

April 2, 2021

Dear Chairman Klein and Members of the Zoning Board of Appeals–

With respect to the East Arlington proposed development called Thorndike Place (the Project) on the location known to be South of Dorothy Road (the Property) as submitted by Arlington Land Realty, LLC. (the Applicant), I respectfully submit that the land is inappropriate to be developed and any build should be completely denied due to the valid environmental, community and resident (Local Concerns) that have been raised in public comments to the Zoning Board of Appeals (“ZBA” or the “Board”).

Should the Board find that the Local Concerns can be addressed or substantially mitigated *with conditions*, I respectfully submit the following for the Board’s consideration:

- The request for a more robust description of the neighborhood to provide context of the additional conditions requested
- Suggested edits to the Draft Decision to the Thorndike Place Comprehensive Permit, including additional conditions
- Questions to the Board to facilitate the understanding of the residents of the neighborhood of the ZBA’s efforts to mitigate the concerns raised via public comments

This letter is structured by leveraging the Thorndike Place Comprehensive Permit Draft Decision, publicly posted on 3/10/2021. My intent is to support your efforts in an efficient manner by using the format you’re currently using. You’ll find the following structure in the following pages:

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| Draft Language Released 21_0310 | This section will note the draft language, ‘as is’ from the documented posted publicly on 3/10/21 as ‘Thorndike_Place_Comprehensive_Permit_Draft_Decision_-_for_Release_21_0310 (1).pdf’ |
| Context / Recommended <u>edits</u> &/or considerations | Any context is provided in bold. <u>Recommended edits are underlined.</u> Additional context or questions posed to the Board for additional consideration. <i>Note, each edit or consideration is numbered for your convenience.</i> |

I have attempted to capture the essence of Local Concern, but this letter of response should not be considered all-encompassing. Should the Board have any questions, please don’t hesitate to contact me.

Thank you for your thoughtful discernment on this matter to ensure that all concerns are addressed in the ZBA’s decision on the Project.

Sincerely,

Heather Keith-Lucas
10 Mott Street

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| <p>Draft Language Released 21_0310</p> | <p>Section III. Factual Findings Location of Project</p> <p>14. The Project is located on a 17.7 acre parcel of land located between Concord Turnpike (Route 2) to the south and residential neighborhoods to the north and east of the Property, off Dorothy Road and Parker Road. The Property is bordered to the east by Burch Street and the Arlington Thorndike playing fields. The Property is located within the Planned Unit Development (PUD) Zoning District.</p> |
| <p>Context / Recommended edits &/or considerations</p> | <p>For the correct physical location, please do the following:</p> <ol style="list-style-type: none"> 1. Correct Parker Road to Parker <u>Street</u>. 2. Add after “Parker Street” and <u>Littlejohn Street</u>. <p>Thorndike Place Revised Plan Sheets dated 2021-01-21 (named “2021-01-21_Revised_Plan_Sheets.pdf”) inaccurately identify the width of local roads including Littlejohn Road and Dorothy Road as “PUBLIC - 40’ WIDE” (forty-feet wide).</p> <p>Accurate descriptions are imperative to the ZBA’s discernment to whether the Project is appropriate for the neighborhood and if construction machinery required to build the proposed Property will be able to physically maneuver into and around the neighborhood in a safe manner that does not cause damage to Town or resident property. The description of the physical neighborhood aligns with additional conditions introduced in Section IV.</p> <p>Add the following descriptions to Paragraph 14, after “Parker Street and Littlejohn Street”:</p> <ol style="list-style-type: none"> 3. <u>Do Not Enter signs are in effect Monday – Friday, 7am – 9am and 4-7pm from Lake Street onto Wilson Avenue, Littlejohn Street, Homestead Road.</u> 4. <u>Lake Street is between 30-34’ wide. Trees owned by the Town of Arlington create a tree canopy that reduces the usable width of the road by larger vehicles.</u> 5. <u>Littlejohn Street is 25’ wide. Trees owned by the Town of Arlington line Littlejohn Street and the tree canopy reduces the usable width of the road.</u> 6. <u>Power lines go diagonally across Littlejohn street, the lowest height of power lines is 13’.</u> 7. <u>Dorothy Road is 25’ wide, curb-to-curb. The tree canopy extends over Dorothy Road reducing the usable width of the street. Trees owned by the Town of Arlington line Dorothy Road and the tree canopy reduces the usable width of the road.</u> 8. <u>Some trees are protected by the State of Massachusetts and are under the purview of the Town of Arlington Tree Warden.</u> <p>Significant Local Concern has been raised about the pervasive flooding of this neighborhood. The following descriptive information is submitted for context to why additional conditions are introduced in Section IV.</p> <ol style="list-style-type: none"> 9. <u>According to Arlington’s topography map the neighborhood elevation decreases six feet from Lake Street to the Property on Dorothy Road.</u> 10. <u>The neighborhood water flow from precipitation events is known to go from the higher elevation of Lake Street down towards the Property.</u> |

11. The neighborhood is prone to flooding. Local Concern of neighborhood flooding recorded in writing and in pictures to the ZBA, including sump pumps over usage at residences near the Project, where garage floors are 22" below Littlejohn Road and 46" below Dorothy Road.
12. Local Concern of flooding is also supported by historical response to the neighborhood from Arlington Fire Department that the flooding occurs more than once a year and that the water table frequently rises.

Concerns have been raised by the Select Board and Local residents of the incompatibility of the proposed Property and the existing neighborhood. The following descriptions are requested to be added for context as to why additional conditions, more specifically the return of the townhouses, are introduced in Section IV.

13. The neighborhood is composed of single and two-family housing units, primarily owner-occupied with rental properties primarily with landlords who reside in one of the two-family units. The 2019 U.S. Census indicates 58% of ownership occupied units in Arlington, MA.
14. With few exceptions, houses on Littlejohn and west of Littlejohn are zoned as R1: Single Family.
15. With few exceptions, homes east of Littlejohn are zoned as R2: Two Family.
16. All homes on Dorothy Road are zoned as R2: Two Family units.

Local concern has been raised to the ZBA about the increase in neighborhood population density. The following descriptions are provided for context for additional conditions to be placed on the Property in Section IV.

17. The neighborhood population according to the Town of Arlington's 2020 True List of Persons report is as follows, **248 households** and **478 adults**, where "adults" is defined as individuals 17 years of age and older:
 - a. Burch Street (16 households; 33 adults)
 - b. Dorothy Road (48 households, 94 adults)
 - c. Littlejohn Street (8 households; 21 adults)
 - d. Margaret Street (36 households; 65 adults)
 - e. Mary Street (80 households; 153 adults)
 - f. Mott Street (48 households; 89 adults)
 - g. Parker Street (12 households; 23 adults)

Add the following descriptions to Paragraph 14, after "Arlington Thorndike Playing Fields."

18. Arlington Thorndike Playing Fields are used by the Town for recreational activities, including town-sponsored soccer practices and games. The Town of Arlington regularly monitors the condition of Thorndike Playing Fields as they frequently are too saturated with water and unsuitable for recreational use. On a typical weeknight, 100+ youth soccer players practice at Thorndike and Magnolia Playing fields and on a typical Weekend, there are 20 soccer games played.

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| | <p>Add the following description(s) to Paragraph 14, after “The Property is located within the Planned Unit Development (PUD) Zoning District.”:</p> <ol style="list-style-type: none"> 19. <u>The Property includes Wetlands.</u> 20. <u>The Property includes a Wetlands Buffer.</u> 21. <u>The Property includes a Regulatory Floodway.</u> 22. <u>The Property currently is densely populated with trees that absorb the water.</u> 23. <u>The Property provides shelter to people who are homeless whom the Property Owners allow on their land, to whom regularly receive services from the Arlington Police Department, Arlington Board of Health, and Somerville Homeless Coalition.</u> |
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| Draft Language Released 21_0310 | <p>Section III. Factual Findings Civil Engineering, Site Design, and Stormwater Impact</p> <p>20. Approximately ___% of the site will consist of impervious surface with the remainder consisting of pervious surface. The Board finds that the total amount of impervious area is _____.</p> |
| Context / Recommended edits &/or considerations | <p>24. Due to Local Concern of flooding, please keep the percent of impervious surface as small as possible.</p> |

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| Draft Language Released 21_0310 | <p>Section III. Factual Findings Civil Engineering, Site Design, and Stormwater Impact</p> <p>23. The Board finds that the Applicant must provide a Compensatory Flood Storage Mitigation Plan for the proposed compensatory flood storage area to mitigate the negative environmental impacts associated with vegetation removal and grading to create this new flood storage area. Said Plan shall provide the following:</p> <ol style="list-style-type: none"> a. A minimum ratio of 2:1 cubic feet of compensatory flood storage of a volume not previously used for flood storage and shall be incrementally equal to the theoretical volume of flood water at each elevation, up to and including the 100-year flood elevation, which would be displaced by the proposed project. b. With at least a 3-year monitoring schedule with a 100% survival rate. c. Only native non-cultivar species shall be planted on the site. d. Plants shall be installed and maintained in accordance with standards of the American Association of Nurserymen (AAN). e. A monitoring report shall be submitted annually in June for the three-year monitoring period. The report shall include the health of the new plantings and the success of the invasive plant management. The report shall include photo documentation and yearly recommendations for future success. |
| Context / Recommended edits &/or considerations | <p>Many of these requirements are to be measured after the fact. If the Applicant neglects these requirements or others made, what recourse does the ZBA have? Clear and well-documented requirements and controls are required before this project is approved on any level. The ability to provide oversight and hold the Applicant accountable for any negative impact of their site and the neighborhood is important to address Local Concerns. This request is not without cause, given the Applicant’s decades of neglect of maintaining the Property. Please consider the following questions:</p> |

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| | <p>25. How do you know – for certain – that the requirements around this compensatory flood storage will remediate the flooding concerns raised by the Local Community? Given the removal of significant trees and vegetation that absorb water and displacement of earth from the build.</p> <p>26. Please define what the “100% survival rate” is referencing. A survival rate of people? Of vegetation?</p> <p>27. Please consider a longer time-period of 10-years for monitoring the impact of this Project in a flood-prone area.</p> <p>28. Please consider including a requirement to report how many of the plantings are new/replaced during the period of monitoring.</p> <p>29. Please clarify to whom this report should be directed.</p> <p>30. What are the consequences to hold the Applicant accountable to these requirements? If this is built, reports must be actionable.</p> |
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| <p>Draft Language Released 21_0310</p> | <p>Section III. Factual Findings Civil Engineering, Site Design, and Stormwater Impact</p> <p>27. The Board heard testimony from the Applicant and the Board’s peer review traffic consultant, including the Applicant’s Traffic Impact Study prepared by Vanesse Associates, Inc., that the Project is expected to result in approximately thirty-one (31) vehicle trips during the weekday morning peak hour and approximately thirty-eight (38) vehicle trips during the weekday afternoon peak hour. There will be an estimated four hundred, eighty-six (486) total vehicle trips on an average weekday. These figures are based upon the proposal for one hundred, seventy-six (176) units.</p> |
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| <p>Context / Recommended edits &/or considerations</p> | <p>Local Concerns have been raised regarding of the Applicant’s expectation of number of vehicles needed at the Project. Bicycles, bus or train options are not realistic for accessing necessary home goods. The location of the Project does not have direct access to Route 2 or Massachusetts Avenue. Local Concern has been made with the ZBA that the traffic study is believed to be significantly flawed, performed during a pandemic during a ‘Stay At Home’ advisory was in effect. Please incorporate additional context to this area for the ZBA to be aware of, as necessary.</p> <p>31. Residents of the neighborhood have indicated cars are necessary to access grocery stores, drug stores, hardware stores and general retail stores.</p> <p>32. Lake Street Traffic study performed by Transportation Advisory Committee in April of 2014 reported Lake Street traffic volumes of approximately 800 vehicles westbound in the AM peak hour and 800 vehicles was used to represent the eastbound actual existing demand during the PM peak hour. According to the Transportation Advisory Committee “Historic traffic counts have shown volumes in this range.” Further, residents note that since the 2014 traffic study, traffic increasingly became more congested, pre-pandemic.</p> <p>33. Additional traffic is also expected to be generated from:</p> <ul style="list-style-type: none"> • delivery services (Amazon, FedEx, UPS, USPS, local restaurants, groceries) • in-home services (repairs, cleaning, health care) • transportation services (the Ride, Uber, Lyft) |
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| | <ul style="list-style-type: none"> • personal trips (to daycare, school, extracurricular activities, medical appointments, personal appointments) <p>34. Should Lake Street be closed for construction vehicles for this Project’s building phase, a significant amount of traffic will need to be redirected, at a minimum impacting Arlington, Belmont, and Cambridge. Of most concern, impacting access of emergency vehicles, transportation of the elderly to health care facilities, and the provision of primary needs to children.</p> <p>35. We attempted to receive information from the Town of Arlington on aggregate vehicle registration in the neighborhood. At the time of submission of this letter, this data was not yet available. Please consider local data when discerning the true number of vehicles that will likely be required for the Project, per adult and per unit.</p> |
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| <p>Draft Language Released 21_0310</p> | <p>Section III. Factual Findings Civil Engineering, Site Design, and Stormwater Impact</p> <p>30. The Board finds that granting certain waivers from local by-laws and regulations is acceptable even though granting waivers may have an adverse impact on Local Concerns.</p> |
| <p>Context / Recommended <u>edits</u> &/or considerations</p> | <p>36. Thank you for including clear list of waivers as Exhibit A (the Waiver List). If appropriate, please clearly indicate the Waiver List attached as Exhibit A is the only list of waivers granted.</p> |

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| <p>Draft Language Released 21_0310</p> | <p>Section III. Factual Findings Civil Engineering, Site Design, and Stormwater Impact</p> <p>31. The Board acknowledges concerns raised by abutters and other interested parties about the Project’s potential incompatibility with abutting residential uses, particularly relating to stormwater and floodplain impacts, as well as traffic and parking impacts. The Board has addressed these concerns by the imposition of appropriate conditions. The Board further finds that conditions detailed below appropriately address these matters of local concern in a manner that outweighs the regional need for affordable housing. The Board finds that the conditions imposed below address local and regional housing needs while properly protecting valid issues of local concern.</p> |
| <p>Context / Recommended <u>edits</u> &/or considerations</p> | <p>37. Please edit this to specifically define concerns and directly reference the conditions that are being introduced to address these concerns.</p> <p>38. Please include reference to all additional Local Concerns including the homeless population on the Property, littering of human waste, drugs and drug paraphernalia, trash, and other issues that are present on the Property.</p> |

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| <p>Draft Language Released 21_0310</p> | <p>Section III. Factual Findings Civil Engineering, Site Design, and Stormwater Impact</p> <p>32. The Board finds that the construction of the Project, as conditioned, will be consistent with local needs.</p> |
| <p>Context / Recommended <u>edits</u> &/or considerations</p> | <p>39. Given the Comprehensive Permit Response drafted and released on 3/10/2021 is incomplete, it is yet unclear what conditions the Board is putting on the Project to ensure it indeed “will be consistent with local needs”. Once the conditions are defined by the ZBA, please allow for further public comment.</p> |

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| <p>Draft Language Released 21_0310</p> | <p>Section III. Factual Findings Civil Engineering, Site Design, and Stormwater Impact</p> <p>33. The Applicant has proposed that the portion of the Property outside of the development area, shown on the plans as containing approximately ___ acres will be either placed under a conservation restriction or deeded to the Town. The Applicant has proposed a one-time payment of \$100,000, plus annual payments of \$25,000 for a period of ten (10) years for cleaning up the existing debris and invasive species on this portion of the Property.</p> |
| <p>Context / Recommended <u>edits</u> &/or considerations</p> | <p>Local Concerns have been raised about the decades of neglect of the Property and the human waste, illicit drugs/paraphernalia, and trash that has accumulated on the property. The following requests are to incorporate additional conditions and protections to the Town of Arlington.</p> <p>40. Please incorporate <i>at a minimum</i>, the terms recommended by Town Manager, Adam Chapdelaine, via the Memorandum dated March 1, 2021.</p> <p>41. Please include that the Applicant is responsible for a full cleanup and remediation of the Property prior to the Project commencement.</p> <p>42. Please consider additional funds may be need to:</p> <ul style="list-style-type: none"> • Cover the Town’s legal fees to create a conservation area • Fund the multi-town services used to support the homeless population that resides on the Property and Property clean-up and maintenance. • The Town’s establishment of additional flood compensatory storage to mitigate the additional impact of the Project (so that Thorndike Playing Fields will be usable and neighborhood homes will not be flooded more than prior to the Project build) • A full ecological and hazmat survey of the property prior to any construction, with cost-analytics, mitigation requirements to render land safe for occupancy and use. • Creating a fund to cover homeowner insurance deductibles, both for East Arlington neighbors and residents of the Project, should residences endure increased flooding impacts due to the Project. • Apply a contingency reserve to cover additional problems not yet known. |

IV. CONDITIONS

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| <p>Draft Language Released 21_0310</p> | <p>Section IV. Conditions</p> <p>A.4 The Project shall consist of not more than _____ () rental apartment units, located in a single residential structure, and other related residential amenities, all as shown on the Approved Plans. The Project shall consist of no more than _____ () bedrooms.</p> |
| <p>Context / Recommended edits &/or considerations</p> | <p>A proposal of 176 units as written in the Applicant’s Financial Impact Analysis dated January 8, 2021 represents a ~70% increase in the number of households in this neighborhood compared to Census. We estimate across the 176 units, there will be an additional ~300 adult residents (age 17 and older), which represents over a 60% increase in adults in the neighborhood. A significant increase in population is not compatible or consistent with the neighborhood. To address Local Concern about the compatibility / maintain consistency with neighborhood (aligned with building type and census data), please add the following conditions:</p> <p>43. <u>The originally proposed 6-building (12-unit) townhouses are reinstated as owner-occupied units along Dorothy Road.</u></p> <p>To address Local Concern regarding the Property and Project maintenance and accountability of maintenance by the Applicant, please add the following conditions (*please note that 58% is aligned with Census data noted above):</p> <p>44. <u>At least 58% of the units in the Project building are to be owner-occupied, not rental.</u></p> |

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| <p>Draft Language Released 21_0310</p> | <p>Section IV. Conditions</p> <p>A.5 There shall be _____ () vehicle parking spaces (inclusive of required handicap spaces).</p> |
| <p>Context / Recommended edits &/or considerations</p> | <p>To address Local Concerns regarding flooding and ground water (see comment #'s 9-12, above), and further to protect the property and personal safety of future residents of the Project:</p> <p>45. Please add a requirement that <u>“all vehicle parking spaces on the Property must be above-ground.”</u></p> |

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| <p>Draft Language Released 21_0310</p> | <p>Section IV. Conditions</p> <p>A.7 Except as otherwise specifically provided herein, where this Decision provides for the submission of plans or other documents for approval by the Director of Planning and Community Development or other Town Departments, the Director of Planning and Community Development or applicable Department Head will use reasonable efforts to review and provide a written response within forty-five (45) days following submission. For submissions that require assistance from an outside consultant, as determined by the Director of Planning and Community Development or applicable Department Head, the thirty-day time period shall not begin until the consultant’s fee has been fully funded by the Applicant. Should forty-five (45) days elapse without a response as aforesaid, said plans or documents shall be deemed approved.</p> |
| <p>Context / Recommended <u>edits</u> &/or considerations</p> | <p>To address Local Concerns about the lack of completeness of building plans and allow for the appropriate Town of Arlington review/research/comment period:</p> <p>46. Please Include an opportunity to extend the 45-day window in the event of request by the Director of Planning and Community Development or Applicable Department Head.</p> <p>47. Please include that the 45-day window start after complete final submission of all plans/documents.</p> |

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| <p>Draft Language Released 21_0310</p> | <p>Section IV. Conditions, A. General <i>Note, no applicable language exists.</i></p> |
| <p>Context / Recommended <u>edits</u> &/or considerations</p> | <p>To address Local Concerns regarding flooding and protect personal property and personal safety of future residents of the Project:</p> <p>48. Please ADD the following condition: <u>No storage or functional common-area will be below-level of Dorothy Road.</u></p> |
| <p>Context / Recommended <u>edits</u> &/or considerations</p> | <p>To address Local Concerns regarding flooding and rodent activity:</p> <p>49. <u>No Trash or Recycling for the building will be below-level of Dorothy Road. All Trash and Recycling Receptacles will have closed containers, without holes or other entry-points to reduce the attraction of rodents and reduce rodent accessibility. Trash and Recycling areas will be developed with review/approval of the Arlington Board of Health.</u></p> <p>50. <u>A rodent control program shall be in place, submitted to be approved by the Arlington Board of Health and Arlington Conservation Commission to protect the wetlands, wildlife and domestic animals.</u></p> <p>51. <u>Trash and Recycling areas will not be visible from Dorothy Road.</u></p> |
| <p>Context / Recommended <u>edits</u> &/or considerations</p> | <p>To address Local Concerns regarding safety of the neighborhood:</p> <p>52. <u>The Property will include security cameras, at a minimum, on the rear of the building and sides of the building, as these areas not visible from Dorothy Road. Security footage will be monitored by trained personnel employed by an appropriately licensed/certified company that is responsible for the safety and security of the residents.</u></p> <p>53. <u>The rear of the property (facing Route 2) will include lighting to improve safety of residents of the Property.</u></p> |

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| | <p>54. <u>The Property will include security call buttons that will call directly to Arlington Police Department in the event of a health or safety issue. The payment of these security services will be made by the Applicant.</u></p> |
| <p>Context / Recommended <u>edits</u> &/or considerations</p> | <p>Trees on the Property provide a small, but significant sight, sound, and exhaust barrier from Route 2 into the neighborhood. To address Local Concerns regarding this type of impact should the trees be removed:</p> <p>55. Please add the following condition: <u>The Applicant shall add a sound barrier between Route 2 and the neighborhood to be designed and approved by an appropriately licensed engineer.</u></p> |
| <p>Context / Recommended <u>edits</u> &/or considerations</p> | <p>To address Local Concern regarding impact of water damage and future integrity of the Project:</p> <p>56. Please add the following condition: <u>The Applicant will provide a report to the ZBA, annually in June, on the presence of mold/mildew on and in the Project. The inspection will be performed by an independent agency is licensed and certified, as applicable. The inspection company will be chosen by both the Applicant and the Town of Arlington to ensure full transparency. If upon identification of mold/mildew, the Applicant will include plans for mold/mildew remediation, at their own expense. Within 72 hours of identification of mold/mildew, the Applicant is required to inform Arlington’s Department of Public Health and its tenants and potential tenants of the findings, the remediation, and any known presence of current mold or mildew.</u></p> |
| <p>Context / Recommended <u>edits</u> &/or considerations</p> | <p>In consideration of the incorrect documentation of the width of Dorothy Road as 40-foot wide and not its actual 25-foot width, please address Local Concern regarding the reduction in solar potential of neighboring houses of the Project by:</p> <p>57. Requiring an independent assessment from a licensed/certified solar company of any negative impact to the solar potential to homeowners in nearby homes of the Project, specifically homeowners at the corner of Littlejohn and Dorothy Road, homeowners of Dorothy Road, and homeowners on the south side of Mott Street.</p> |
| <p>Context / Recommended <u>edits</u> &/or considerations</p> | <p>In recognition of the Town of Arlington’s ownership of Trees along the neighborhood roads:</p> <p>58. <u>Applicant is responsible for any and all damage to Town of Arlington’s trees and may be fined for any damage and charged for the full replacement costs of trees of a similar age and type.</u></p> |

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| <p>Draft Language Released 21_0310</p> | <p>Section IV. Conditions, C. Submission Requirements</p> <p>c. Submit to the Board for review and administrative approval Final Engineering Drawings and Plans (“Final Plans”), such approval to be that the plans conform to the requirements of this Comprehensive Permit and incorporate the relevant conditions herein. The Final Plans shall also incorporate all relevant conditions and requirements of permitting agencies having jurisdiction. Applicable sheets of the Final Plans shall be signed and sealed by the Professional Land Surveyor of record, the Professional (Civil) Engineer of record, and a Registered Landscape Architect. Final Architectural Plans shall be stamped by a Registered Architect. The Final Plans shall be submitted to the Board at least forty-five (45) days prior to the anticipated date of commencement of building construction or submission of an application for building permits, whichever is earlier (the “Final Site Plan Submission Date”).</p> |
| <p>Context / Recommended edits &/or considerations</p> | <p>To address Local Concern that the Project plans are not complete or are inaccurate, please add:</p> <p>59. <u>No construction may occur on the Property until Final Plans are approved by the Board. If the Final Plans are different from prior plans submitted during the public comment period, and the changes are deemed significant by the Board, the Board, in its sole discretion, may request the Applicant’s Plans be reviewed by the public and/or Mass Housing.</u></p> |

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| <p>Draft Language Released 21_0310</p> | <p>Section IV. Conditions, C. Submission Requirements</p> <p>C.2 Prior to the issuance of any building permits, the Applicant shall:</p> <p>1. The Applicant shall provide calculations to confirm that the proposed trench drain gate at the drop-off area at the front of the proposed residential structure (Subcatchment 4S) has the capacity to capture all runoff without bypass to Dorothy Road. The stormwater design for the trench drain assumes that no runoff bypasses the drain and enters Dorothy Road. However, the calculated runoff for the 100-year storm is 1.3 cfs. If the Applicant is unable to provide calculations confirming that Subcatchment 4S does not have the capacity to capture all runoff without bypass to Dorothy Road, the Applicant shall revise the driveway grading so that it does not flow to Dorothy Road.</p> |
| <p>Context / Recommended edits &/or considerations</p> | <p>The following comments and questions to the Board are due to Local Concern regarding flooding. Please ensure the ZBA receives satisfactory answers from the Applicant on these points:</p> <p>60. Please describe the source of the 100-year storm runoff calculation of 1.3cfs. Is this the most recent FEMA map?</p> <p>61. Irrespective of the driveway grading, development of the Property will involve the removal of trees/vegetation, modification of absorptive ground in the wetlands/uplands and will prevent the natural waterflow of the neighborhood into the Wetlands. This will cause water to back up into Dorothy Road exacerbating an already prevalent water issue in the neighborhood.</p> |

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| <p>Draft Language Released 21_0310</p> | <p>Section IV. Conditions,</p> <p>E. <u>Project Design and Construction</u></p> <p>E.1 Prior to the commencement of any work on the Property, the Applicant and the site general contractor shall attend a preconstruction conference with representatives from the Arlington Fire Department, the Department of Public Works (Arlington Water and Sewer Division and Engineering Division), Planning and Community Development and other Town staff and consultants as may be determined. The Applicant and the site general contractor shall host a meeting open to all members of the public to review the construction schedule, hours, policies, procedures, and other neighborhood impacts at least fourteen (14) days prior to the start of construction.</p> |
| <p>Context / Recommended <u>edits &/or</u> considerations</p> | <p>To address Local Concern about communication and safety issues during the development of the Property, please add to these conditions:</p> <p>62. <u>Additionally, representatives from Arlington Police Department and Arlington Health Department will be included in the preconstruction conference.</u></p> <p>63. <u>The Applicant shall compensate the Town for resources used for these preconstruction conferences in a manner that is agreed to with the Board.</u></p> <p>64. <u>All Construction Schedules, Hours, Policies, Procedures and Neighborhood Impacts will be made in writing at least 45-days prior to the start of construction.</u></p> <p>65. <u>The Public will be given at least fourteen (14) days advance notice to review such construction documents prior to the hosted public meeting.</u></p> <p>66. <u>The Public will be permitted to submit concerns in advance of the public meeting, either verbally or in writing, to the Board.</u></p> <p>67. <u>The public meeting will be sufficient in length to answer all neighborhood concerns. The determination of sufficiency will be made in the sole discretion of the Board.</u></p> <p>68. <u>The public meeting will be held at a date/time that is most likely to be accessible to the majority of neighbors (i.e. not during the weekday before 6:30pm) and if held in person, will also accommodate online format (i.e. Zoom).</u></p> <p>69. <u>All neighborhood concerns will be addressed in writing by the Applicant and be publicly available on the Board website.</u></p> <p>70. <u>Should the Board, in its sole discretion, determine the neighborhood impacts are significant and unaddressed by the Applicant or its site general contractor, the Board may in its sole discretion, direct the Applicant to remediate specific items of concerns prior to the start of construction.</u></p> <p>71. <u>Should the Board, in its sole discretion, determine concerns remain unresolved, the Board may resolve the issue in its sole discretion.</u></p> <p>72. <u>Should the Board, in its sole discretion, determine that additional Public Meetings be warranted to address public concern, the Applicant and its site general contractor will continue discussions with the Public to address concerns.</u></p> |

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| Draft Language Released 21_0310 | Section IV. Conditions, F.1 Access and egress to the Project shall be via Dorothy Road, consistent with the Approved Plans. |
| Context / Recommended edits &/or considerations | <p>The plans approved by Mass Housing had 3 egresses noted as 40-foot wide, including access/egress to Route 2. Two access/egresses were eliminated due to environmental sensitivity. However, there is Local Concern about the impact of unavoidable surge of traffic going into one road as opposed to being most appropriately distributed across 3 access/egresses. Please add to these conditions:</p> <p>73. <u>Applicant must verify that access and egress to the Project via Dorothy Road meets the 40-foot wide specification on the Approved Plans</u></p> <p>74. <u>The Applicant will pay the Town of Arlington for in an amount that will cover re-paving/resurfacing of all impacted local roads. The Town of Arlington will be responsible for quoting the repavement/resurfacing and hiring of a licensed company.</u></p> |

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| Draft Language Released 21_0310 | Section IV. Conditions, F.13 The Applicant shall provide a one-month Charlie Card with an unlimited bus/subway service to each adult member of a unit, up to two per household. |
| Context / Recommended edits &/or considerations | <p>Please change wording to:</p> <p>75. <u>On a monthly basis and for the duration of tenancy, the Applicant shall provide an MBTA Monthly LinkPass (or equivalent) with an unlimited bus/subway service to each adult member of a unit, up to two per household per month.</u></p> |

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| Draft Language Released 21_0310 | Section IV. Conditions, I.6 The Applicant shall hire a qualified environmental monitor to be on-site during project construction. The environmental monitor shall submit an electronic report to the Board weekly during construction progress and relation to resource areas. During the duration of construction and mitigation plantings or other activities permitted, the qualified environmental monitor shall also submit an electronic report after every rain event exceeding .5 inches of rain in a 24-hour period to the Board regarding the condition of the Property during and after the rain event. Such report shall also include the status of erosion control measures and any additional measures to address stormwater management caused by said rain event. |
| Context / Recommended edits &/or considerations | <p>Due to Local Concern of flooding impact to neighborhood:</p> <p>76. For transparency about water impacts to the neighborhood, not just the Project, please consider a mechanism for current residents of the neighborhood to submit reports/complaints to the Board.</p> |

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| <p>Draft Language Released 21_0310</p> | <p>Section IV. Conditions,</p> <p>I.8 The applicant, successor or assigns shall ensure the cleanliness of all catch basins and roadway affected by the project related activity. All catch basins will be protected by a “Silt Bag Inlet Protection” device or equal during the project work period. The applicant shall inspect and clean as necessary, all catch basins and sweep the roadway at least weekly during construction. It may be required more frequently during rain events.</p> |
| <p>Context / Recommended edits &/or considerations</p> | <p>Due to Local Concern of flooding impact to neighborhood:</p> <p>77. During construction, please consider requiring the Applicant to distribute “silt bag inlet projection” devices or equivalents to residents who reside within the construction path.</p> |

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| <p>Draft Language Released 21_0310</p> | <p>Section IV. Conditions,</p> <p>I.24 The application of plant nutrients shall comply with 330 CMR 31.00. No other herbicides or treatment methods may be utilized on the Property. No pesticides or rodenticides shall be used to treat pest management issues within resource areas.</p> |
| <p>Context / Recommended edits &/or considerations</p> | <p>Due to environmental concerns and to prevent rodents or pests that have consumed pesticide or rodenticide from contaminating the Wetland:</p> <p>78. Please update to...”No pesticides or rodenticides shall be used to treat pest management issues <u>on the Property.</u>”</p> |