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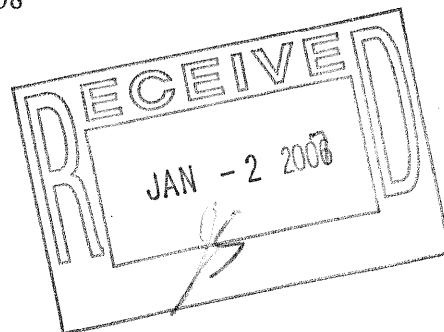


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TOWN OF ARLINGTON  
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December 29, 2006

Zoning Board of Appeals  
Town of Belmont  
455 Concord Avenue  
Belmont, MA 02478



Re: Residences at Acorn Park, Belmont Uplands

Dear Zoning Board:

The Town of Arlington has monitored the hearings you have held on the subject project and wishes to express our concern about the planned 299 unit residential development. The Arlington Redevelopment Board and the Planning Director have expressed some of our concerns at previous sessions of the hearing. We would like to emphasize these and add some specific requests.

The applicant has proposed traffic mitigation measures at numerous intersections surrounding the site. Most of these are not in Belmont and have not been reviewed. We specifically ask that you have your traffic consultant review and comment on the proposed measures and do this at the developer's expense as you did for the intersections in Belmont.

The traffic mitigation proposed by the applicant depends in some cases upon other mitigation measures that have been proposed by the developer of Cambridge Discovery Park. At a minimum, the Belmont Uplands developer must be required to complete these mitigation measures in the case that they are not otherwise implemented. We request that you condition any permit you may issue with the requirement to complete all the proposed mitigation measures (as may be amended by your peer review of their effectiveness).

Many of the traffic mitigation measures propose changes to the timing and sequencing of traffic signals in Arlington and Cambridge. Arlington would not be in a position to

Birthplace of "Uncle Sam" – Our National Symbol  
Samuel Wilson – Born in the Town – September 13, 1766

approve such measures without a peer review. It may be determined after peer review that these proposed traffic mitigation measures may better serve the future residents of the proposed development than others using the intersection. The developer cannot unilaterally determine to change the signalization of a traffic signal under the jurisdiction of the Town of Arlington or of the State, therefore alternative measures must be required if the proposed methods are not approved by those with ultimate jurisdiction.

Needless to say, the traffic impacts would be easier to mitigate if the project were smaller. We believe the Board must seriously investigate the reduction in the size of the project. A smaller project does not necessarily mean a less profitable project. There are many legitimate reasons to limit the size of the project and this alternative must be pursued. Belmont is in the unusual situation of having changed the zoning of the property from “two-family residence” to “office” only to have the property owner then submit an application for a comprehensive permit in which it could then be claimed that the value of the property (a key factor in the determination of the project’s economic profitability) was much greater than before the rezoning. The theoretical value of the property has allowed the developer to claim a very low profit margin on the project and threaten that any lessening of that margin is cause for them to appeal any condition to the Housing Appeals Committee. The fact that the developer has paid nothing for the land allows its development as proposed, claiming a small profit, but realizing a significant profit. The ability to receive a permit for a smaller project may be more attractive to the developer than defending their claims of profitability before the Housing Appeals Committee.

The applicant has proposed measures to mitigate the storm drainage impact of the development and if implemented, the permit should include the requirement to carefully maintain the systems that are proposed. It is unfortunate that early development in this “Alewife” area set it on a path of intensive transportation and industrial development – perhaps because it was property that was undesirable because it was low and wet. It is fortunate (and another testament to its wetness) that some of the land remains open. In the past, land was filled and built upon leading to flooding problems and the need to construct mitigation measures. Downstream of the project, Arlington properties experience serious flooding and even sewer overflows (from Cambridge and Somerville) when Alewife Brook surcharges.

We in government no longer tolerate shifting the problem to the public sector and we no longer tolerate artificially removing stormwater that should remain in the ground for a healthy environment. The proposed development of yet another open space is regrettable and should be carefully done to limit its impact. Once again a smaller project can be made to have less impact and to create less impermeable surface.

A smaller project may make sense for the applicant as well and the possibility should be investigated. We reiterate concerns about the design articulated by the Arlington Redevelopment Board and point out that a smaller project could include more interior open space that would lessen its impact and make it more attractive to the residents. The Zoning Board of appeals is now the only representative of these future Belmont residents and you have an obligation to maintain for them the high standards you hold for the rest

of town. The residents of this development cannot easily access any of the amenities (or necessities) of Belmont without getting in their car and driving. Their immediate surroundings therefore will be significant in their lives and should not be determined by the expediency of cramming as many units as possible onto a small lot.

To review:

We strongly urge the Board to pursue a proposal of a smaller project with the applicant.

We request that you peer review the traffic mitigation measures proposed for intersections in Arlington and Cambridge. If such a review requires keeping the hearing open another 30 days, that seems a reasonable measure to assure that the mitigation measures are effective.

If a permit is issued, we strongly urge the inclusion of the following conditions:

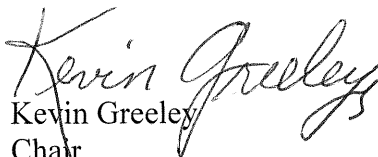
The applicant must be required to complete all the traffic mitigation measures cited in its traffic impact study even if they have been proposed by others.

The applicant must be required to implement alternative traffic mitigation measures if the proposed methods are not approved by those with ultimate jurisdiction. In so doing the applicant can be held to the performance standards cited in its traffic impact study.

The applicant must be required to carefully maintain the stormwater mitigation systems that are proposed.

We wish you wisdom in your deliberations on this permit application and trust that you will seriously consider our concerns and requests.

Very truly yours,  
BOARD OF SELECTMEN

  
Kevin Greeley  
Chair

cc: Belmont Board of Selectmen