

ARLINGTON REDEVELOPMENT BOARD

Application for Special Permit Under Environmental Design Review



SPECIAL PERMIT/ENVIRONMENTAL DESIGN REVIEW APPLICATION PROCESS

This packet includes information about the process by which to apply for Special Permit under Environmental Design Review (EDR) for development or redevelopment projects. It also includes the full Special Permit/EDR application. For more information about special permits, EDR, and other zoning requirements, refer to the [Arlington Zoning Bylaw and the Rules and Regulations of the Arlington Redevelopment Board \(ARB\)](#). For more information about the (ARB, see the [ARB's page on the Town website](#). The ARB page also includes links to Guidance Documents, such as design standards and bicycle parking guidelines, that may be applicable to your proposal,

Section references herein refer to sections of the Arlington Zoning Bylaw.

1. Research your property.

Be sure to review commonly referred to sections of the [Zoning Bylaw](#) when preparing your proposal. You will need to understand:

- ARB jurisdiction, criteria and process for granting Special Permits under Environmental Design Review: see Section 3.3, Special Permits, and Section 3.4, Environmental Design Review. Environmental Design Review applies to specific, locations, uses, and zoning districts, as described in Section 3.4.2.
- Your zoning district(s): find this using the [Town's interactive GIS zoning map](#)
- Your proposed uses for your property.
 - Residential (R) zoning district uses: see Section 5.4.3
 - Business (B) zoning district uses: see Section 5.5.3
 - Other (I, MU, OS, T, and PUD) zoning district uses: see Section 5.6.3
- Relevant zoning requirements
 - Residential (R) district dimensional and density regulations: Section 5.4.2.
 - Business (B) district dimensional and density regulations: Section 5.5.2. Properties in the B districts are also subject to Section 5.5.3(B), Development Standards for Business Districts, and Section 6.3, Public Shade Trees.
 - Other (I, MU, OS, T, and PUD) dimensional and density regulations: Section 5.6.2. Properties in the Industrial (I) District are also subject to the development standards described in subsections 1 through 7 of Section 5.6.2(D).
 - For all zoning districts, review the following:
 - Section 6.1, Off-Street Parking (includes vehicular and bicycle parking requirements)
 - Section 6.2, Signs
 - Section 6.4, Solar Energy Systems
 - Section 8.2, Affordable Housing Requirements

2. Schedule a consultation.

We strongly recommend that you request a meeting with staff from the Department of Planning and Community Development (DPCD) to review all aspects of the zoning and application requirements before you file an application. Feel free to call or email Claire Ricker, Department Director, at 781-316-3092 or cricker@town.arlington.ma.us before you file. If applicable, we will schedule a Zoom or in-person meeting to discuss elements of your application.

3. Talk to your neighbors.

Neighborhood outreach is strongly recommended for new developments and redevelopment projects. When you talk to your neighbors, you'll be able to receive comments and resolve conflicts before the ARB hearing. DPCD can describe how to request a list of abutters to your property. Depending on the scale of the proposal, neighborhood outreach before or during the public hearing process could include:

- Meetings with established neighborhood groups
- An open house
- Information on a developer or landowner website
- Distributing information through e-mail, mailings, flyers and on-site postings
- Informal conversations with interested parties

4. File your application.

Make sure to provide all required materials with your application. **A hearing cannot be scheduled without a complete application.** While digital applications are accepted, the application is not considered complete until DPCD receives the application fee. Fee calculations are provided in [Rule 12 of the ARB Rules and Regulations](#).

5. DPCD reviews your application.

We will review your application before scheduling a hearing. **Your hearing will not be scheduled until DPCD has received all required elements of your application.** We may contact you with questions, ask for more information, or recommended changes for clarity. For larger projects, DPCD may also schedule a meeting of the Town's Development Review Team to ensure that feedback from other departments is incorporated into the public hearing process.

6. DPCD schedules and issues public notices about your public hearing.

After reviewing your application for completeness, we will schedule a public hearing with the ARB. A notice of the public hearing is published in the *Advocate and Star* (Arlington's local newspaper) for two weeks prior to the scheduled opening of the public hearing. We notify property owners within a 300-foot radius of the subject property with a post card. We also post all hearing notices with application materials to the ARB's website at arlingtonma.gov/arb.

Anyone interested can submit a letter or email to DPCD for the ARB's consideration, or can attend and speak during the public comment period at the public hearing.

7. Present your proposal to the ARB.

Each public hearing is assigned an approximate start time, and includes the following elements:

1. DPCD staff introduce and explain the request and the staff memo to the ARB.
2. You will be invited to present information about your proposal. Presentation materials outside of what is included in your application must be provided to DPCD four (4) days before the public hearing so that they can be uploaded to the ARB agenda.
3. ARB members may ask clarifying questions.
4. The ARB Chair will open the public comment period. Attendees will have up to three minutes each to speak about your application. After attendees have spoken, the ARB chair will close the public comment period.
5. The ARB will deliberate on the request in open session, and may ask you direct questions based on your presentation and public comment.
6. The ARB may approve, approve with conditions, or deny the application. If additional changes are requested, the ARB may continue to the hearing to a date certain, or may grant DPCD staff the ability to approve them administratively in their decision.

8. DPCD will follow up.

If the ARB approves your application (with or without conditions), they will finalize and sign a decision, which DPCD staff file with the Town Clerk. Once filed, DPCD will send you a copy of the decision, notifies parties of interest of the decision via postcard, updates the ARB website with the decision, and the 20 day appeal period begins. If there is no appeal, you will be notified at the end of the appeal period and the decision, certified by the Town Clerk, will be mailed to you.

If your hearing is continued to a future ARB meeting, DPCD staff will contact you with the ARB's list of requested changes and additional information. Any updated materials must be submitted to staff seven (7) days in advance of the continued hearing date.

REQUIRED SUBMITTALS CHECKLIST

One electronic copy of your application is required; print materials may be requested, Review the ARB's Rules and Regulations, which can be found at arlingtonma.gov/arb, for the full list of required submittals.

_____ **Application Cover Sheet (project and property information, applicant information)**

_____ **Dimensional and Parking Information Form (see attached)**

_____ **Impact statement**

Statement should respond to Environmental Design Review (Section 3.4) and Special Permit (Section 3.3) criteria on pages 6-8 of this packet); include:

- LEED checklist and sustainable building narrative as described in criteria 12.
- Summary of neighborhood outreach, if held or planned.

_____ **Drawing and photographs of existing conditions**

- Identify boundaries of the development parcel and illustrate the existing conditions on that parcel, adjacent streets, and lots abutting or directly facing the development parcel across streets.
- Photographs showing conditions on the development parcel at the time of application and showing structures on abutting lots.

_____ **Site plan of proposal. Must include:**

- Zoning boundaries, if any, and parcel boundaries;
- Setbacks from property lines;
- Site access/egress points;
- Circulation routes for pedestrians, bicyclists, passenger vehicles, and service/delivery vehicles;
- New buildings and existing buildings to remain on the development parcel, clearly showing points of entry/exit;
- Other major site features within the parcel or along its perimeter, including but not limited to trees, fences, retaining walls, landscaped screens, utility boxes, and light fixtures;
- Spot grades or site topography and finish floor level;
- Open space provided on the site;
- Any existing or proposed easements or rights of way.

_____ **Drawings of proposed structure**

- Schematic drawings of each interior floor of each proposed building, including basements.
- Schematic drawings of the roof surface(s), identifying roof materials, mechanical equipment, screening devices, green roofs, solar arrays, usable outdoor terraces, and parapets.
- Elevations of each exterior façade of each building, identifying floor levels, materials, colors, and appurtenances such as mechanical vents and light fixtures.
- Drawings from one or more prominent public vantage point illustrating how the proposed project will appear within the context of its surroundings.
- Graphic information showing façade materials and color samples.
- Include lighting plan and fixtures if not provided on site or landscaping plan.

_____ **Vehicle, Bicycle, and Service Vehicle Plans**

- Parking and loading plans, including all vehicle and bicycle parking facilities located on the parcel or within a structure, showing dimensions of spaces, driveways, access aisles, and access/egress points. Include line-of-sight and turning radius along with length and type of delivery truck.
- If you are requesting a reduction in the amount of required parking, include a Transportation Demand Management Plan per Section 6.1.5.
- Plans of all bicycle parking facilities located on the lot and within any structure, including dimensions of spaces and access routes and types of bicycle racks.

_____ **Sustainable Building and Site Design Elements**

- A solar energy systems assessment per Section 6.4, which must include:
 - An analysis for solar energy system(s) for the site detailing layout and annual production;
 - The maximum feasible solar zone area of all structures; and,
 - Drawings showing the solar energy system you propose, with a narrative describing the system, the reasons the system was chosen, and how the system meets the requirements of Section 6.4; or
 - A detailed explanation of why the project meets an exemption of Section 6.4.2.
- LEED checklist and narrative per EDR criterion 13.

_____ **Proposed landscaping (*may be incorporated into site plan*)**

Schematic drawing(s) illustrating and clearly labels all landscape features, including hardscape materials, permeable areas, plant species, and light fixtures.

_____ **Plans for sign permits, if signage is an element of development proposal**

_____ **Stormwater management plan**

(for stormwater management during construction for projects with new construction)

_____ **SketchUp Compatible Model, if required**

_____ **Application fee**

(See [Rule 12 of the ARB Rules and Regulations](#) for how to calculate the fee)

FOR OFFICE USE ONLY

Docket #: _____

___ Special Permit Granted

Date: _____

___ Received evidence of filing with Registry of Deeds

Date: _____

___ Notified Building Inspector of Special Permit filing

Date: _____

COVER SHEET

Application for Special Permit in Accordance with Environmental Design Review

PROPERTY AND PROJECT INFORMATION

1. Property Address _____
Assessors Block Plan, Block, Lot No. _____ Zoning District _____
2. Deed recorded in the Registry of deeds, Book _____, Page _____.
-or- registered in Land Registration Office, Cert. No. _____, in Book _____, Page _____.
3. Present Use of Property (include # of dwelling units, if any)

4. Proposed Use of Property (include # of dwelling units, if any)

APPLICANT INFORMATION

1. **Applicant:** Identify the person or organization requesting the Special Permit:
Name of Applicant(s) _____
Organization _____
Address _____, _____
Street City, State, Zip
Phone _____ Email _____
2. **Applicant Interest:** the applicant must have a legal interest in the subject property:
 Property owner Purchaser by land contract
 Purchaser by option or purchase agreement Lessee/tenant
3. **Property Owner** Check here if applicant is also property owner
Identify the person or organization that owns the subject property:
Name: _____ Title: _____
Organization: _____ Phone: _____
Address _____, _____
Street City, State, Zip
Phone _____ Email _____

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4. **Representative:** Identify any person representing the property owner or applicant in this matter:

Name: _____ Title: _____

Organization: _____ Phone: _____

Address _____,
Street City, State, Zip

Phone _____ Email _____

5. Permit applied for in accordance with the following Zoning Bylaw section(s)

section(s) title(s)

6. List any waivers being requested and the Zoning Bylaw section(s) which refer to the minimum or maximum requirements from which you are seeking relief.

section(s) title(s)

7. Please attach a statement that describes your project and provide any additional information that may aid the ARB in understanding the permits you request. Include any reasons that you feel you should be granted the requested permission.

(In the statement below, strike out the words that do not apply)

The applicant states that _____ is the owner -or- occupant -or- purchaser under agreement of the property in Arlington located at _____ which is the subject of this application; and that unfavorable action -or- no unfavorable action has been taken by the Zoning Board of Appeals on a similar application regarding this property within the last two years. The applicant expressly agrees to comply with any and all conditions and qualifications imposed upon this permission, either by the Zoning Bylaw or by the Redevelopment Board, should the permit be granted.

Signature of Applicant(s)

Address Phone

DIMENSIONAL AND PARKING INFORMATION

Property Location: _____

Zoning District: _____

Applicant: _____

Address: _____

Present Use/Occupancy: No. of Dwelling Units:

Uses and their gross square feet:

Proposed Use/Occupancy: No. of Dwelling Units:

Uses and their gross square feet:

	Present Conditions	Proposed Conditions	Min. or Max. Req'd by Zoning for Proposed Use
Lot Size			min.
Frontage			min.
Floor Area Ratio ¹			max.
Lot Coverage (%), where applicable			max.
Lot Area per Dwelling Unit (sf)			min.
Front Yard Depth (feet)			min.
Side Yard Width (feet) right side			min.
left side			min.
Rear Yard Depth (feet)			min.
Height stories			stories ²
feet			feet
Open Space (% of G.F.A.) ³			min.
Landscaped (sf)			(sf)
Usable (sf)			(sf)
Parking Spaces (#) ⁴			min.
Parking Area Setbacks (feet) <i>(where applicable)</i>			min.
Loading Spaces (#)			min.
Bicycle Parking ⁵ short term			min.
long term			min.

¹ FAR is based on Gross Floor Area. See Section 5.3.22 for how to calculate Gross Floor Area. On a separate page, provide the calculations you used to determine FAR, including the calculations for Gross Floor Area.

² Where two heights are noted in the dimensional tables, refer to Section 5.3.19, Reduced Height Buffer Area to determine the applicable height or the conditions under which the Board may provide relief.

³ Per Section 5.3.22(C), district dimensional requirements are calculated based on GFA. On a separate page, show how you determined the open space area amounts.

⁴ See Section 6.1, Off-Street Parking. If requesting a parking reduction, refer to Section 6.1.5.

⁵ See Section 6.1.12, Bicycle Parking, or refer to the [Bicycle Parking Guidelines](#).

IMPACT STATEMENT REQUIREMENTS

Projects subject to Environmental Design Review must address and meet the following Special Permit Criteria (see Section 3.3.3 of the Zoning Bylaw) and Environmental Design Review Criteria (see Section 3.4) of the Zoning Bylaw. Please submit an impact statement that describes your proposal, and addresses each of the following criteria.

SPECIAL PERMIT CRITERIA

1. The use requested is listed as a special permit in the use regulations for the applicable district or is so designated elsewhere in this Bylaw.
2. The requested use is essential or desirable to the public convenience or welfare.
3. The requested use will not create undue traffic congestion or unduly impair pedestrian safety.
4. The requested use will not overload any public water, drainage or sewer system or any other municipal system to such an extent that the requested use or any developed use in the immediate area or in any other area of the Town will be unduly subjected to hazards affecting health, safety or the general welfare.
5. Any special regulations for the use as may be provided in this Bylaw are fulfilled.
6. The requested use will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the health, morals, or welfare.
7. The requested use will not, by its addition to a neighborhood, cause an excess of the particular use that could be detrimental to the character of said neighborhood.

ENVIRONMENTAL DESIGN REVIEW CRITERIA

1. **Preservation of Landscape.** The landscape shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal, and any grade changes shall be in keeping with the general appearance of neighboring developed areas.
2. **Relation of Buildings to Environment.** Proposed development shall be related harmoniously to the terrain and to the use, scale, and architecture of existing buildings in the vicinity that have functional or visual relationship to the proposed buildings. The Arlington Redevelopment Board may require a modification in massing to reduce the effect of shadows on abutting property in an R0, R1 or R2 district or on public open space.
3. **Open Space.** All open space (landscaped and usable) shall be so designed as to add to the visual amenities of the vicinity by maximizing its visibility for persons passing the site or overlooking it from nearby properties. The location and configuration of usable open space shall be so designed as to encourage social interaction, maximize its utility, and facilitate maintenance.
4. **Circulation.** With respect to vehicular, pedestrian and bicycle circulation, including entrances, ramps, walkways, drives, and parking, special attention shall be given to location and number of access points to the public streets (especially in relation to existing traffic controls and mass transit facilities), width of interior drives and access

points, general interior circulation, separation of pedestrian and vehicular traffic, access to community facilities, and arrangement of vehicle parking and bicycle parking areas, including bicycle parking spaces required by Section 8.13 that are safe and convenient and, insofar as practicable, do not detract from the use and enjoyment of proposed buildings and structures and the neighboring properties.

5. **Surface Water Drainage.** Special attention shall be given to proper site surface drainage so that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Available Best Management Practices for the site should be employed, and include site planning to minimize impervious surface and reduce clearing and re-grading. Best Management Practices may include erosion control and storm water treatment by means of swales, filters, plantings, roof gardens, native vegetation, and leaching catch basins. Storm water should be treated at least minimally on the development site; that which cannot be handled on site shall be removed from all roofs, canopies, paved and pooling areas and carried away in an underground drainage system. Surface water in all paved areas shall be collected at intervals so that it will not obstruct the flow of vehicular or pedestrian traffic, and will not create puddles in the paved areas.
6. In accordance with Section 3.3.4, the Board may require from any applicant, after consultation with the Director of Public Works, security satisfactory to the Board to insure the maintenance of all **storm water facilities** such as catch basins, leaching catch basins, detention basins, swales, etc. within the site. The Board may use funds provided by such security to conduct maintenance that the applicant fails to do. The Board may adjust in its sole discretion the amount and type of financial security such that it is satisfied that the amount is sufficient to provide for the future maintenance needs.
7. **Utility Service.** Electric, telephone, cable TV and other such lines and equipment shall be underground. The proposed method of sanitary sewage disposal and solid waste disposal from all buildings shall be indicated.
8. **Advertising Features.** The size, location, design, color, texture, lighting and materials of all permanent signs and outdoor advertising structures or features shall not detract from the use and enjoyment of proposed buildings and structures and the surrounding properties. Advertising features are subject to the provisions of Section 6.2 of the Zoning Bylaw.
9. **Special Features.** Exposed storage areas, exposed machinery installations, service areas, truck loading areas, utility buildings and structures, and similar accessory areas and structures shall be subject to such setbacks, screen plantings or other screening methods as shall reasonably be required to prevent their being incongruous with the existing or contemplated environment and the surrounding properties.
10. **Safety.** With respect to personal safety, all open and enclosed spaces shall be designed to facilitate building evacuation and maximize accessibility by fire, police, and other emergency personnel and equipment. Insofar as practicable, all exterior spaces and interior public and semi-public spaces shall be so designed as to minimize the fear and probability of personal harm or injury by increasing the potential surveillance by neighboring residents and passersby of any accident or attempted criminal act.
11. **Heritage.** With respect to Arlington's heritage, removal or disruption of historic, traditional or significant uses, structures, or architectural elements shall be minimized insofar as practicable, whether these exist on the site or on adjacent properties.

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12. **Microclimate.** With respect to the localized climatic characteristics of a given area, any development which proposes new structures, new hard-surface ground coverage, or the installation of machinery which emits heat, vapor, or fumes, shall endeavor to minimize, insofar as practicable, any adverse impact on light, air, and water resources, or on noise and temperature levels of the immediate environment.

13. **Sustainable Building and Site Design.** Projects are encouraged to incorporate best practices related to sustainable sites, water efficiency, energy and atmosphere, materials and resources, and indoor environmental quality. Applicants must submit a current Green Building Council Leadership in Energy and Environmental Design (LEED) checklist, appropriate to the type of development, annotated with narrative description that indicates how the LEED performance objectives will be incorporated into the project. (LEED checklists can be found at <http://www.usgbc.org/DisplayPage.aspx?CMSPageID=220b>)