



NEWS

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The Arlington Land Trust is a community-based nonprofit organization established in 2000 to protect undeveloped land in Arlington. As a membership organization, the Land Trust accepts donations and welcomes volunteers to support its work.

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Arlington Land Trust News

Editor

Ann LeRoyer

Contributors

Leslie Mayer
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Is Arlington a “Smart Growth” Community?

As one of Greater Boston’s oldest, smallest, and most densely developed suburbs, Arlington exemplifies much of what urban planners and policy makers across the country call “smart growth.” The term has come into popular usage in response to widespread concern about sprawling development that continues to consume open space at an alarming rate. In Massachusetts, 44 acres of farmland and forests were bulldozed per day in recent decades for highways, housing, and commercial development.

Arlington in 2005 has no remaining farmland, and only 460 of its 3,517 acres of land area are classified as open space (13 percent). Most larger, undeveloped parcels are protected as town-owned parks and conservation land, so Arlington cannot be considered at risk of sprawl in the same sense as distant suburbs with thousands of acres of undeveloped land. Yet development is still occurring throughout established neighborhoods, as lots are subdivided so new houses can be built, and smaller houses or commercial buildings are demolished and replaced by larger single- or multi-family houses, townhouses, and condominium projects.

Arlington’s heritage as an established residential suburb offers both hope and cause for concern. The hope is that some of the new development is being earmarked for affordable housing units, to address the local housing needs of young families, retired citizens, and town employees along the entire income spectrum. The cause for concern is that some of the town’s zoning bylaws and other regulatory processes do not provide a balanced and well-planned blueprint for

managing the continued demand for new residential development.

These issues were the theme of a recent forum coordinated by the Housing Corporation of Arlington as part of its annual meeting and cosponsored by the Land Trust. Keynote speaker Doug Foy, Secretary of the Office for Commonwealth Development, outlined the state’s smart growth agenda (see Sustainable Development Principles, page 2) and praised Arlington for its achievements in meeting many of the housing, transportation, and environmental principles of smart growth and sustainable development.

Foy observed that Arlington’s vibrant mixture of housing, retail and commercial uses, its libraries, schools, and cultural facilities, and its public transportation routes along Massachusetts Avenue, other main streets, and the Minuteman Bikeway reflect a sustainable approach that reduces dependence on automobiles and encourages walking and bicycling. He noted that future development could include even more affordable “work-force” housing integrated with commercial development, and that passage of the Community Preservation Act could provide

“Smart Growth”*continued*

state funds to match locally raised revenues for affordable housing, open space, and historic preservation projects.

Foy applauded Arlington’s inclusionary zoning bylaw for affordable housing, but also encouraged the town to consider adopting accessory zoning, which permits in-law apartments in larger houses or in garages or carriage houses in areas otherwise zoned as single-family (see Accessory Zoning article).

All development issues in Massachusetts take place against the backdrop of our state’s land use laws, ranked by the American Planning Association as among the most outdated in the nation. These laws make it difficult for local communities to be “smart” about their growth. A major overhaul of the state zoning and planning/subdivision control statutes, the proposed Massachusetts Land Use Reform Act (MLURA), is before the legislature. Its adoption, which Foy supports, would provide welcome new tools for communities to build a more livable future.

What Can We Do?

Learn more about smart growth issues on these Web sites:

- The proposed reform of zoning laws at www.massmunilaw.org;
- The Community Preservation Act at www.communitypreservation.org; and
- Statewide smart growth organizations at www.ma-smartgrowth.org.

Sustainable Development Principles

Redevelop First. Encourage reuse and rehabilitation of existing infrastructure rather than the construction of new infrastructure in undeveloped areas.

Concentrate Development. Create walkable districts mixing commercial, civic, cultural, educational, and recreational activities with open space and housing for diverse communities.

Be Fair. Promote equitable sharing of the benefits and burdens of development.

Restore and Enhance the Environment. Protect and restore environmentally sensitive lands, natural resources, wildlife habitats, and cultural and historic landscapes; promote developments that respect and enhance the state’s natural resources.

Conserve natural Resources. Construct and promote buildings and infrastructure that use land, energy, water and materials efficiently.

Expand Housing Opportunities. Support the construction and rehabilitation of housing to meet the needs of people of all abilities, income levels, and household types.

Provide Transportation Choice. Increase access to transportation options; locate new development where a variety of transportation modes can be made available.

Increase Job Opportunities. Attract businesses with good jobs to locations near housing, infrastructure, water, and transportation options.

Foster Sustainable Businesses. Support economic development in industry clusters consistent with regional and local character.

Plan Regionally. Foster development projects, land and water conservation, transportation and housing that have a regional or multi-community benefit.

Source: Massachusetts Office for Commonwealth Development, www.mass.gov/ocd/

Accessory Zoning Tool Offers Housing Alternatives

Over the last thirty years, the number of people per Massachusetts household has decreased dramatically, and Arlington is no exception. Much of our town’s older housing stock has space for small apartments located in the lower level or third floor, or above an attached or detached garage or barn structure.

Many such apartments already exist as in-law or rental units, but they are illegal under the current bylaw.

A zoning tool that permits such a housing option is the Accessory Dwelling Unit (ADU), defined as “a self-contained apartment in an owner-occupied, single-family home/lot that is either attached to the principal dwelling or in a separate structure on the same property.”

Lexington adopted an ADU bylaw in 1984, and last year amended that bylaw to encourage the creation of more accessory units. If Arlington permitted this kind of reuse of existing housing space, the need for new construction on open land could be decreased. These new units would provide more affordable and safer units for young people, the elderly, and municipal workers in

the community. The ability to create an ADU could be an ideal solution for seniors who wish to remain in their homes, but who struggle with the cost of maintaining more living space than they need.

What Can We Do?

Learn more about ADUs at the Web site of the Massachusetts Office of Commonwealth Development (www.mass.gov/ocd/), and look at the Massachusetts Smart Growth Toolkit.

For Arlington, many details need to be worked out before a new bylaw can be brought to Town Meeting for approval. Anyone interested in working on this issue should contact the Town’s Zoning Bylaw Review Committee or Clarissa.Rowe@comcast.net.



Great Meadows Boardwalk Project Completed

After a two-year process of applying for and receiving a Recreational Trails Program (RTP) grant from the state Department of Conservation and Recreation, the Friends of Arlington's Great Meadows (FoAGM) recently completed its largest trail improvements to date. The Arlington Land Trust served as the fiscal agent for the grant funds that enabled the construction of two new boardwalks to solve long-standing wetland trail problems, allow more residents to safely experience the beauty of this extraordinary 183-acre parcel, and help put to rest rumors that Great Meadows is just neglected surplus property. The boardwalks are considered a great success by both improving access and protecting the fragile habitat of this valuable natural resource.

Organized and led by Mike Tabaczynski of Lexington, this important community service project depended on the participation of more than 60 volunteers in one or both boardwalk building projects, including a broad mix of ages and genders, first-timers and old hands with a diverse set of skills, backgrounds, and affiliations. They came from Arlington, Lexington, and Waltham, and represented such organizations as FoAGM, Arlington Land Trust, Lexington Conservation

Stewards, Lexington Bicycle Advisory Committee, Friends of the Minuteman Bikeway, New England Mountain Bike Association, Appalachian Mountain Club, Friends of the Western Greenway, Lexington Tree Committee, and Waltham Land Trust.

The first boardwalk was constructed near the Minuteman Bikeway across from the Waldorf School on July 23 by 35 volunteers of all ages who carried heavy 16-foot lumber and other supplies. The 210-foot-long structure required \$3,411 worth of materials and 267 hours of labor.

The beautiful fall weekend of September 24/25 proved to be an ideal opportunity to celebrate National Public Lands Day by constructing the second boardwalk, which spans the large central marsh and connects the north and south upland areas of Great Meadows. This time, 29 Lexington High School volunteers were instrumental in helping 29 adult volunteers move many tons of lumber and concrete blocks necessary to build a 440-foot-long structure, combining more than 530 hours of labor with \$6,171 worth of materials.

In summary, a total of 800 hours and \$9,582.21 were spent to construct a total of 650 feet of boardwalk at an average cost of \$14.74 per foot with an average productivity of 0.813 feet per person hour.

The skills, productivity, and dedication of

these volunteers and crew leaders significantly raised the bar for future conservation projects in Arlington and Lexington. Their contribution will help ensure that Great Meadows can provide a positive experience for human visitors and a secure habitat for wetland plants and animals for years to come. Next year, look for significant projects involving trail marking and navigation, and erosion control and restoration.

What Can We Do?

Participate in future work projects

Walk the trails to monitor activity and report back to FoAGM via Mike Tabaczynski (mjt1@rcn.com) if you have any questions or concerns

Obtain more information from the FoAGM Web site at www.foagm.org

Contribute to the FoAGM Stewardship Fund through the Land Trust.



Symmes Public Open Space Protected with a Conservation Restriction

The Arlington Land Trust and the Town's Conservation Commission have completed an agreement with the redeveloper of the former Symmes Hospital site that will permanently protect approximately eight acres of open space on the site, and will involve the community in its stewardship.

A Conservation Restriction (CR) will be placed on the wooded areas, including the woodlot at the foot of the hill on Summer Street and the buffer areas surrounding the site, and on the Vista Park to be built at the crest of the hill. The CR will ensure that these areas are protected from future development and are accessible to the public.

During the construction process the public open spaces will be protected by a temporary CR that is incorporated into the permitting for the project. The final and permanent CR will then be recorded when work is complete and just prior to occupancy. The eventual owners of the land (a residential condo association and a medical entity) will be responsible for the entire cost of maintaining the Vista Park. They also bear the cost of routine maintenance to keep the woods, buffers, and rocky slopes free of hazardous conditions and safe for public access.

In accepting the CR, ALT and the ConCom jointly take on the responsibility of monitoring the land to ensure that the owners respect the conservation areas without encroachment or restriction of public access. Managing the protected land for the long-term health of the forested areas, and for quiet enjoyment by the public, will be a collaborative effort involving the condo association, ALT and the ConCom. Interested neighbors (both existing and new residents) will serve as a "Friends" group to advise on management issues and to participate in monitoring and stewardship.

A Forest Inventory and Forest Management Plan will be prepared by a qualified urban forester at the developer's expense to establish guidelines for the stewardship of the wooded areas. As required by the development permits granted by the Arlington Redevelopment Board, the plan will "consist of recommendations for maintaining and improving the health of the Summer Street Woods and Buffer Areas and for ensuring their perpetual effectiveness as habitat, buffer, and public green space."

The developer has also committed to establish

a stewardship fund of \$35,000 to be held by ALT. The fund can support plantings of native woodland species, public access improvements, and amenities for the quiet use of the parcel such as trail clearing and marking, all as advised by the Forest Management Plan and by those who live on and around the parcel. Use of the fund will require consensus among all the interested groups to ensure that the land is managed conservatively.

The Symmes redevelopment project has received the necessary special permits after lengthy hearings by the Arlington Redevelopment Board. One special permit was issued for renovation and enlargement of the historic nurses' quarters into a new medical facility, and a second for the residential portion of the development con-

Managing the protected land for the long-term health of the forested areas, and for quiet enjoyment by the public, will be a collaborative effort.

sisting of about 231 units of housing clustered largely above the Vista Park, with a few townhouse-style units along lower Hospital Road. This second special permit is now the subject of two separate lawsuits by four area residents who appealed the granting of the permit and asserted that the

permits were improperly granted. Attorneys involved with the lawsuits suggest that the appeals process could take anywhere from six months to two years, during which time the project cannot move ahead.

While the final outcome of the project continues to be debated (now in court), ALT is very pleased to have secured the permanent protection of the open space portions of the site, and looks forward to working with the ConCom, current neighbors, new owners, and interested volunteers on long-term stewardship.

What Is a Conservation Restriction?

A Conservation Restriction or CR is a voluntary, legally binding, permanent agreement between a landowner (grantor) and a holder (grantee), usually a private nonprofit land conservation organization or a public agency. The grantor agrees to limit the use of the property to protect specified conservation values. Usually the CR forever prohibits development of the land. It can permit some uses such as timber harvesting or farming where consistent with the conservation goals. Public access to the conserved land for passive recreation may or may not be permitted; like many aspects of the CR, this point must be negotiated and spelled out in the legal documents and other materials.

The CR is a permanent easement, recorded at the Registry of Deeds and running with the title. The donor of a CR may receive a charitable deduction income tax benefit. That is not the case with the Symmes property, however, since this CR was required as part of the permitting process.

In Massachusetts, each CR must be approved by the Secretary of the Executive Office of Environmental Affairs (EOEA), and by the selectmen or city council of the municipality, to ensure "public benefit" in the protection of significant resources with genuine conservation value. Massachusetts is the only state in which such a mechanism exists to guarantee permanent protection against future development.

Other conservation options exist for landowners who desire to protect private parcels that may not be appropriate for permanent protection by the state. Land can be donated outright to either a land trust or to a municipal entity. Or, a thirty-year "easement in gross" can be imposed with the same general conditions as a CR, although without income tax benefits to the donor (see Easements article).

Easements Can Help Preserve Small Parcels

Arlington's built-out development makes neighborhood-scale green spaces all the more cherished. One of the Land Trust's goals is to help willing individuals and families protect their own special land against inappropriate future development through easements that can help maintain the town's older suburban character of tree-lined streets, landscaped yards, and varied housing types.

An "easement in gross" is a restriction on land use that runs with the deed on the property, binding subsequent owners. Although not technically perpetual (like a state-approved Conservation Restriction), it can protect the land for thirty years and is renewable for successive twenty-year extensions by the Land Trust, which serves as "holder" or enforcer of the easement. The purpose of this type of easement is to ensure that a restricted area will be left undeveloped so as not to impair or interfere with the land's conservation value. Such land may be a wooded parcel at the end of a cul-de-sac that is enjoyed by its neighbors as bird habitat. It may be a spectacular garden area under a large specimen tree. It may be an extra parcel of land that could be sub-

divided to create two houses instead of one home with a large yard. Whatever features make the land special can be protected through this conservation tool.

When a homeowner decides to put an easement on the land, he or she decides which areas are to be restricted for conservation purposes. For instance, a homeowner with a large house lot may restrict only the area that could otherwise be subject to subdivision into another legally buildable lot. This partial restriction can accommodate general house improvements and additions despite the restrictions on the land. The homeowner also decides what uses will or will not be allowed in the restricted area, such as the future construction of fences, sheds, or other landscape

features. It is important to note that the conserved area does not have to be open to public access, unless the owner wishes it to be.

What ALT Is Doing and What You Can Do

The Arlington Land Trust has developed a template for preparing easements in gross to simplify the process for local landowners. The costs involved in placing an easement on your land, including fees for legal document preparation and filing at the Registry of Deeds, can range from \$500 to \$1,500 depending on the complexity and uniqueness of the restriction. Because this type of easement is not technically permanent, there are no income or estate tax benefits to the homeowner. There may be local property tax considerations, if a formerly buildable parcel is reassessed as unbuildable during the term of the easement.

The Land Trust recently recorded a thirty-year easement on one very special parcel, and is working with several other landowners who wish to see their land preserved with similar protections.

For more information, please contact any ALT board member or send an email to info@arlingtonlandtrust.org

Lost Arlington

Recycling former industrial and commercial sites into housing on a busy thoroughfare is considered “smart growth” and can be a positive change, especially in older, inner-ring suburbs with ample public transportation such as Arlington.

Several such developments along Massachusetts Avenue that we mentioned last year in this column have come to fruition. Avenue 264 in East Arlington, a 27-unit condominium building that replaced a gas station, is nearly complete. Because of the town’s inclusionary zoning bylaw, four units are being dedicated as affordable housing. Heritage Square is a 19-unit townhouse development at Mass. Ave. and Mill Street, which replaced a car dealership. The developer of this property subdivided it into small townhouse lots to avoid having to sell any units at affordable prices. The loophole that allowed this subversion of inclusionary zoning has since been corrected by Town Meeting.

At the same time, we mourn the loss of an older house on a large corner lot on Gray Street. The brown colonial, perched on a rise at the corner of Scituate Street on a 19,000-square-foot lot, was of average size and fit into the neighborhood. A developer demolished the house and subdivided the parcel into three lots of just over 6,000 square feet each, the minimum size permitted by zoning in that area. Residents find this particularly unappealing because the new homes are so out of scale with the rest of the neighborhood. The largest of the new homes will have 3,000 square feet of living area, almost double the size of most existing homes in the area.

In another example of overbuilding, a new home of 2,800 square feet is being built on Virginia Road, replacing a small Cape-style house of 800 square feet that fit comfortably on its small lot. New homes like this tend to dominate their lots and alter the streetscape of their neighborhoods. This “mansionization” often requires removal of mature trees and other landscape plants and creation of more impermeable surfaces that increase water runoff.

Our saddest loss this year was the 1.2-acre Knowles Farm on Hemlock Street, the site of the last working farm in Arlington, which closed operations in 1989. Knowles Farm Circle is to be a seven-house subdivision that includes the original farmhouse in a new location. Several local residents and members of the Land Trust had approached the family in recent years to encourage them to consider conservation options that would protect some of the land as open space, to no avail.

As part of the Archdiocese of Boston’s plan to consolidate its real estate holdings, two Catholic churches in Arlington have been closed since 2004. Saint

Jerome Church on Lake Street has been sold and the church building demolished. The rectory is currently for sale as a single-family house, and five new single-family homes will be built on the site. Saint James Church at the corner of Mass. Ave. and Appleton Street has been purchased by the congregation of St. Athanasius the Great Greek Orthodox Church, which in turn sold its historic Arlington Center building to the Highrock Church, a Christian congregation formerly based in Somerville.

We are all aware of the double-digit price appreciation of Arlington homes over the last 10 years or so. Currently, the market is softening and prices are beginning to drop as inventory increases. Buyers don’t feel as great a sense of urgency as they did just a year ago, so we may be coming into a more balanced market where demand matches supply. This is good for buyers for a change, even though interest rates are rising. However, we should not expect an end to the pressure for new development and increasingly larger houses.

What ALT Is Doing and What You Can Do

The Land Trust supports smart growth goals to provide new and renovated housing for residents of all income levels in appropriate locations and at a size and scale that complement the existing neighborhood. We will continue to work with individual landowners who wish to protect their own land from future development through conservation restrictions, easements, outright transfers of land, or other legal tools in order to ensure a healthy balance between land conservation and development.

We encourage you to:

- Become a member of the Land Trust if you are not one already;
- Talk with your neighbors and Town Meeting members about your concerns;
- Attend public meetings where planning and development issues are decided, including the Board of Selectmen, Arlington Redevelopment Board, and Zoning Board of Appeals; and
- Support the efforts of the Conservation Commission, Open Space Committee, and many Friends groups that exist to support parks and open spaces throughout the town.

FEMA Retreats on Alewife Flood Mapping

Last summer Alewife area residents and advocates were heartened by the news from FEMA’s flood-plain remapping consultants that, tentatively, they could foresee revising the 100-year flood elevation to be as much as 10.6 feet above sea level, more than two feet above the previously-established (and much derided) level of 8.2 feet. Such a significant change would acknowledge what many residents experience as fact, and would entail more stringent mitigation standards for new development.

However, the consultants recently submitted to FEMA their actual draft report and map, and in it have proposed reverting to the previous 8.2-foot definition of the 100-year flood elevation.

There has been no opportunity as yet for review of this draft finding. Arlington Land Trust members following this issue are told that the next steps in the process include a peer review conducted by another FEMA consultant, followed by a public hearing and comment period. When more information is available, we will alert our members.

Reservoir Dam Project Enhances Safety and the Landscape

Photo by Leslie Mayer



A new bridge spans the spillway at the east end of the Reservoir.

During recent storms that threatened dams in communities across the state, Arlington residents and officials could rest assured that the dam at the Arlington Reservoir was safe. The work to reinforce the dam with steel sheets, add a new spillway, and rehabilitate the existing spillway and gate is substantially complete, and the dam was operating as expected throughout the heavy rains. Two new bridges and a peastone-covered path improve access and walkability.

And, as promised, the dam repairs were accomplished with minimal loss of trees and limited disruption to the habitat and recreational uses of the area.

Members of the Vision 2020 Reservoir Committee met regularly with DPW Director John Sanchez and the engineering consultants over the past several years to discuss their concerns and observations about the project and to share suggestions for completing the site cleanup. The committee, in collaboration with the Conservation

Commission, Land Stewards, and Arlington Tree Committee, are working on a landscape and planting plan for the Reservoir. New trees and native plantings will be added in the spring to help with erosion control, attract birds and other wildlife, and enhance various areas around the pathway. DPW is also preparing an operational management plan with input from the Reservoir Committee. For more information, visit the committee's Web site at www.arlington2020.org/reservoir/.

Lecture Series on Trees

The Lexington Tree Committee is sponsoring a lecture series on tree education that is funded by the Urban Forestry Program of the Massachusetts Department of Conservation and Recreation. The Arlington Land Trust was one of several cosponsors who wrote a letter of support for this series. The programs will focus on a variety of conservation and management issues regarding urban trees in the western suburban region of Lexington, Arlington, Belmont, and Waltham.

The lectures will be held on Wednesday evenings, 7:30 to 9 pm, in the large meeting room in Cary Memorial Library in Lexington Center.

January 18 Peter del Tredici, senior scientist at the Arnold Arboretum

February 15 Peter Alden, Concord author of 14 National Audubon Field Guides

April 12 Clarissa Rowe, landscape architect and president, Arlington Land Trust, and Jane Calvin, executive director, Lowell Parks and Conservation Trust

May 10 Bill Cullina, author, New England Wildflower Society

September 13 Jad Daley, Northern Forest Alliance, "*Understanding Relationships: Lexington, The Western Greenway, The White Mountains, and The Green Mountains. Why It Is Important.*"

For more information, contact John Frey, Lexington Tree Committee, at 781-862-2104 or JWFrey2@aol.com



ALT Needs You!

Arlington Land Trust is an all-volunteer organization, and needs the help of many hands to accomplish its work. Whether you have only a few hours to give, or have lots of free time that you'd like to commit, your help can make a difference. We're looking for volunteers to:

- Continue our research into parcels throughout town that are subject to subdivision;
- Talk with and educate landowners about conservation options;
- Help with mailings, database work and other office tasks;
- Be part of the Friends organization for your favorite open space parcel, or help to create one;
- Participate in the active effort to preserve major parcels like the Mugar site;
- Help guide future plans by joining us as a board member.

Your involvement is most welcome. Please contact any board member, or email to info@arlingtonlandtrust.org

Arlington Land Trust Annual Meeting

Monday, January 23, 2006
7 to 9 pm

Robbins Library Community Room
700 Massachusetts Avenue
Arlington, Massachusetts

Guest Speaker

Armando Carbonell
Regional Planner and Senior Fellow
Lincoln Institute of Land Policy
Cambridge, Massachusetts

"Protect and Grow:
The Mysterious Link Between
Conservation and Density"

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