

Submitted by Hollman, Pct. 6, Re Article 55

Mr. Michael Cunningham, Town Counsel
50 Pleasant St, Arlington, MA

Arlington Select Board
730 Mass Ave, Arlington, MA

Arlington Redevelopment Board

November 10, 2025

Dear Mr. Cunningham and Members of the Select Board:

In reviewing the plans for 126 Broadway, we notice that the developers are including a "bonus" fifth floor even though buildings in the MBTA Communities Act Act Mass Ave/Broadway Multifamily (MBMF) District are capped at four stories maximum *unless a developer meets specific conditions that are laid out under the law in great detail*. We write as residents and Town Meeting members who are alarmed at the Redevelopment Board's suggestion that they agree with the developer's interpretation of our bylaw which would allow them to circumvent our Zoning Bylaws on MBTA Act overlay bonuses. We explain why below.

Given the negative precedent that would be set if the Board were to distort and dilute our bylaw on bonuses in the very first project seeking to use such bonuses, this deserves close attention. Misapplication of the law here paves the way for the dilution of Affordability requirements *in all MBTA overlay projects in Arlington* going forward, and would mean that the ARB would not be enforcing what Town Meeting voted upon after a process of lengthy public input and debate.

In short, to qualify for a "bonus floor" under our MBTA Act overlay regulations, one of these conditions in Section 5.8 of the bylaw must be met :

5.8.4 Development Standards

E. Bonuses

- (2) In the MBMF Overlay District, one additional story may be added if the total percentage of affordable units **exceeds** the requirements in Section 8.2.3 Requirements of this Bylaw for a total of **at least** 22.5% of all units...[emphasis added]
- (3) In the MBMF Overlay District, one additional story may be added for projects that are minimum LEED Gold certified or equivalent level of an alternate green building standard reviewed and approved by the Redevelopment Board.

The proposal for 126 Broadway fails to meet condition 3 for a bonus floor. It also fails to reach the above-cited 22.5% minimum threshold for Affordable units. As such, it is ineligible for a

bonus floor. After exceeding the highest number of units whereby the threshold is met with three affordable units, the percentage of affordability once again falls below the required threshold.

We understand the ARB is pointing to regulations in section 8.2 of the bylaw to create a rounding rule that is simply not found here. However, just because the number of units can be rounded up or down in *some* instances does not mean that it can be rounded down in this *specific* instance. The language of 5.8.4.E(2) makes it clear that 22.5% is meant to be a *minimum* threshold for bonus floors in the MBMF overlay in multiple ways: 1) it utilizes the word "exceeds" (... "the requirements in section 8.2.3"); and 2) it uses the words "*for a total of at least 22.5% of all units*" (and "*at least 25% of all units*" for a sixth floor on Mass Ave).

Section 8.2 details our Inclusionary Zoning regulations for non-MBTA Act zoning. These rules allow for rounding up or down *out of necessity* where the number of Affordable units required by the IZ law is not a whole number:

8.2.3. Requirements

- A. In any development subject to this Section 8.2, 15% of the dwelling units shall be affordable units as defined in Section 2 of this Bylaw. For purposes of this Section 8.2., each room for renter occupancy in a single-room occupancy building shall be deemed a dwelling unit. In determining the total number of affordable units required, calculation of a fractional unit of 0.5 or more shall be rounded up to the next whole number.

Under Section G, this rounding rule would apply to projects of 6 or more units in the MBTA overlay *as long as they do not seek to avail themselves of bonuses, for which highly specific language was drafted and voted upon by Town Meeting*. Put another way, these rules apply to some developments subject to 8.2, but *they cannot govern optional concessions in the form of bonuses added on to such projects because new rules were set forth for those bonuses*.

The rounding down principle applies to MBTA overlay projects with 6 or more units where the developer does not seek to take advantage of bonuses. Once bonuses come into play, there are *very specific thresholds* set forth in the section of our bylaw - the only section - governing the bonuses. Indeed, the process by which the regulations concerning these bonuses were drafted, debated, and voted upon would be negated if the wording of the bonus regulations were suddenly open to new interpretation.

To return to Section 5.8.4 of our Bylaw on development in the MBTA act overlay, the law clearly states that fifth floor bonuses on Mass Ave and Broadway are for developments where "*at least 22.5% of all units*" are Affordable. For a sixth floor on Mass Ave "*at least 25% of all units*" must be Affordable.

E. Bonuses

- (1) (Pertains to zero setback bonuses)..
- (2) In the MBMF Overlay District, **one additional story may be added if the total percentage of affordable units exceeds the requirements in Section 8.2.3 Requirements of this Bylaw for a total of at least 22.5% of all units. In the MBMF Overlay District for properties facing Massachusetts Avenue, a second additional story may be added if the total percentage of affordable units exceeds the requirements in Section 8.2.3 Requirements of this Bylaw for a total of at least 25% of all units.** [Emphasis added]

The rules on bonuses cannot be carried over from section 8.2 to 5.8 for five reasons:

- Section 8.2 does not even have or allow bonuses, so there are no rules on bonuses to carry over;
- Section 8.2 does not pertain to As of Right development, for which more stringent rules were drafted;
- Section 8.2 is meant to be less restrictive than As of Right regulations as evidenced by the fact that 5.8 rules and requirements are required to "exceed" those of 8.2.
- Section 8.2 does not contain the same "at least" language in describing its calculations
- Section 5.8 uses specific, precise wording ("at least") to set a minimum threshold for bonuses in the MBTA overlay district that are earned and separate from base regulations.

So the rounding rule would apply to projects of 6 or more units in the MBTA overlay that do NOT use bonuses, *for which different rules were set forth and voted upon*. Furthermore, a no mixing and matching rule is set forth in 5.8.1.B.

The MBTA Act overlay created and outlined special rules for bonuses precisely because As of Right development requires stringent guard rails. Our laws on bonuses were written with precision so as to eliminate the loophole that developers are now trying to create out of thin air. Arlington must not let developers bend and run over our guardrails, and to disregard our Bylaw on bonuses to gain concessions without adding the requisite number of Affordable units. In this case, the legal requirement for building 14 units on five stories is the inclusion of 4 Affordable units.

Please see my email asking that this be posted as correspondence received to the ARB for tonight's meeting, and that it be included on the Select Board's agenda so that residents can speak to the matter there as well. Thank you for upholding our laws on this matter.

Sincerely,

/s/ Joanne Cullinane, 69 Newland Rd, TMM 21

/s/ *Laurie Abrams-Hall, 54 Winter Street

/s/ Max Antinori, 79 Westmoreland Ave

/s/ Ralph Antonelli, 65 Ridge St
/s/ Marella Averill, 22 Devereaux St
/s/ *Daniel Barella, 68 Everett St
/s/ *Ahmed Bajwa, 89 Oxford #2
/s/ *Harold Becker, 46 Harlow St
/s/ Robin Bergman, 320 Park Ave, **TMM 12**
/s/ Jane Biondi, 50 Wyman St, **TMM**
/s/ Joanne Booth, 10 Orchard Terr
/s/ *Laura Borgia, 6 Raleigh St
/s/ *Katie Bradley, 217 Broadway St
/s/ David Brecht, 55 Norfolk Rd, **TMM 10**
/s/ *Michael Brennan, 85 Everett St
/s/ *Marie Burack, 131 Broadway St
/s/ Erin Butts, 14 Wheaton Rd
/s/ Nancy Butts, 14 Wheaton Rd
/s/ Eileen Cahill, 48 Dickson Ave
/s/ Regina Capasso, 264 Mass Ave #101
/s/ *Katie Carroll, 99 Oxford St
/s/ *Mack Carroll, 99 Oxford St #1
/s/ *Laurel Case, 85 Everett St
/s/ Christina Chalapatras, 172 Overlook Rd, **TMM 13**
/s/ Rong Chen, 81 Marathon St
/s/ Maxim Chernobayev, 32 Carl Rd
/s/ Suzanne Chiarito, 41 Kilsythe Rd, **TMM 20**
/s/ *Belinda Chu, 88 Broadway St
/s/ *Kristin Clark, 79 Everett St
/s/ *Cutler Cleveland, 68 Oxford St
/s/ *Joan Connor, 78 Bates Rd
/s/ *Dina Cote, 9 River St
/s/ Linda Cundiff, 29 Summer St, **TMM 15**
/s/ Jenny Cutraro, 15 Stowecroft Rd, **TMM 11**
/s/ *Peter Degen-Portnoy, 28 Everett St #2
/s/ Michele Desmond, 31 Radcliffe Rd, **TMM 15**
/s/ Paul Desmond, 31 Radcliffe Rd
/s/ Nicholas Dokos, 278 Park Ave
/s/ Lynn Dowling, 17 Silk St
/s/ Maria DUBYAGA, 32 Carl Rd, **TMM 19**
/s/ Amy Duke, 33 Newman Way #1, **TMM 8**
/s/ Becky Edmondson, 31 Morton St
/s/ Anne Ehlert, 156 Westminster Ave, **TMM 21**

/s/ *Evangelina Eliopoulos, 103 Everett St
/s/ *Peter Eliopoulos, 103 Everett St
/s/ Wynelle Evans, 20 Orchard Pl, **TMM 14**
/s/ Andrew Fischer, 25 Lombard Rd, **TMM 6**
/s/ BethAnn Friedman, 10 Hazel Terr, **TMM 15**
/s/ *Angela Galanopoulos, 48 Everett St
/s/ Helene George, 11 Farmer Rd
/s/ Jon Gersh, 24 Kipling Rd **TMM 18**
/s/ *Annie Grear, 103 Grafton St
/s/ Elaine Greene, 23 Lanark Rd
/s/ Harold Greene, 23 Lanark Rd
/s/ William Gresser, 6 Revere St, Former **TMM**
/s/ Tracy Gresser, 6 Revere St
/s/ Lygia Grigoris, 370 Park Ave
/s/ *Linda Grosser, 31 Everett St
/s/ *Jason Haas, 105 Everett St, **TMM 7**
/s/ *Sheila Harrington, 9 Raleigh St
/s/ Martin Heermance, 14 Selkirk Rd, **TMM 20**
/s/ Claire Hodgkinson, 19 Silk St
/s/ *Roderick Holland, 88 Grafton St, **TMM 7**
/s/ Aram Hollman, 12 Whittemore St, **TMM 6**
/s/ Bonnie Hourican, 179 Hillside
/s/ *Malik James, 84 Broadway St
/s/ Alice Jardine, 21 Spring Valley St
/s/ Ruth Johnson, 20 Wilbur Ave
/s/ Lida Junghans, 10 Newton Rd
/s/ *Stylianios Karaminas, 48 Everett St
/s/ Laurel Kayne, 79 Westmoreland Ave
/s/ Russell Keim, 69 Newland Rd, pct 21
/s/ Asia Kepka, 15-17 Silk St, former **TMM 1**
/s/ Colleen Kirby, 16 Pamela Dr, **TMM 15**
/s/ *Jennifer Lauchlan, 206 Broadway St
/s/ Lori Leahey, 53 Westmoreland Ave, **TMM 21**
/s/ *Alexandra Lee, 99 Harlow St
/s/ Barbara Lieurance, 22 University Rd
/s/ *Bob Lowe, 22 Harlow St, Former **TMM**
/s/ Carol Luddecke, 125 Park Ave, Former **TMM**
/s/ Kenneth MacKenzie, 33 Bowdoin St
/s/ Janet Mahoney, 9 Paul Revere Rd, **TMM 20**
/s/ Melletha Marx, 13 Pine Ridge Rd

/s/ *Jean Mazzola, 90 Everett St
/s/ *Mary McCabe, 61 Harlow St
/s/ David McCall, 30 Peck
/s/ *John McCarthy, 79 Everett St
/s/ Beth Melofchik, 20 Russell St, **TMM 9**
/s/ Heather Meunier, 105 Irving St
/s/ Judith Miller, 32 Pine Ridge Rd
/s/ Hal Miller, 32 Pine Ridge Rd
/s/ Scott Mullen, 68 Henderson St, **TMM 3**
/s/ Junko Nagano, 100 Falmouth Rd, **TMM**
/s/ *Jessica Nargiso, 105 Everett St
/s/ *Claire Odom, 19 River St #2, **TMM 7**
/s/ Alisa Pascale, 109 Westminster Ave
/s/ Eric Peterson, 31 Florence Ave
/s/ *Georges Petitpas, 106 Grafton St
/s/ *Jenny Petitpas, 106 Grafton St #2
/s/ *Joseph Pinciario, 74 Oxford St, Arlington
/s/ Marilyn Poole, 17 Lanark Rd
/s/ Marina Popova, 255 Ridge St, **TMM 13**
/s/ Matthew Potok, 35 Princeton Rd
/s/ Jo Anne Preston, 42 Mystic Lake Dr, **TMM 5**
/s/ Elizabeth Pyle, 66 Gloucester St, **TMM 8**
/s/ Beth Quigley, 78 Menotomy Rd
/s/ *Abigail Rice, 90 Harlow Street
/s/ *Tom Robertson, 83 Harlow St, Former TMM 7
/s/ *Elizabeth Rocco, 94 Grafton St
/s/ *Geoffrey Rockwell, 35 Everett St
/s/ Jennifer Roderick, 6 Pioneer Rd, **TMM 2**
/s/ Mark Rosenthal, **TMM**
/s/ A. Michael Ruderman, 9 Alton St, **TMM 9**
/s/ *Wendy Rundle, 38 Grafton St
/s/ Meredythe J. Schober, 49 Churchill Ave #1
/s/ Kristan Schoen, 93 Madison Ave, **TMM 21**
/s/ *Lauren Scott, 130 Broadway St
/s/ *Munan Shaik, 118 Broadway St
/s/ Andrew Sherburne, 42 Pondview Rd
/s/ Jacqueline Sherry, 10 Inverness Rd
/s/ *Jonah Silberg, 62 Everett St #2
/s/ *Larry Slotnick, 94 Grafton St #2 **TMM 7**
~~/s/ *Jessie Solomon-Greenbaum, 67 Grafton St, #2~~

/s/ Carole Springer, 29 Hawthorne Ave
/s/ *Betty Stone, 99 Harlow Street # 1, **TMM 7**
/s/ *Rose Sun, 62 Everett S
/s/ Lawrence Tennis, 10 Inverness Rd
/s/ *Jennifer Tortelli, 84 Broadway
/s/ John Tortelli, 101 Sunnyside Ave
/s/ Bob Tosi, 14 Inverness Rd, **TMM 20**
/s/ Margaret Tuttle, 8 Melanie Ln
/s/ Anna Ubeda, 20 Silk St
/s/ Jan Udem, 264 Mass Ave
/s/ *Carla Valentine, 18 Ernest Rd
/s/ Sudhir Verma, 49 Dickson Rd
/s/ Cheryl Vossmer, 25 Peck Ave, **TMM 20**
/s/ Nance Vossmer, 25 Sunset Rd
/s/ Carl Wagner, 30 Edgehill Rd, **TMM 15**
/s/ *Sheelah Ward, 83 Harlow St
/s/ Carolyn A White, 276 Mass Ave #405
/s/ John Worden, 27 Jason St, **TMM 8**
/s/ Patricia Worden, 27 Jason St, former TMM 8
/s/ Courtney Hadly Zwirn, 65 Oak Hill Dr

142 signatures; *53 of whom live on Everett and nearby side streets

SIGNED AFTER NOV 17 EMAIL TO SB AND ARB AND TOWN COUNSEL:

*Angela Alton, 91 Harlow St
*Sean Alton, 91 Harlow St
Laura Bickmeier, 18 Peck Ave
*James Brooks, 98 Oxford St
Jessie Brown, 46 Jason St
*Renata Cardoso, 100 Everett St
James Chalapatras, 172 Overlook Rd
Charles Chamallas, 41 Candia St
Michele Lee DeFilippo, 30 Landsdowne Rd
Sally Demopoulos, 38 School St
Cameron Desmond, 31 Radcliffe Rd
*Samantha Doucet, 70 Everett
Gina Duddy, 20 Fountain Rd
*Jessica Fallon, 98 Oxford St
*Shevawn Hardesty, 32 Everett St
*Zenub Kakli, 72 Everett St
*Jamie Kirsch, 24 Everett St, #2
*Adam Lane, 77 Grafton Street, **TMM 3**

Robin Lemp, 61 Richfield Rd
Leon Lombard, Jr, 62 Dickson Ave
Nadine Lombard, 62 Dickson Ave
Margaret Mitropoulos, 15 Jean Rd
Kathleen Moscillo, 20 Teresa Cir
Scott Mullen, TMM
*Kelly Mulligan, 90 Everett St, #1
*Susan Pace, 91 Marathon St
Mark Rosenthal, 64 Walnut St, **TMM 14**
Pamela Rosenthal, 346 Gray St
Evren Sirin, 235 Ridge St
*Jeanne Thomas, 65 Harlow St
*Christian Webb, 100 Everett St, #1
Gregory Wong, 22 University Rd
Fusun Yaman Sirin, 235 Ridge St, **TMM**

Total: 175 signatures; 67 near abutters

CC Mr Jim Feeney, Town Manager

Aram Hollman, Pct. 6, Article 55

From: Carla Paynter Valentine

Sent: Thursday, November 20, 2025 2:57 PM

To: Claire Ricker

Subject: Hi- Wanting to learn more about Bylaws please

Dear Arlington Redevelopment Board,

I hope this message finds you well.

I have been an Arlington resident for 15 years now, my young child goes to school in town, and we would like to remain living here for as long as possible.

I learned recently that the Arlington Redevelopment Board is trying to put through a five story building (where a two story is currently) on 126 Broadway street. Bylaws state that "at least 22.5%" of all units must be affordable. That would mean 4 out of 14 units in this building would need to be affordable. Currently the board is trying to squeeze this project through with only 3 units of affordable housing?

I have some questions about this please:

What definition of "affordable" is the board using?

Why do the bylaws **only** require 22.5% affordable housing?

Why would the board try to cut crucial corners in the % of already limited affordable housing?

Why is the board considering a 5 story building where a 2 story is? (taking into account green space, quality of life, drastically altering the landscape)

Let's use a building that was just put up as a case in point exercise:

80 Broadway

According to apartments.com- the price is \$5,500 for a 2 bedroom (what???)

Who can afford this?

And this drives costs up for the rest of us struggling to be able to afford to live here.

And the first floor is used as a gym for the renters??? (what???)

How are we allowing these luxuries when so many in Massachusetts are homeless or struggling to pay their rent and mortgage?

Big picture:

What kind of town do we want Arlington to become?

I want Arlington to be a town that is thoughtful and responsible with their redevelopment projects, considering affordability, green space, aesthetics, and quality of life (once a building goes up, it stays there).

I want Arlington to be a town that is affordable for low to moderate income earners and the middle class.

Conclusion: the 126 Broadway development idea will **gentrify** the area not revitalize the area. The area is already very vital.

And who is benefiting long-term?

Thanks for reading and for your service to our community,
Carla

Submitted by Aram Hollman, Pct. 6, re Article 55

March 21, 2026

Dear Members of the Redevelopment Board:

Since last fall, many residents have turned out at hearings to express their frustration at the gap between what our provisions on MBTA-C Act overlay bonuses say versus what various individuals on the Board interpret or recall it as saying. The degree to which the Board itself has disagreed on those interpretations has been alarming.

Town Meeting members are the ones to vote on the language of the law, so we must simply look at the clear language of the law that was presented for a vote. The language reveals clear minimum thresholds.

Two members of the Board agreed that the words "at least 22.5% of all units" sets a firm threshold for Affordability in the bonus provisions of the MBTA act law. They stated compelling reasons for that reading. They noted that the words "at least" and "to exceed" (our IZ rules) bolster the idea that no rounding (down) is to be allowed since "at least" sets a firm threshold.

Three members thought rounding down would be fine, but they did not point to anything in the law to show why other than .. Section G. As we know, it was necessary for section G to refer back to our base MBTA act zoning regulations because we *asked* the state to allow the **base component of the MBTA Act overlay zoning** (first 4 floors, with no bonus) to match our IZ rules. Section G does not, and was never intended to, refer to bonuses, for which we can see that new minimum threshold language was crafted (hence, the "at least"). Before Section G gets deleted in order to clear up "clutter" in the Bylaw, this context must be made clear and the clarification sought by Article 55 passed.

Please do not water down Affordability bonuses from the 22.5% threshold in the law. That would be the result if we were to allow new math to prevail, rather than the clear language and math contained in the law presented and voted upon at Special Town Meeting, 2023. Thresholds are particularly important for rules tacked on to by-right zoning. Residents have made it clear that they want no watering down of any of our agreed-upon laws as the first projects seeking bonuses appear before the Board.

Thank you,
Joanne Cullinane TMM 21