



Town of Arlington, Massachusetts
Department of Planning and Community Development
730 Massachusetts Avenue, Arlington, Massachusetts 02476

Public Hearing Memorandum

The purpose of this memorandum is to provide the Arlington Redevelopment Board and public with technical information and a planning analysis to assist with the regulatory decision-making process.

To: Arlington Redevelopment Board
From: Claire V. Ricker, AICP Secretary Ex-Officio
Subject: Environmental Design Review, 2 Reservoir Road, Arlington, MA Docket #3819
Date: October 3, 2024; Amended October 4, 2024

I. Docket Summary

This is an application by David and Linnea Berggren, 2 Reservoir Road, Arlington, MA 02474, to open Special Permit Docket #3819 in accordance with the provisions of MGL Chapter 40A § 11, and the Town of Arlington Zoning Bylaw Section 3.3, Special Permits, and Section 3.4, Environmental Design Review.

The applicant proposes to renovate the existing non-conforming single-family residence located at 2 Reservoir Road, Arlington, MA, in the R1 district, by constructing an addition to the first floor and adding a dormer to the second floor. The opening of the Docket is to allow the Board to review and approve the project under Section 3.3, Special Permits, and Section 3.4.2.(b), Environmental Design Review. The application is before the Redevelopment Board due to the project's location abutting the Minuteman Bikeway.

Materials submitted for consideration of this application include:

- Application for EDR Special Permit,
- Dimensional and Parking Information,
- Impact Statement,
- Site Plan,
- HERS rating certificate
- LEED Notes,
- Architectural Drawings.

II. Application of Special Permit Criteria (Arlington Zoning Bylaw, Section 3.3)

1. Section 3.3.3.A.

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.

A residence has been established at this site for many years, it is a pre-existing, non-conforming residence in the R1 district. The applicant is making changes to the exterior of a single-family house abutting the Minuteman Bikeway, and any such change is subject to Environmental Design Review. The project is the subject of the special permit as required by Section 3.4.2 Applicability. The Board can find that this condition is met.

2. Section 3.3.3.B.

The requested use is essential or desirable to the public convenience or welfare.

Extension of the single-family use is desirable as many other single-family residences exist in the neighborhood and contribute to housing options in the Town. The Board can find this condition met.

3. Section 3.3.3.C.

The requested use will not create undue traffic congestion or unduly impair pedestrian safety.

The proposed single-family residential use is the same as the pre-existing, single-family use that has been on the site for many years. As such, it will not create any significant additional traffic or pedestrian safety impacts in the area. Moreover, the property abuts the Minuteman Bikeway, which increases the likelihood that residents will travel by bike to their destinations. The Board can find this condition met.

4. Section 3.3.3.D.

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.

Single-family residential use has been on the site for many years and has not overloaded any public utilities. The Board can find this condition met.

5. Section 3.3.3.E.

Any special regulations for the use as may be provided in the Bylaw are fulfilled.

There are no special regulations which apply to the proposed use. The Board can find this condition met.

6. **Section 3.3.3.F.**

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.

There will be no perceivable impact to the integrity or character of the district or the adjoining open space district along the Minuteman Bikeway. The Board can find this condition is met.

7. **Section 3.3.3.G.**

The requested use will not, by its addition to a neighborhood, cause an excess of the use that could be detrimental to the character of said neighborhood.

The pre-existing nonconforming use has been present in this neighborhood at this building and other adjacent buildings for decades and does not impair the integrity or character of the neighborhood. The Board can find this condition met.

III. **Environmental Design Review Standards (Arlington Zoning Bylaw, Section 3.4)**

1. **EDR-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.

The project proposes to remove 8 trees with less than 8" DBH and replace them with 14 trees of native species. The rear left portion of the lot is within 100 feet of No Name Brook, thus the plantings in that area are under the jurisdiction of the Conservation Commission. The applicant has received approval from the Conservation Commission regarding the landscaping in that portion of the site. The Board can find this condition is met.

2. **EDR-2 Relation of the Building to the Environment**

Proposed development shall be related harmoniously to the terrain and to the use, scale, and architecture of the existing buildings in the vicinity that have functional or visible relationship to the proposed buildings. The Arlington Redevelopment Board may require a modification in massing so as to reduce the effect of shadows on the abutting property in an R0, R1 or R2 district or on public open space.

The proposed single-family dwelling renovations will be similar in scale to the existing single-family dwellings on Reservoir Road and Nourse Street. The front and side yard lines abut public ways, and there will be no substantial change to those transitions. The Board can find this condition met.

3. **EDR-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 by 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.

The proposed renovation and expansion will reduce overall usable open space on the proposed site. Although the lot size is non-conforming and the Conservation Commission has imposed restoration restrictions, sufficient useable open space is available. The Board can find this condition met.

4. EDR-4 Circulation

With respect to vehicular and 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 6.1.12 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.

The applicant proposes no changes to the existing driveway and exterior tandem parking for two cars. There is no minimum number of long- or short-term bicycle parking spaces required for single family structures. The Board can find this condition met.

5. EDR-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 stormwater treatment by means of swales, filters, plantings, roof gardens, native vegetation, and leaching catch basins. Stormwater 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 in intervals so that it will not obstruct the flow of vehicular or pedestrian traffic and will not create puddles in the paved areas.

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 ensure the maintenance of all stormwater 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 any future maintenance needs.

Due to the project's proximity to No Name Brook, the applicant previously appeared before the Conservation Commission, which reviewed the site and stormwater plans and issued a permit with conditions on April 8, 2024. The Board can find this condition met.

6. EDR-6 Security for Stormwater Facilities

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.

The applicant agrees to work with DPW and the Town Engineer as necessary to secure stormwater facilities onsite. The Board can find this condition met.

7. EDR-7 Utility Service

Electric, telephone, cable TV, and other such lines of equipment shall be underground. The proposed method of sanitary sewage disposal and solid waste disposal from all buildings shall be indicated.

Utility access will not change as a result of this proposal. The Board can find this condition met.

8. EDR-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.

As a residential property, there will not be any advertising features apart from house numbers. The Board can find this condition met.

9. EDR-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.

As a residential property, there will not be any special features. The Board can find this condition met.

10. EDR-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 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.

The proposed single-family dwelling addition and dormer are designed in compliance with the Ninth Edition of the Massachusetts State Building Code and shall not include public or semi-public spaces. The Board can find this condition met.

11. EDR-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 practical whether these exist on the site or on adjacent properties.

The building and property are not listed on the *Inventory of Historically or Architecturally Significant Properties in the Town of Arlington*. The Board can find this condition met.

12. EDR-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 impacts on light, air, and water resources or on noise and temperature levels of the immediate environment.

There are no significant impacts to the neighborhood microclimate as a result of this proposal. The Board can find this condition met.

13. EDR-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.

A LEED checklist was not provided for this proposal; however, notes pertaining to LEED certification and an analysis of the HERS rating for the structure were included. The proposal is subject to the specialized stretch code. The Board may consider requesting that a LEED for Homes – single family checklist be provided.

IV. Findings

1. The board may find that the nature and use of the property is such that an addition to the first floor and a dormer visible from the Minuteman Bikeway is in the public interest consistent with section 3.4 of the Zoning Bylaw.
2. The board may find that the project is consistent with Environmental Design Review per Section 3.4 of the Zoning Bylaw.

V. Conditions

A. General

1. The final design, sign, exterior material, landscaping, and lighting plans shall be subject to the approval of the Arlington Redevelopment Board or administratively approved by the Department of Planning and Community Development.
2. Any substantial or material deviation during construction from the approved plans and specifications is subject to the written approval of the Arlington Redevelopment Board.
3. The Board maintains continuing jurisdiction over this permit and may, after a duly advertised public hearing, attach other conditions or modify these conditions as it deems appropriate in order to protect the public interest and welfare.
4. Snow removal from all parts of the site, as well as from any abutting public sidewalks, shall be the responsibility of the owner and shall be accomplished in accordance with Town Bylaws.
5. Trash shall be picked up only on Monday through Friday between the hours of 7:00 am and 6:00 pm. All exterior trash and storage areas on the property, if any, shall be properly screened and maintained in accordance with Article 30 of Town Bylaws.
6. The Applicant shall provide a statement from the Town Engineer that all proposed utility services have adequate capacity to serve the development. The applicant shall provide evidence that a final plan for drainage and surface water removal has been reviewed and approved by the Town Engineer.
7. Upon installation of landscaping materials and other site improvements, the Applicant shall remain responsible for such materials and improvement and shall replace and repair as necessary to remain in compliance with the approved site plan.
8. All utilities serving or traversing the site (including electric, telephone, cable, and other such lines and equipment) shall be underground.
9. Upon the issuance of the building permit, the Applicant shall file with the Building Inspector and the Department of Community Safety the names and telephone numbers of contact personnel who may be reached 24 hours each day during the construction period.
10. Building signage shall be filed with and reviewed and approved by the Department of Planning and Community Development and Inspectional Services.