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Redevelopment Board Minutes 10/20/2008

Arlington Redevelopment Board
Minutes of October 20, 2008

Members Present: Andrew West, Chair
Christopher Loreti, Vice Chair
Edward Tsoi
Bruce Fitzsimmons
Roland Chaput

Also Present: Kevin J. O'Brien

Andy West called the meeting to order at 6:45 so Board members could welcome back Ed Tsoi who returned to the Board after an illness. Selectmen Clarissa Rowe and Diane Mahon also visited to express their welcome.

At 7:00 pm, Roland Chaput arrived and Andy West opened the public hearing on the request for a special permit for a CVS retail store at 837 Mass. Ave. and indicated that CVS had requested that the hearing be postponed because they had acquired more land and would change their proposal somewhat. Ed Tsoi moved that the hearing be continued to 7:00 pm on November 17 in the second floor conference room of the Town Hall Annex. Bruce Fitzsimmons seconded the motion and the Board voted 5 to 0 to approve.

Andy West then asked to take the discussion of the Symmes project agenda item out of order in order to confer with counsel who was present at the meeting. Kevin O'Brien introduced Tad Heuer of Foley Hoag to confer with the Board on its options if Symmes Redevelopment Associates is unable to fulfill its obligations under the Land Disposition Agreement. The discussion ranged over the possibilities of the land reverting to the Town, liens on the property, performance bonds, paying for building permits, escrowing building permit fees, etc. Michelle Barry and Jim Doherty in the audience asked questions. In response to Chris Loreti's question about the process going forward, Kevin O'Brien explained that the Board must decide on an agreement with SRA by next Monday and the Kevin O'Brien would work with SRA to arrive at an agreement before then. The Board indicated that it was interested in granting an extension, getting paid for building permits, and getting liens on the property removed.

Andy West next took up the subject of the Board's appeal of the building permit issued for 197 Broadway. Before beginning Andy West asked the property owner, Jim Doherty if he wanted to say anything about the case. Jim Doherty replied that he did not wish to comment on the case, but wished at a later date to make comments on the minutes of the Board's October 6, 2008 meeting minutes. He asked that the Board not approve the minutes tonight. Bruce Fitzsimmons then went over his memo to be sent to the ZBA and which contains the argument the ARB wishes to present. Members suggested some changes and Bruce Fitzsimmons said he would make the changes and send the memo and attachments to Kevin O'Brien so it could be distributed in the next day or two.

Jim Doherty remarked that the Board seemed to be using his plans to makes its case and that the Board did not have his permission to use the plans. Kevin O'Brien replied that he got the plans from the building inspector and believed that they were public record.

Andy West then asked the Board to talk about the Broadway Plaza lights. Kevin O'Brien explained that the choices before the Board included a pole that could be bolted onto the existing light pole foundations. The materials given to the Board showed two different bases. After some discussion, Chris Loreti moved that the Board confirm its selection of the pole and the base. Roland Chaput seconded the motion and the Board voted 5 to 0 to approve.

Andy West then asked the Board to discuss the traffic impact study that had been submitted for the proposed CVS development. Andy West wanted to know the Board's concerns or questions that could be communicated to a peer review consultant the Board will hire to review the study. The Board suggested several questions and asked that the Transportation Advisory Committee also make suggestions.

The Board then turned its attention to its long range schedule. Bruce Fitzsimmons offered to contact persons who received storefront improvement advice but who have not done the work. He would coordinate his contact with Dave Berry.

The Board then took up the review of minutes. Several changes were suggested for the minutes of October 6, 2008. Bruce Fitzsimmons indicated that the Board needn't wait for input from an attendee at the meeting as Jim Doherty requested, but that he would like the minutes to be revised as discussed and brought back for Board approval. The Board then reviewed the Minutes of the August 25, 2008 meeting. Roland Chaput moved that they be approved. Bruce Fitzsimmons seconded the motion and the Board voted 4 to 0 to approve. Ed Tsoi abstained because he had not attended the August 25 meeting.

Chris Loreti said that the Board should officially receive the October 6, 2008 letter from Jim Doherty and therefore moved that the Board receive the letter from Jim Doherty regarding his property at 197 Broadway that he gave to the Board at its October 6, 2008 meeting and which was distributed to the Board members last week. Roland Chaput seconded the motion and the Board voted 5 to 0 to receive the letter.

The Board then discussed a date for its annual meeting and decided to have it on November 3rd.

The meeting adjourned at 10:10 pm.

Respectfully submitted,
Kevin J. O'Brien