mass Ave
 Mortgage plan, 418 Mass Ave
 First floor plan, 418 Mass Ave
 Rober tape survey, 418 Mass Ave, dated 9/10/10, submitted 9/13/10

Attorney Frank Reynolds, Keshian & Reynolds, appeared for the Bhatia Family for 418 Mass Avenue, which is proposed for use as accounting offices. Mr. Reynolds distributed a site survey to the Board that evening. That plan showed ten parking spaces are possible, but some impinge on the zoning setbacks, Mr. Reynolds said. He asserted that they were adequate because they are "grandfathered" at 1 space per four seats as a funeral home. He said that an accounting office of this size requires ten parking spaces. Mr. Reynolds asserted that grandfathering provides enough space. Mr. Loreti asked whether there was parking for the proposed residential use. Mr. Reynolds replied that there was one unit, and two parking spaces. Mr. West asked for clarification on the first floor of the plan. Mr. Reynolds replied that the dark lines are proposed new partitions.

Mr. Chaput asked about signage. Mr. Bhatia replied that they will put up a sign soon and seek the required permits. They would like to use the existing sign monument. He confirmed that it is internally illuminated. Mr. Reynolds said that he would like approval for the Special Permit, holding the sign permitting in abeyance. He further proposed granting the Special Permit on a condition that if the permit was not sought for the sign within a certain period, it would have to be removed.

Mr. Fitzsimmons asked whether the existing monument-sign base would be used. Mr. Bhatia responded that from a cost perspective, it would be preferable, but said they would do what is required. Mr. Fitzsimmons asked for details on the current parking scheme. Mr. Reynolds was not sure. He confirmed that the lot was not striped. Mr. Reynolds clarified that there is a residence there now. Mr. Reynolds confirmed there would be no change in impervious surface, and the accounting office would occupy the entire first floor. Mr. Bhatia added that there would be no dumpster used. He didn't know what exterior lighting existed, but felt there would be minimal exterior lighting. Mr. Bhatia said they were looking to replace the HVAC, but did not know whether there would be any exterior AC units. There is one there now, he said.

Discussion ensued regarding the use of assumed parking spaces through "grandfathered" parking. Mr. Fitzsimmons asked if it was appropriate to invoke grandfathering if the existing, actual spaces met the bylaw. Mr. Reynolds considered it a good question, and expressed the desire to keep the grandfathered spaces even if they weren't needed. Mr. Fitzsimmons showed on the plan a means of arranging the spaces to meet the bylaw.

Aram Holman, 12 Whittemore Street, reported that he did not receive abutter notification. He reported that he inquired in the Planning Department and that numbers 6, 8, 10, 12, 14 and other Whittemore Street properties were not on the abutters' list. The Planning Department had referred him to the Assessors Office, he said. The Assessors Office showed that 12 Whittemore Street was in the radius of those who should have been notified. Mr. Holman said that he felt there was a procedural and notification issue. The Board asked Ms. Kowalski about the abutters list. She stated that the law for a Special Permit states that abutters and abutters to abutters within 300 feet must be notified, and the law requires the list to be certified by the Assessors.

Mr. Holman said he was concerned about parking and grandfathering. He didn't know how 10 cars would fit there and how they would all get out at the same time. He asked if there would be in-line parking, requiring a car to move to allow another to leave. This would discourage customers from parking in the lot, and encourage on street parking, Mr. Holman stated. Mr. Holman also asked about space for eight people plus a bedroom, and asked how many people would be parking on site at one time. Quality of life is a concern, he added. He asked the Board if it was appropriate to grandfather parking in the instance of a change of use, especially if it is not needed.

Mr. Holman noted that the site was a corner lot, so they cannot park on the front lawn. He asked that the Board require better screening.

Mr. Loreti asked Ms. Kowalski about abutter notice. Ms. Kowalski replied that the abutters' list should have been a certified list. She had just learned of the lack of notice this evening.

Mr. Reynolds confirmed that parking was in the setback. The Board and Mr. Reynolds agreed that seven spaces were needed. The Board recommended the sign be removed and landscaped screening be proposed. Mr. West asked if this needed to go to the Historical Commission. Ms. Kowalski replied that it did not need Historical Commission review, since the work was interior only. Mr. Chaput asked for vertical evergreen screening.

Mr. Chaput moved to continue the hearing to 7PM on September 27, 2010 to allow time for proper abutter notification. The motion was seconded and approved.

The Board then turned to the 47 Mystic Street EDR Special Permit Amendment Hearing. Materials considered:
 Petition to Modify Docket 3340, Special Permit for Environmental Design Review, Turning Mill Consultants, Inc. for MetroPCS August 3, 2010
 Plan set revised August 3, 2010, and revised 9/3/10 (sheet A-1 revised to show cable guard note), Turning Mill Consultants, Sheets T-1, GN-1, A-2, A-3, E-1, E-2, E-3, E-4.

Paul DeCoste of Turning Mill Consultants presented a request for the installation of a rooftop cabinet for Metro PCS coverage at 47 Mystic Street and for two motion-activated lights to allow a technical crew to work at night in an emergency, and to upgrade telco service in the existing first floor garage to fiber optics.

The Board asked where the glare shield would be. Mr. DeCoste said they were not sure, it is not shown. He confirmed that it was a full-cut off fixture. He confirmed that this was a new cabinet going into an empty slot in the existing screen wall. Also presenting were Wally Cooper of J. Lee Consulting and Rakesh Goal, RF engineer, Metro PCS. Mr. DeCoste said the telephone run is not visible and was entirely in the structure. Mr. DeCoste confirmed that the lights will be behind the screen wall, and that none of the antennae are changing. Mr. Loreti asked the Board if they wanted to include a condition to require them to return if they need an additional cabinet in the future. Mr. Chaput said he did want them to return to add a cabinet in the future. Mr. Loreti asked his reason, given that an additional cabinet behind the screen-wall would not be visible. Mr. Chaput explained that it would require additional antennae. Donna Kirkland, owner of a unit at 47 Mystic Street, commented that she was observing to report to a condo meeting. Mr. Loreti noticed that the last proposed condition of the Special Permit should be deleted, since no equipment would need to be painted. Mr. DeCoste confirmed that no antennae were being installed, and Mr. Goal commented that a single antenna can increasingly handle more capacity.

Mr. Fitzsimmons moved to approve the application as requested, with deletion of the final condition in the draft referring to painting. Mr. Chaput seconded. All voted in favor.

The Board next turned to the continued EDR Special Permit Hearing for 30-50 Mill Street (the former Brigham's Site). Materials considered by the Board: Allen & Major 30-50 Mill Street 9-7-10 Proposed Color Presentation Plan CPP-1, Open Space-Landscaped Exhibit 9-8-10 Revised Zoning Takeoffs, EXH-2, Open Space-Useable Exhibit, 9-8-10 Revised Zoning Takeoffs EXH-3, Cube 3, Retail First Floor Plan A1-101, 9-8-10; Cube 3, Exterior Building Elevations, A1-201, 9-8-10; Cube 3, Exterior Building Elevations, A1-202, 9-8-10; Memorandum from Cube 3 to Redevelopment Board August 18, 2010 re. Floor Area Ratio Calculations, Cube 3 Parking Level Gross Square Footage Diagram, 9-13-10; Cube 3 First Floor Gross Square Footage Diagram, 9-13-10; Cube 3 Typical Floor Gross Square Footage Diagram, 9-13-10; ; Cube 3 Loft Floor Gross Square Footage Diagram, 9-13-10.

Attorney Mary Winstanley O'Connor, architect Chris Poles, developer Rick Dickason, and Civil Engineer Tim Williams appeared representing the applicant. Mr. Loreti opened the continued hearing at 8PM. He asked for a review of submitted material since the last meeting. Mr. Williams reviewed material submitted. Mr. Poles explained the retail building elevations. He asked for Board's reaction to design and layout concepts. Mr. Dickason invoked Post Office Square for design, saying they were considering adding more glass. Mr. Chaput confirmed with Mr. Poles that the Board was not being asked to design the building.

The Kiosk would be 14' x 14', with more glass. Design of the commercial building was also discussed. Brick was proposed on the lower level, shingle on upper, or lap siding. The height was twenty-seven feet with 14' clear interior. Mr. Poles commented that it would be a core and shell, not dependent on lessee. Mr. Dickason commented that bicycle or ice cream retailer had expressed interest, and it could be a possible garden center for Shattuck's Hardware. Mr. West commented that the public access spot near the bike racks and kiosk deserve a more detailed design. Mr. Poles showed Pavilion Park Design Options. Mr. Williams confirmed that the retail building would be about 25' from the bikepath. The Board asked to see how long the shadow of this building would be across the bikepath, and how tall this would be as seen from the bikepath. Mr. Poles showed this view, which showed the retail building in the distance. Mr. West commented that the height is right, and that it should be substantial, robust.

Ryan Bianchetto landscape architect from Allen & Major presented landscape details. Forty percent were native species, he stated. Regarding zoning requirements as to open space, he showed that although 8% was required within the parking lot, 11% was provided. Mr. Loreti observed that the proposed treatment is not how the Board typically interprets the requirements to have landscape within the paved parking area, not just as buffer. Mr. Bianchetto said that the design team believes it met the requirements of the zoning bylaw.

Changes on the color plans presented included updating the legend showing water quality swale, showing pocket park and the sliver of asphalt to remain on Town land, and showing egress on the driveway. Useable Open space is increased to 26.3%, Mr. Williams noted.

Mr. Williams then presented details on stormwater: The project was required to meet the stormwater management bylaw's 10 standards for redevelopment under the Conservation Commission. The Stormceptor will capture 80% of total suspended solids into wet water quality swale. The parking lot will sheet-flow across the site to a sediment forebay and then flow directly into the Mill Brook in an existing outlet. He explained that they cannot add outlets under the law. All discharge has been reduced, and quality has been improved. Roof runoff is captured. The Conservation Commission will hear the proponent again on September 16, but will not close the hearing until the Redevelopment Board hearing closes. An existing water line runs down Mill Street into MWRA sewer line. We cannot encroach onto the easement with utilities.

Mr. Williams said he had coordinated on hydrant locations with the Fire Department, and they wanted the gas looped, which will have been done. Brigham's water demand was 60,000 gallons/day. The proposed retail and 180 bedrooms demand 20,000 GPD. For the site electrical service, existing utility poles to remain with two risers. It will be underground from 22 Mill Street. The MWRA easement in the corridor prevents undergrounding the utilities here. They will be underground from the end of the corridor and into the site.

Mr. Williams confirmed that the hydrant at Mill and Summer Street is close enough to the retail building. He also confirmed the location of water and sewer line. Mr. West commented on the importance of water quality outfall to the Mill Brook. Mr. Williams explained that the soils and plants and the catch basin filters all contribute to the treatment. Swirl-chamber catch basins settle out suspended solids. He confirmed that the water quality swale will be cleaned and maintained as part of the stormwater management plan. They will contract with a third party contractor to do this.

In the floodplain, every foot filled has to be compensated double, Mr. Williams explained. One standard is recharge, however high groundwater present on this site prevents recharge here.

Mr. Rademacher would provide the Board with a letter confirming that his concerns have been addressed. Mr. Williams confirmed that there would be a performance and maintenance bond for the stormwater management system. He further confirmed that no generator was proposed on the site, only a transformer. Mr. Williams, addressing the question of underground utilities explained that NSTAR cannot commit to a location where the utilities can be provided, and NSTAR determines where the service will be provided.

Beth Ann Friedman, 10 Hazel Terrace was recognized by the Chair. She asked how many parking spaces were required for the retail space. Mr. Williams replied that twelve spaces were allocated for the retail and that they were shown in the total. Ms. Friedman asked if restroom facilities would be provided in the public area. Mr. Dickason responded that it will depend on the user; if it was leased by the hardware store, probably not, he said. Ms. Friedman commented that bike racks should be in view of benches or they won't work.

Paula Divieti, 36 Richfield Road, commented that Bedford has restrooms on the bikepath. Mr. Dickason pointed out that they are owned by the Town of Bedford.

Marty Vreeland, Richfield Road, asked if some of the remaining parking spaces would be designated for visitors. Mr. Dickason said that ten spaces were for visitors.

Ms. Winstanley O'Connor reported that a meeting was held with the Transportation Advisory Committee, and there would be a response to the TAC's concerns by Wednesday, September 22.

Mr. Fitzsimmons asked if the Board could have copies of the design concepts for the public space that were shown earlier in the meeting, along with the shadow study, elevation and sections. Mr. Williams was asked to bring background information on the maintenance plan for cleaning out the swale.

Mr. Chaput commented that the size of the proposed building is comparable to Arlington High School and 22 Mill

Street. For this reason, the Board asked the applicant to step and shape the roofline to address the massing. Mr. West reminded the applicant that the Board still expected detail on the design of the retaining wall, and Ms. Kowalski asked for detail on where and how the roof-mounted HVAC units would be located, since this will relate to the EDR noise standard.

Mr. Chaput moved to continue the hearing to September 27 at 8PM, Mr. Fitzsimmons seconded and all voted in favor.

The Board then heard an update on the Symmes project from Mr. Fitzsimmons who reported on a September 1 conference call between PNC Bank Vice President Liz Paulson, JPI's James Duncan, Ms. Kowalski, and Mr. Fitzsimmons. He reported that term sheets from developers were expected by Mr. Duncan by September 1, and that Mr. Duncan hoped for a 60 to 100 day due diligence period. The Board agreed to have an Executive Session, as requested by JPI, to protect the developers.

The Board then discussed Mr. Fitzsimmons' draft letter to Town Counsel regarding the ARB's authority to lease property. Mr. Chaput expressed concern for the approach. After discussion, the Board decided that Mr. Fitzsimmons would discuss the issue with Town Counsel and then Mr. Fitzsimmons would make a recommendation to the Board on how to proceed.

The Board then reviewed and updated the Tracking Report. In discussing the tracking report, the Board decided to schedule a hearing October 4 and to advertise and notify abutters to re-open the hearing for the Gulf Station at 140 Mystic Street to address the center curb-cut egress. Ms. Kowalski was asked by the Board to see if the Transportation Advisory Committee could advise.

The Board then considered approval of the August 23 minutes and discussed various amendments. Mr. Fitzsimmons moved to approve the August 23 minutes as amended. Mr. Chaput seconded. All voted in favor.

Mr. Tsoi then announced that after forty years of service, he would not seek reappointment to the Board. The Board expressed gratitude to Mr. Tsoi for his significant past contributions to the ARB and discussed plans for a celebration.

Mr. Fitzsimmons then moved to adjourn. The motion was seconded and the meeting adjourned at 10:24pm

Respectfully submitted,
Carol Kowalski
Secretary ex Officio