

Town of Arlington Massachusetts



1991 Annual Report

Board of Selectmen

Kevin F. Greeley, Chairman
Stephen J. Gilligan, Vice Chairman
Kathleen Kiely Dias
Franklin W. Hurd Jr.
Charles Lyons

Town Manager

Donald R. Marquis

COMMUNITY DEVELOPMENT

Planning and Community Development Redevelopment Board

The Department of Planning and Community Development was created by the Town Manager in 1969. Two years later, the Arlington Redevelopment Board was created at the request of the Town Meeting by a special act of the State Legislature. The goal of the Town Manager and the Town Meeting was to create a board that could work effectively to expand the tax base of the town while ensuring that the town remain an attractive, livable, residential community. The board and the department have focused their efforts on the improvement and expansion of the existing business districts along Massachusetts Avenue and on the general improvement of the quality of life throughout the town. The Redevelopment Board is responsible by statute as the town's planning board for zoning, comprehensive planning, and land use development. The board spends considerable time functioning as a special permit granting authority in the administration of the town's Environmental Design Review process that was enacted by the Town Meeting in 1975 to control major development. In addition the board, as authorized by law, can undertake specific development projects as a Chapter 121B Urban Renewal operating agency. Four members of the board are appointed to staggered three year terms by the Town Manager subject to the approval of the Board of Selectmen. The fifth member is appointed by the Governor. Currently, three members of the board are also elected members of the Town Meeting. All members must be residents of the Town of Arlington, and they serve without compensation.

The Department of Planning and Community Development, staffed by three full-time professional planners and a supporting staff of two, provides staff assistance to the Redevelopment Board. The director serves as Secretary Ex-

Officio. This is a unique arrangement in Massachusetts since Arlington has the first and now one of the few boards that serves both as a planning board and a redevelopment authority. Through this arrangement the town has achieved a considerable savings in administering and operating planning and development programs. The director is appointed by and directly responsible to the Town Manager for planning and community development matters on a daily basis. In addition, the director has the responsibility of managing the Federal Community Development Block Grant Program for the Town Manager and the Board of Selectmen. The director also serves as executive director of the Menotomy Weatherization Program, which receives state and federal funds to provide weatherization assistance to Arlington and the towns of Belmont, Lexington, and Watertown, and the cities of Waltham and Cambridge.

As needs have changed in Arlington, the board has also assumed major responsibilities for real estate management and development. The board has had the overall responsibility for the disposal and/or development of surplus town properties. The board was responsible for directing private redevelopment of the Locke and Cutter Schools in concert with the wishes of the neighbors as well as the former Arlington Police Station on Central Street and the MBTA Power Station on Water Street. The board also acts as landlord for the Parmenter and Crosby Schools that were transferred to the board by Town Meeting for a ten year period in 1983. The board redeveloped and now acts as the manager of the Central School and 23 Maple Street which were converted into a self-funded 30,000 square foot human services office complex and multi-purpose senior center at no direct cost to the town. The Arlington Seniors' Association, an independent, private, non-profit organization, has been allowed to occupy the first floor of this building rent free for the last six years. In addition, the Arlington Council on

Aging, a town agency, occupies half the ground floor rent free. This was made possible through the efforts of the Redevelopment Board, which rented the remaining sixty percent of the building at market rates. The board also acts as landlord for the former Gibbs Junior High School, and the Jefferson Cutter House recently relocated to the new Town Common. Currently the board, supported by the department, is the fifth largest property holder in town with a responsibility for approximately 200,000 square feet of floor space occupied by twenty tenants.

The Director of Planning and Community Development also represents the town on several regional agencies. The director has been a long-term member of the Metropolitan Area Planning Council, the regional planning agency that represents 101 cities and towns in metropolitan Boston. The director has been a member of its executive committee for thirteen years and served as president for two years. The Metropolitan Area Planning Council provides a regional perspective to such areas as land use, economic development, housing, transportation, and environmental quality. In addition, the director represents the town on the Joint Regional Transportation Committee that focuses on transportation planning issues in metropolitan Boston. The director served as its chairman in 1983. Finally, the director also serves on the Governor's state-wide Bicycle Advisory Board.

The year 1991 continued the slow period of development that has been present in Massachusetts for the last four years. The news media has abounded with stories of massive real estate failures. Although Arlington has seen a number of foreclosures and bank failures, we have not experienced the massive vacancy rates common in many of the surrounding communities. Arlington Center continues to have difficulty as a small independent business center. The town has increased the parking supply, improved traffic

COMMUNITY DEVELOPMENT

flow, and provided numerous amenities; but, unfortunately, the center has been unable to find its niche in the regional retail marketplace. Successful investments have been made by some tenants and their landlords, but this is the exception, not the norm. We believe that a major effort at investment will have to be undertaken by the landlords and existing and/or future tenants before the center improves.

The Minuteman Bikeway project which replaces the Lexington Branch Railroad that has bisected the Town of Arlington since 1846 is now under way. The concept for this project began at a Redevelopment Board meeting in August of 1974. Funds for its construction were authorized by a State Transportation Bond Issue. The Interstate Commerce Commission gave its final approval in August of 1991. The groundbreaking took place on November 26, 1991, and by the end of the year, the contractor was removing the rails and ties. The entire project is expected to be completed by July 1, 1993. Current plans call for the Arlington section to be finished in the fall of 1992. This project, being undertaken at no cost to the Town of Arlington, will physically link the majority of our parks and playgrounds in the central core of Arlington. It will also provide a direct linkage to our largest tract of public open space - the 185 acre Great Meadows Sanctuary in East Lexington.

The department continues to coordinate the efforts of the Arlington Mapping Commission. Arlington will obtain a digital map of the town which will be able to be displayed on computer and printed out in different configurations for different town uses. The computer map will allow town departments to attach data to it for cataloging and analysis purposes. The map system will be the basis for all town mapping for the foreseeable future and will be created with great accuracy and be able to be easily updated as changes occur. We have been successful in negotiating a cost sharing arrangement

with Boston Edison. We expect that the first products of our efforts will be seen during 1992. This project has been a long-time effort of the board and the department. It will bring Arlington into the forefront of geographic information systems. Many communities are extremely interested in our efforts. Kevin O'Brien, the Assistant Director, Planning and Community Development, published an article describing the process in a national publication known as GEO INFO Systems.

The town has just finished the first year of a long-term goal setting process which has been labeled Vision 2020. The department and the Board have participated with many other town officials and citizens to understand what Arlington is and where it would like to be early in the next century. This effort has involved extensive participation by residents and a massive information gathering and distributing network. We hope that when the project is completed in 1992, Arlington will have a greater understanding of what it is and where it would like to be in the future. This effort has provided an opportunity for all participants to think beyond the day to day budget crises that have so pervaded town decision making during the last ten years.

After many years of study and deliberation, the Redevelopment Board and the Department of Planning and Community Development proposed a major rezoning to the Town Meeting last spring. This undertaking increased the minimum lot size and frontage requirements in the Morningside district. The effect was to increase the minimum lot size and frontage requirements for approximately 500 properties in this neighborhood. This was proposed by the Board and adopted by Town Meeting in order to preserve this neighborhood which had been built in the 1950's with lots that exceeded the minimum standards of 6,000 square feet. During the heady development days of the mid 1980's, we began to see those larger lots being subdivided and developed with houses that were totally

incongruous to the neighborhood. The rezoning effort involved correspondence with every property owner in the district in an attempt to ascertain their desires. The rezoning was successful at Town Meeting due in large measure to this communication process. This was made possible by the presence of our geographic information system and its ability to assemble data and provide direct communication to the affected parties.

The efforts of the Department of Planning and Community Development and the Redevelopment Board require us to listen and understand the concerns of the town's residents. Citizen involvement and participation is crucial. The board and the department require and need input from other town officials including the Board of Selectmen, Town Manager, School Committee, Finance Committee, Town Meeting Members, and other department heads, commissions, and citizens. The department and the board take pride in their ability to explain complex issues relating to land use and development in the future of the town. We welcome citizen input and hope that as questions arise you will feel free to call the department with your questions and concerns. If it appears that further discussions at a public session are necessary, arrangements can be made for those discussions at the regularly scheduled Redevelopment Board meetings. The department and the board welcome the opportunity to serve you, the residents of the Town of Arlington.

Arlington Housing Authority

The Arlington Housing Authority is an independent board of five commissioners charged with providing safe, decent and sanitary housing for eligible persons of low income. Four of the commissioners are elected to staggered five year terms by the voters of Arlington and the fifth commissioner is appointed by the Governor. No town

MINUTES OF JANUARY 7, 1991

Members Present: Barry Faulkner
Doris Cremens
Bill Sovie

In Addition: Alan McClennen, Jr.
Secretary ex officio
Kevin O'Brien, Asst. Dir.
Planning and Community Dev.
Andrew Vorce, Planner

The Redevelopment Board convened to discuss proposed Warrant Articles for submission to the 1991 Annual Town Meeting.

Mr. McClennen provided background information on the warrant articles on which the staff was considering for submission to the Board for submission to the Annual Town Meeting. The articles basically deal with four issues: The first is the continued effort to develop a new zoning district for the Morningside Area. The second deals with the refinement of last year's article on Bed and Breakfasts. The third major article would create a new procedure known as Noncriminal Disposition to provide for an easier way to deal with zoning violations. Finally, there would be an article or articles dealing with corrective amendments to the Bylaws.

Mr. Vorce briefed the Board on his research on the development of R0 District. The subject has been discussed over the last several years and, now, it is ready to be proposed. Messrs. Vorce and O'Brien have tested a series of alternatives in the Morningside Area. By using the GIS System, it is possible to develop a series of alternative districts with different minimum lot sizes and different frontages. This has been done for a number of variables. At the present time, it looks as if the new R0 District could contain 408 parcels if the minimum lot size were 9000 square feet with 75 feet of frontage. The current calculation is that this set of provisions would create 51 nonconforming lots; seven would be nonconforming with both area and frontage; two are not buildable anyway. Twenty-seven of the lots would end up with frontages of less than 75 linear feet, and 17 would have less than the 9000 square foot minimum, but all of these lots contain existing buildings. The Board reviewed the implications of the map as described by Mr. Vorce. They had a number of questions concerning specific areas and lots and then directed the staff to continue to refine the R0 District and the text so that it may be submitted for consideration by the warrant.

Kevin O'Brien reviewed his memorandum of January 4, 1991, which described the Bed and Breakfast in great detail. The Board agreed that it would be appropriate to proceed with the article and requested that refinement be made for submission to the Board of

selectmen later in the month.

There was discussion concerning the noncriminal disposition procedures. Alan McClennen and Andrew Vorce are researching the matter, particularly calling communities that have them in effect. The article will be ready for submission. The Board concurred that it should be submitted.

9:00 p.m. - Director's Report:

1. Mr. McClennen briefed the Board on his memorandum of January 4, 1991. The Rembrandt, located at 975 Massachusetts Avenue, has requested the addition of a roof structure to house additional heating equipment to try to reduce the cost of heating in the building. Mr. Sovie informed the Board that his firm, Simpson, Gumpert, and Heger, Inc., has had a business relationship with the owners of the Rembrandt; and, therefore, he must absent himself from all further discussions. The Board requested that Alan follow-up by discussing the matter with Tom Falwell, Ed Tsoi, and then authorize him to proceed to negotiate the specifics with the Rembrandt Condominium Association.

2. Status Report, Construction at Gibbs Jr. High School and Crosby School:

Mr. McClennen briefed the Board concerning the status of work at both schools. Information was contained in his written report of January 4, 1991.

3. Status Report on Lease Negotiations at Central School:

Mr. McClennen reviewed with the Board the materials transmitted in his Director's Report of January 4, 1991, concerning discussions with State agencies concerning the leases at the Central School. He noted that, if the State does proceed to try and reduce the rent from over \$16/square foot to \$10/square foot, there will be no positive cash flow to repay the \$360,000 Senior Center Grant that became a loan in 1985. He recommended that, if the State proceeded to demand a reduction in rent quid pro quo would be the removal of the \$360,000 note because, otherwise, there is no way that the building can repay that note.

10:00 p.m. - Adjournment. Moved by Mr. Sovie, seconded by Mrs. Cremens, to adjourn. Unanimous vote in favor.

Respectfully submitted,

Alan McClennen, Jr.
Secretary ex officio

AMC/an

MINUTES OF JANUARY 28, 1991

MEMBERS PRESENT: Barry Faulkner, Chairman
Tom Falwell
Ed Tsoi
Bill Sovie
Doris Cremens

IN ADDITION: Alan McClennen, Jr.
Secretary ex officio
Kevin O'Brien, Asst. Director
Planning and Community Development

8:00 p.m. - Mr. Donald Smith, principal of Henley Enterprises, met with the Board to review other matters relating Valvoline Express Lube facility located at Mystic Street.

Mr. Smith said that as plans have progressed, he has made several changes for the Board's consideration. In reviewing signage, he has decided to do away with the soffit lighting for the fabric sign facing the entrance of the building. He would like to have individual letters on Mystic Street, which would be white and opaque. They would be a steel edged letter and be lit only during open hours. As far as the security light is concerned, he is still awaiting specifications from General Electric. He will return to the Board as soon as he has them for approval. As far as operating hours are concerned, his store will normally close at 6:00 p.m., although they have tried an 8:00 p.m. closing on Thursday night in Waltham and in Roslindale. It worked in Waltham and did not work in Roslindale. The Board requested Mr. McClennen to look at the Valvoline facility at 182 Washington Street in Somerville to see the impact of the internally lit signage. Following further discussion, the Board moved to approve Mr. Smith's proposal.

Motion: Moved by Mr. Falwell, seconded by Mr. Tsoi, to approve the proposals for signage and security lighting subject to final approval of Mr. McClennen. Unanimous vote in favor.

2. The Board reviewed the warrant articles submitted to the Board of Selectmen for consideration by the Annual Town Meeting.

Motion: Moved by Mr. Falwell, seconded by Mrs. Cremens, to approve and authorize the submission of the subject warrant articles. Unanimous vote in favor.

It was agreed that the public hearing on zoning articles would commence on March 4, 1991. A second hearing would be held on

March 11. This would permit the RO District to be discussed on one night without other articles being considered at that time.

3. Approval of the minutes: Moved by Mr. Falwell, seconded by Mr. Tsoi, to approve the minutes of September 17 and September 24, 1990. Unanimous vote in favor with Mr. Sovie abstaining.

9:00 p.m. - Other Business:

The Board reviewed the matter of Mr. Falwell's appointment to the Board and requested that Mr. McClennen write a letter to the Executive Office of Communities & Development urging the reappointment of Mr. Falwell. Copies of the letter should go to Senator Havern, Representative Gibson, and Representative Marzilli.

It was agreed that the Board would hold its annual meeting on March 25 and that Mr. McCarthy would be invited as a guest of the Board.

Adjournment: Moved by Mr. Sovie, seconded by Mrs. Cremens, to adjourn. Unanimous vote in favor.

Respectfully submitted,

Alan McClennen, Jr.
Secretary ex officio

AMcC/an

MINUTES OF MARCH 4, 1991

MEMBERS PRESENT: Barry Faulkner, Chairman
Tom Falwell
Doris Cremens
Bill Sovie

IN ADDITION: Alan McClennen, Jr.
Secretary ex officio
Kevin O'Brien, Asst. Director
Planning and Community Development
Andrew Vorce, Planner

8:00 p.m. - Public Hearing on Articles 4, 5, 6, 7, 8, 9, 10, 11, 13, and 14 of the Warrant for the Annual Town Meeting of 1991.

Mr. Faulkner opened the meeting and polled those present to determine the order of hearing. He indicated that the articles will be heard in the order of Article 14, Article 7, Article 13, and then Articles 4, 5, 6, 8, 9, 10, and 11. This would be done to accommodate the largest number of people who were present for each of the articles.

Public Hearing - Warrant Article 14: Mr. Faulkner opened the hearing on Article 14. Mr. David Leone and his son Robert Leone, owners of the property, briefed those present on their design. They want to change the zoning to Residence 6 in order to allow them to convert the historic carriage house into two dwelling units. The house at 57 Winter Street is a two-family house that contains two dwelling units. The carriage house is in a state of disrepair, and they would like to repair it. That conversion is not permitted in the existing R2 zoning district. Mr. Leone had plans showing what was proposed, and he and his son showed in detail how the development would proceed.

Mr. Faulkner asked for those wishing to speak on the matter.

Mrs. Joan Atlas, a resident of 10 Cleveland Street, and a Town Meeting member, expressed concern with the proposal. She and her husband live directly behind the carriage house and they are concerned because there is only six feet between the carriage house and her fence. She agreed that something should be done to the barn, which is in a state of disrepair. However, she is troubled by the closeness of the barn to her property. She is concerned about the loss of privacy in her rear yard; and, in general, if the project does proceed, she requests that the facade facing her yard be maintained as is and not opened up with additional windows.

Mr. Mark Zouter, also of 10 Cleveland Street, expressed additional concerns. He felt that expansion of the property would result in

additional parking, additional noise, and more pollution. It would also result in an increase in the density of population.

Mr. Falwell noted that Leone's lot is four times as large as the surrounding lots. Mr. Zouter countered by saying that the density of the area to the rear of #9 and #11 Winter will suddenly be twice as high due to the L shape nature of Leone's lot. Mr. Leone also indicated that he intended to submit and execute a preservation restriction which will prohibit nonresidential uses on this property.

Mr. James Haberman, 12 Cleveland Street, expressed concern about the disruption to a quiet and peaceful neighborhood. He does not want to see the balance disturbed. Mrs. Atlas requested information on what protections could be provided to the neighbors. Mr. Faulkner noted that the use proposed would require a Special Permit under 6.03; and, as far as the Board is concerned, there would have to be a preservation restriction executed as part of the rezoning commitment. Mr. Falwell noted for the record that he would not support the change unless the preservation restriction was recorded.

Mr. Bob Gesies of 18 Cleveland Street asked if there were any floor plans that had been prepared to-date. Mr. David Leone said that there are no floor plans that have been prepared as of yet. They are working with a 35 by 40 foot structure, and the materials prepared to-date generally deal with how the elevations could be improved in a historical manner. Mr. Robert Leone indicated that there have been just preliminary discussions concerning how the structure could be converted to two dwelling units. Mr. Vorce noted for the record that the architect had met with the Arlington Historical Commission and had indicated that the floor plans were not prepared as of this date.

Mr. Stephen Pekich, a property owner at 18 Winter St., requested additional information about the proposed preservation restriction. Mr. Faulkner read a memorandum that the Board had received from the Arlington Historical Commission indicating that they would approve the proposal and would support the rezoning provided that the historic character of the property was maintained. Mr. Pekich asked what control would be placed on future owners. Mr. Falwell stated that any preservation restriction provided for the property would run with the land and would require that any future owner comply with its conditions. He noted that a preservation restriction is only one of three restrictions that can become enforceable on a property in perpetuity. The other two are agricultural and conservation restrictions.

Joan Atlas stated again that parking is still a concern for her and she would like to see it limited to one unit in the conversion process. Mr. David Leone responded by saying that he does not want to do anything that would upset the neighborhood. However, there are financial considerations. The architect has indicated that it would take approximately \$150,000 to make the proposed conversion;

and, in order to make that financially feasible, Mr. Leone indicated that he would need to have two dwelling units.

There being no further information requested or provided on Article 14, Mr. Faulkner declared the hearing closed. He indicated that the Board would take the position on the rezoning at a future public meeting.

The next warrant article to be heard was Article 7, a Provision Dealing with Second Driveways in Residence Districts: Mr. McClennen reviewed the reasons for the proposal. He noted that there were several instances where the existing bylaw, which had been adopted in 1972, was silent or believed to be unenforceable with second driveways. He noted two cases in the Kensington Park area with properties owned by Mr. Perillo and Mr. Lipson, where the existing provisions did not properly deal with legitimate neighborhood concerns.

Mr. Mario DiPerna, resident of 115 College Avenue, was present with Mr. Joseph Leonetta. Mr. DiPerna stated that Zoning Bylaws are not enforceable: People are parking boats, cars, and trucks throughout the residential neighborhoods; and, as a result, abutters with disputes have no place to go. He raised several other concerns dealing with zoning in general. He was particularly concerned about the lack of adequate response from the Building Inspector on zoning concerns.

Mr. McClennen noted that under the law, if a person files a written complaint, the Building Inspector must respond in writing within fourteen days. Mr. Falwell also reviewed the enforcement provisions of our bylaw and the statute. He noted that the Town was now looking into a noncriminal enforcement procedure, which is far easier than persuading the Board of Selectmen to go to Court to bring about enforcement of zoning issues.

Marie Krepelka, Secretary in the Building Inspector's Office, stated that she has been working there for three and one-half years and she has never received a complaint. Mr. DiPerna responded by saying that he has never received any action on his complaint of January 16, 1990.

There being no further discussion on Warrant Article 7, Mr. Faulkner declared the hearing closed on that article.

The Chairman then opened the Public Hearing on Warrant Article 13, Procedures for Bed and Breakfast in Arlington: Mr. McClennen reviewed the history to this proposal and indicated how the new proposal would address many of the previous concerns.

Mr. John Worden, Town Meeting member from Precinct 8, said that he had two concerns: First, there would be no control over the number of bed and breakfasts that might be established on one street. Second, what would prevent someone getting a Special Permit for a bed and breakfast and then surreptitiously converting the bed and

breakfast to four apartments.

Mr. McClennen reviewed the provisions of the Zoning Bylaw dealing with Special Permits and indicated that he felt the bylaw and the statute were more than adequate to deal with Mr. Worden's concerns.

There being no further questions or discussions on Warrant Article 13, the Chairman called the hearing to a close.

Warrant Article 4, Minor Language Changes to the Zoning Bylaw:
Mr. Faulkner opened the hearing on Warrant Article Number 4. There were no questions or statements from anyone present, and Mr. Faulkner declared the hearing closed.

Warrant Article 5, Concerning the Definition of Service Station.
Mr. Faulkner opened the hearing on Warrant Article Number 5. There were no questions or statements from anyone present, and Mr. Faulkner declared the hearing closed.

Warrant Article 6, Concerning the Definition of Accessory Use 8.01:
Mr. Faulkner opened the hearing on Warrant Article Number 6. There were no questions or statements from anyone present, and Mr. Faulkner declared the hearing closed.

Warrant Article 8, Concerning Alteration of Nonconforming Structures: Mr. Faulkner opened the hearing on Warrant Article Number 8. There were no questions or statements from anyone present, and Mr. Faulkner declared the hearing closed.

Warrant Article 9, Concerning Restoration of Unsafe Structures:
Mr. Faulkner opened the hearing on Warrant Article 9. There were no questions or statements from anyone present, and Mr. Faulkner declared the hearing closed.

Warrant Article 10, Concerning Penalty for Violations: Mr. Faulkner opened the hearing on Warrant Article 10. There were no questions or statements from anyone present, and Mr. Faulkner declared the hearing closed.

Warrant Article 11, Concerning Noncriminal Penalty for Violations:
Mr. Faulkner opened the hearing on Warrant Article 11. There were no questions or statements from anyone present, and Mr. Faulkner declared the hearing closed.

7:55 p.m. - Adjournment: Moved by Mr. Falwell, seconded by Mr. Sovie to adjourn. Unanimous vote in favor.

Respectfully submitted,

Alan McClennen, Jr.
Secretary ex officio

AMC/an

MINUTES OF PUBLIC HEARING MARCH 11, 1991

MEMBERS PRESENT: Mr. Barry Faulkner
Mr. Thomas Falwell
Mrs. Doris Cremens
Mr. Edward Tsoi
Mr. William Sovie

IN ADDITION: Mr. Alan McClennen, Jr.
Secretary ex officio
Mr. Kevin O'Brien, Asst. Dir.
Planning and Community Development

8:00 p.m. - The Redevelopment Board convened in the Robbins Memorial Town Hall to conduct a Public Hearing on proposed amendments to the Zoning Bylaw of the Town of Arlington.

Mr. Faulkner opened the hearing and asked for a show of hands as to who was present for Article 12 and Article 15. After a count of those present, Mr. Faulkner indicated that Article 15, dealing with the RO District, would be heard first. Article 12, dealing with special permit granting authority, would be heard second.

Public Hearing on Warrant Article 15 - RO District:

Mr. McClennen provided a thorough review of the staff's and board's actions prior to the submission of Warrant Article 15 to the Board of Selectmen for consideration by the Annual Town Meeting. He summarized several years of concerns expressed by both the Board and the Department as the lots in the Morningside area of Arlington began to become subdivided and properties on significantly smaller but legal lots were constructed. The Board and the Department had felt that this represented a significant change to the normal character of the neighborhood.

Mr. Philip McCarthy, a resident of 156 Crosby Street, which is in Precinct 16, indicated that he had sat on the Redevelopment Board for fifteen years, and he was delighted that the Board is proposing this amendment. He cited a series of developments that had taken place in the neighborhood that resulted in concerns being expressed by different neighborhoods in the Morningside area. He cited, specifically, the house at 75 Ridge Street, which had been acquired, subdivided at the time of sale, then the garage had been removed to provide enough land to construct a second house. He also talked about the changes that had taken place on Hartford Road and Crosby Hill. He stated that during the last ten years, as development pressures have increased in Arlington, along with an overheated construction economy, many changes which the neighbors and the Town are not prepared to deal with can take place. In many

instances, these developments take place in Morningside with a resulting decline or potential for decline of property values. In his opinion, if the new RO District is to pass, very few, if any people, would be adversely affected. Unfortunately, if it is not passed, there will be a potential of significant change in the neighborhood. Nine thousand square foot minimum lot size is small by the standards of most suburban communities; but, it is fifty percent larger than our current minimum lot size of 6000 square feet. If the Town fails to take any affirmative action on this warrant article, over time there will be a slow erosion of the quality of life to which the residents of Morningside have become accustomed.

Mr. Faulkner indicated that Morningside was the area that the Board decided to deal with first. However, he also noted that there may be other neighborhoods in Arlington where similar conditions exist.

Mr. Samuel Mesher, a resident of 38 Frost Street, stated that he wholeheartedly supported the concept of the RO Zoning. Mr. Bud O'Connell, a resident of 2 Old Colony Road, also stated that he supported the proposal. Mr. John Worden, a resident of 27 Jason Street, stated that he supported the concept, and he hoped that the Board would look carefully at portions of Jason Street to see if this provision might be applicable in that location. Mr. Richard Blagden, a resident of 34 Hutchinson Road, stated that he supported this amendment, and he commended the Redevelopment Board of its foresight.

Mrs. Paula Murphy, the daughter-in-law of Mr. Richard Murphy, 35 Bradley Road, indicated that in her case, he father-in-law will lose a buildable lot that he has created in the side yard of his lot. She indicated that he has two choices to try to build if the RO District is passed. First, he would have to buy additional land from the neighbor or, second, he would have to go to the Zoning Board of Appeals and ask for variances in frontage and in lot area. She indicated that in January, the existing lot was surveyed, subdivided, and recorded at the Registry of Deeds. She proposed that the Board amend the provisions for the RO District as presently written so that any lot that existed prior to the first advertisement of the amendment would be grandfathered.

Ms. Nancy Osmer, a friend of the owner of property at 63 Mystic Street, indicated that her future mother-in-law was going to lose a buildable lot if this bylaw were to be amended. Mr. McClennen indicated that he needed to check the subdivision for that property because the information that was available provided conflicting information. Mr. David Lynch, the Manager of the Century 21 American Hallmark Office in Arlington Center, stated that this proposed amendment would create a significant number of nonconforming lots. Messrs. McClennen and Falwell responded in length and pointed out that of the close to 500 lots that were in the district, very few would actually be made nonconforming due to the protective provisions in Chapter 40A.

Patricia Kelly, the daughter of the owners of property at Upland Road West, indicated that her parents were not adverse to the proposal; however, they have owned a vacant lot since 1955, which they have held as an investment and hoped that the Board would try to figure out a way to protect that investment.

David Lynch stated that he was concerned there might be other areas which might be affected and that the Board and the Town might get carried away and adversely affect other people. Mrs. Conragen, 66 Columbia Road, stated that she had a large lot and she would like to proceed to sell off land in the front yard which has been properly subdivided out of the larger lot. She does not want to lose the investment potential of her property.

Prior to the close of the hearing, Mr. McClennen read a letter from Doctor Carvelli, expressing his concern about losing the buildable potential of a lot that he is creating on Mystic View Terrace. Mr. McClennen stated that the Board had looked at that lot and, in his opinion, there is a way to deal with Doctor Carvelli's concerns.

There being no further testimony, Mr. Faulkner declared the hearing closed.

Warrant Article 12 - Special Permit Granting Authority:

Mr. Faulkner opened the hearing on Warrant Article 12 and briefly explained the subject matter of the hearing. There being no testimony on the hearing, Mr. Faulkner declared it closed.

10:15 P.M. - Adjournment: Moved by Mr. Sovie, seconded by Mrs. Cremens to adjourn. Unanimous vote in favor.

Respectfully submitted,

Alan McClennen, Jr.
Secretary ex officio

AMC/an

MINUTES OF MARCH 18, 1991

MEMBERS PRESENT: Barry Faulkner
Tom Falwell
Doris Cremens
Bill Sovie

IN ADDITION: Alan McClennen, Jr.
Secretary ex officio
Kevin O'Brien, Asst. Director
Planning and Community Development
Andrew Vorce, Planner

8:00 p.m. - Meeting with Permanent Town Building Committee to discuss the library addition project.

Mr. Arthur Loud, Chairman of the Permanent Town Building Committee, Maryellen Remmert Loud, Librarian, and Mr. Leonard Berteaux, Project Architect from Wallace, Floyd and Associates, were present to meet with the Board to review preliminary plans for the Robbins Library addition. In addition, the meeting was called to provide information on the schedule proposed for the public hearing process. Mr. Loud provided preliminary information to the Board about the Library project. It has been in the works for almost ten years; and, just recently, the Town has gotten a preliminary go-ahead from the Commonwealth of Massachusetts and has negotiated the architectural contract with Wallace Floyd, who has been selected almost eight years ago. The Permanent Town Building Committee has set up a very tight schedule to go out to bid in order to take advantage of a window of opportunity for construction later in 1991. The plans to be presented to the Board at this time are very preliminary. However, they will be brought up to much greater detail by the Environmental Design Review Hearing which is scheduled for 7:00 p.m. on Monday, April 8, 1991. Mr. McClennen informed the Board that this will be a joint hearing with the Zoning Board of Appeals and the Redevelopment Board, since there is a variance issue that must be addressed by the Zoning Board of Appeals.

9:15 p.m. - Board review of positions on warrant articles.

Mrs. Joan Atlas was present to discuss Warrant Article 14. She is particularly concerned that there be a very carefully designed quid pro quo allowing Mr. Leone to proceed, but, on the other hand, ensuring that he does not do more than is agreed to. She had talked to Mr. Leone today and has agreed to work jointly on plans with him. Her biggest concern is the second floor window at the top of the staircase. The first floor windows do not bother her because they are behind the fence in her rear yard.

Warrant Article 15:

The Board discussed the options available, to wit, for Warrant Article 15, the creation of the new RO District. They requested Mr. McClennen to review the matter with Town Counsel, John Maher, and determine what legal options are available to deal with the grandfathered lot.

Adjournment: 10:30 p.m. Moved by Mr. Falwell, seconded by Mrs. Cremens, to adjourn. Unanimous vote in favor.

Respectfully submitted,

Alan McClennen, Jr.
Secretary ex officio

AMcC/an

MINUTES OF MARCH 25, 1991

MEMBERS PRESENT: Barry Faulkner
Tom Falwell
Doris Cremens
Ed Tsoi
Bill Sovie

IN ADDITION: Alan McClennen, Jr.
Secretary ex officio
Kevin O'Brien, Asst. Director
Planning and Community Dev.

7:00 P.M. - Board convened to reorganize.

Motion: Moved by Mr. Tsoi, seconded by Mr. Sovie, to elect Mr. Barry Faulkner, Chairman, of the Redevelopment Board. Unanimous vote in favor.

Motion: Moved by Mr. Sovie, seconded by Mr. Tsoi, to elect Tom Falwell as Vice Chairman. Unanimous vote in favor.

7:15 p.m.: Adjournment. Moved by Mr. Faulkner, seconded by Mr. Falwell, to adjourn. Unanimous vote in favor.

Respectfully submitted,

Alan McClennen, Jr.
Secretary ex officio

AMC/an

MINUTES OF APRIL 8, 1991

MEMBERS PRESENT: Barry Faulkner, Chairman
Bill Sovie
Ed Tsoi
Tom Falwell
Doris Cremens

IN ADDITION: Alan McClellenn, Jr.
Secretary ex officio
Kevin O'Brien, Asst. Dir.
Planning and Community Development

7:00 p.m. - The Redevelopment Board convened in joint session with the Zoning Board of Appeals in the Redevelopment Board meeting room on the first floor of the Robbins Memorial Town Hall Annex, to hear the request of the Permanent Town Building Committee for a Variance and Special Permits for the proposed addition to the Robbins Library. Members of the Zoning Board of Appeals sitting in session were Ara Demurjian, Mary Winstanley O'Connor, and Michael Byrne.

Mr. Faulkner opened the hearing, and Mr. Demurjian read the legal notice for the hearing. Mr. McClellenn informed those present that his daughter Margaret was a part-time employee of Wallace Floyd, architects, to the Permanent Town Building Committee. In addition, Messrs. Sovie and Faulkner also indicated that their respective firms, Simpson, Gumpertz, and Heger, and Cambridge Systematics, had past associations with Wallace & Floyd. All three indicated that they did not believe that there was any conflict of interest through these associations.

Mr. Arthur Loud, Chairman of the Permanent Town Building Committee, thanked the Boards for hearing the requested Variances and Special Permits. He indicated that, due to delays at the State and a desire to go out to bid during the summer of 1991, the project was now on an extremely tight time schedule. Mr. Loud introduced David Wallace, Principal in Wallace Floyd, Mr. Leonard Berteaux, Project Architect, Mr. David Sealy from the staff of Wallace Floyd, Mrs. Margaret Spengler, Mrs. Joyce Radocia from the Library Trustees, Mr. Frank Donnelly from the Library Trustees, Mrs. Robert Muldoon from the Library Trustees, and Mrs. Maryellen Remmert Loud, Library Director.

Mr. Loud reviewed the issue required for the variance. He submitted a memorandum in detail to the Zoning Board of Appeals, which he reviewed at the Public Hearing. He noted that the Town has received notification of approval of 3.3 million dollar State grant to assist in the production or implementation of the 6.7

million dollar project. Essentially, the library trustees are attempting to double the size of the building, which is located in the Arlington Town Center Historic District. The model was shown which depicts an addition equal in size to the existing building. The elevations were also displayed, which show the existing library, the Town Hall, and the relationship to the addition. In summary, he noted that if the Trustees cannot obtain the necessary variance for height, the project will be unable to proceed.

Mr. Demurjian reviewed the requirements set forth in Article 10 of the Zoning Bylaw, specifically as they relate to variances. Mrs. Winstanley O'Connor and Mr. Byrne also briefly discussed the matter and the Zoning Board of Appeals voted unanimously to grant the requested variance for height.

Mr. Faulkner then reviewed the matters relating to Environmental Design Review. He noted that the issues had been addressed in detail in the submission by the Permanent Town Building Committee and in the Environmental Design Review report prepared by the Department of Planning and Community Development.

Mr. Berteaux, Project Architect, then presented a number of drawings showing the various elevations of the building and the relationship of the building, the addition, and the Memorial Gardens. He presented a site plan showing how the addition would be placed in the Memorial Gardens and how specific trees would be saved and others would be relocated. He noted that, in the matter of parking, the existing parking area would be redesigned, and there would be a net increase in four parking spaces plus a truck loading dock. The existing parking area and the proposed addition are quite constrained, and there is no opportunity to add additional parking. Mr. McClenen and Mrs. Remmert Loud explained the status of parking as it related to the Bylaw, the addition, and to existing conditions.

Mrs. Cremens suggested that library employees be issued stickers so that they may park on Water Street to ensure that parking spaces adjacent to the library are available for library patrons. Messrs. Faulkner and Falwell indicated they both felt that any Special Permit granted by the Board should be conditioned so that parking, if it becomes a problem, can be monitored and handled by the Redevelopment Board.

Mr. Tsoi asked Mr. Loud and Mr. Berteaux for an explanation of the building materials. Mr. Loud indicated that the face of the library would be limestone; the roof would be slate or a contemporary substitute. Mr. Berteaux indicated that the windows would be steel. Mr. Tsoi asked about the cornice detail. Mr. Berteaux responded by saying that they are looking at limestone, but it may be too expensive and they are looking for other alternatives.

Mr. Falwell asked about the changes in the arched windows that were being presented to the Board being significantly different from

what was displayed publicly earlier. Mr. Berteaux indicated that the arches would not work with the lower roof in the addition. They are trying to copy the technique of the original architect with some of the windows but it is not possible for all windows. Mr. Faulkner asked about location of mechanical equipment. Mr. Berteaux indicated that all mechanical equipment would be located on the roof but inside the roof parapet.

Motion: Moved by Mr. Falwell, seconded by Mrs. Cremens, to grant he requested Special Permits including the conditions in the Environmental Design Review report plus an additional condition relating to the continuing review and monitoring of parking at the site.

Mr. Tsoi suggested an amendment to the motion prior to vote which indicated that there needs to be a detailed parking plan prepared for the site. In addition, the design needs to have precise information about materials, landscaping, and, particularly information in a larger scale to ensure that the right decisions are made. Motion passed five to nothing with Tsoi's amendment.

8:00 p.m. - Moved by Mr. Tsoi, seconded by Mrs. Cremens to recess to attend the Annual Town Meeting.

9:30 p.m. - Board reconvened. All members were present. In addition: Alan McClennen, Jr., Secretary ex officio, Kevin O'Brien, Asst. Director of Planning and Community Development, and Andrew Vorce, Planner.

Also present were Mr. Shawn Murphy, Mr. Richard Murphy, Mrs. Paula Murphy, Mr. Sousa, and Ms. Osmer, all persons interested in the Board's approach and votes on Warrant Articles for the Annual Town Meeting.

Motion by Mr. Tsoi, seconded by Mrs. Cremens, that the Board support the Department's recommendations and report on Articles 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14. Unanimous vote in favor.

Mr. McClennen then explained the options available for Warrant Article 15, which is the proposed amendments to the Zoning Bylaw creating the RO Zoning District. The Board has submitted the article as is; and, because Arlington does not have subdivision control. There is no grandfather provision for unchanged lots.

Mrs. Paula Murphy, the daughter-in-law of Mr. Richard Murphy, who owns a lot on Bradley Road that would be rendered unbuildable, stated that she felt this approach was totally unfair. Mr. Richard Murphy stated that had he known the Town was going to proceed with this amendment, he would have recorded the property differently. As it is now, it is recorded as one with a house lot. Mrs. Murphy responded by saying that, if the Redevelopment Board does not agree, they intend to fight the issue on the Town Meeting floor, and their attorney will challenge the validity of the entire amendment. Following further discussion, the Board indicated that

the article would be filed as originally submitted and discussed at the Public Hearing. Unanimous vote in favor.

The Board also reviewed Articles 16, 17, 18, 19, 20, 21, 22, and 23 and voted unanimously to support those articles. The Board decided to take no position on Warrant Articles 24, 69, and 77.

11:30 p.m. - Adjournment. Moved by Mr. Tsoi, seconded by Mrs. Cremens to adjourn. Unanimous vote in favor.

Respectfully submitted,

Alan McClennen, Jr.
Secretary ex officio

McC/an

MINUTES OF APRIL 22, 1991

MEMBERS PRESENT: Barry Faulkner
Tom Falwell
Ed Tsoi
Doris Cremens
Bill Sovie

IN ADDITION: Alan McClennen, Jr.
Secretary ex officio

7:30 P.M. - Redevelopment Board convened in the Redevelopment Board Meeting Room of the Robbins Memorial Hall.

The Board executed all reports to the Town Meeting on Warrant Articles 4 through 15.

8:00 p.m. - The Board recessed to attend first session of the Annual Town Meeting. Motion by Mrs. Cremens, seconded by Mr. Sovie to recess. Unanimous vote in favor.

11:00 P.M. - Recess to Wednesday, April 24, 1991, at 7:45 p.m. Motion by Mr. Tsoi, seconded by Mr. Sovie to recess. Unanimous vote in favor.

Respectfully submitted,

Alan McClennen, Jr.
Secretary ex officio

AMC/an