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Department of Planning & Community Development

Report on Demolitions and Replacement Homes

DRAFT – 7/11/2019

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INTRODUCTION

The Residential Study Group (RSG) has been tasked with studying two interrelated concerns occurring in Arlington: the demolition of structures that may be affordable and the incompatibility of new structures in established neighborhoods. From October 2018 through March, 2019, the Department of Planning and Community Development worked with the Residential Study Group to study these concerns. The study was a direct outcome of Special Town Meeting's request in 2018 that the Residential Study Group evaluate the effectiveness of Arlington's current demolition delay bylaw (formerly known as Title VI, Article 6: Historically or Architecturally Significant Buildings) and determine whether it should be amended. In particular, the group was tasked with studying the demolition of Arlington residential structures and associated impacts on a number of factors in Arlington's residential neighborhoods, such as housing affordability, historic preservation, neighborhood demographics, neighborhood character, and the impact of construction activity on abutters. In this report, the Department of Planning and Community Development (DPCD) identifies recommendations for the RSG to consider advancing to a future Annual Town Meeting.

ANALYSIS OF EXISTING CONDITIONS

This section provides an overview of Arlington's current regulatory controls, an analysis of low-density zoning districts, and baseline account of trends related to replacement homes in Arlington. In recent years, there have been instances where smaller homes have been replaced with larger homes or two-family homes. This trend has been concerning due to the loss of smaller, perhaps naturally-occurring, affordable homes. The DPCD documented the existing conditions through a study of the existing regulatory controls as well as building permit data, with data analysis of homes that were substantially renovated or replaced between 2010 and the end of June, 2019 (the study period).

Regulatory Controls

The Town of Arlington uses zoning to express the community's development blueprint: the where, what and how much of land uses, intensity of uses, and the relationship between abutting land uses and the roads that serve them. Being a predominantly residential community, this discussion will focus on residential uses and the way local regulations control development in Arlington.

Zoning Bylaw

The Zoning Bylaw controls development through defining the allowable uses within a zoning district, setting reasonable density and dimensional controls, and other special regulations. In Arlington, there are eight residential zoning districts, which are organized by allowable density. However, the primary allowed use is single-family dwellings and two-family dwellings across the eight zoning districts. In the lowest density districts (R0 and R1), the only allowed use is a single-family dwelling. In the R2 District, two-family dwellings are also allowed. Some accessory uses are allowed, but those are associated with the residential use. Specifically, the Zoning Bylaw in Section 5.4.1 describes these three zoning districts as follows:

R0: Large Lot Single-Family District: The Large Lot Single-Family District has the lowest residential density of all districts... The Town discourages intensive land uses, uses that would detract from the single-family residential character of these neighborhoods...

R1: Single-Family District: The predominant uses in R1 are single-family dwellings... The Town discourages intensive land uses, uses that would detract from the single-family residential character of these neighborhoods...

R2: Two-Family District: The predominant use in R2 is a two-family dwelling or duplex... The Town discourages uses that consume large amounts of land, uses that would detract from the single-family and two-family or duplex residential character of these neighborhoods.

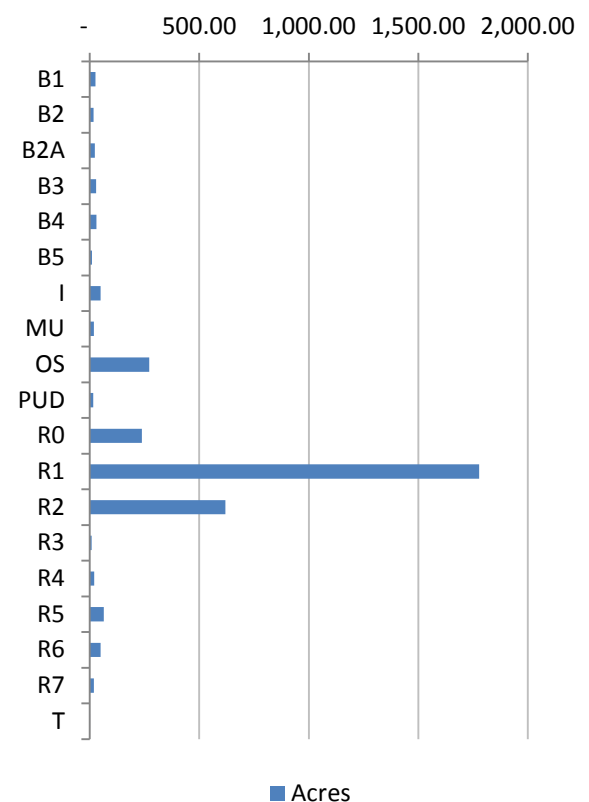
It is clear that the intent of the Zoning Bylaw is to limit these zoning districts to low-density residential uses. Of particular note is the ability to replace a single-family home in the R2 District with a two-family home by right assuming all dimensional requirements are met. The other five residential zoning districts allow greater density, are located on major corridors with public transportation, and in some cases, allow small offices that complement the residential character. Of Arlington's total land area, 80% is within the R0, R1, and R2 Zoning Districts; 85% of all land in Town is zoned between R0 and R7.

The Zoning Bylaw sets forth certain dimensional requirements as well, including minimum lot sizes, minimum setbacks, open space and lot coverage requirements, as well as the maximum height in feet and the maximum number of stories in Section 5.4.2 of the Zoning Bylaw. The minimum lot size for residential uses ranges from 6,000 square feet (R1 and R2 District) to 9,000 square feet (R0 District). The Master Plan describes the minimum lot size and minimum frontage required in these districts as consistent with the prevailing development pattern. The Plan also suggests that standards that affect the intensity of the use, such as maximum floor area ratio (FAR), lot coverage, setbacks, and open space ratios, are reasonable and consistent with neighborhood development patterns. Finally, the maximum residential height, 35 feet and 2.5 stories, is described in the Master Plan as largely consistent with neighborhood development patterns. In combination, these requirements create the building envelope on a lot, which limits the area that could be occupied by a structure and the amount of impervious surfaces on a lot. The size of the building envelope is proportional to the size of the lot. Assuming that a project meets all of the use and dimensional requirements of the Zoning Bylaw, the project may proceed with applying for a building permit.

In many cases, the residential structure on the lot may be nonconforming due to when the lot was created or when the structure was built. The Zoning Bylaw allows single-family and two-family dwellings to be altered and extended if the proposed project does not create new nonconformities and is not detrimental to the neighborhood after review by the Zoning Board of Appeals per Section 8.1.3.

Certain alterations or additions to existing structures require additional review by the Zoning Board of Appeals. Large additions or alterations are defined as additions or alterations that increase the gross floor area of a building by more than 750 square feet or more, or by 50% or more of the building's gross floor area. As described in Section 5.4.2 (B) of the Zoning Bylaw, large additions are not allowed unless

Total Acres of Land by Zone



the addition is completely contained within the existing foundation or that there is a finding by the Zoning Board of Appeals (ZBA) that the alteration or addition is in harmony with the other structures and uses in the vicinity. This review is triggered by a single project or the cumulative alterations or additions within the past two years. There are a handful of large addition reviews each year; available data indicates that there were 29 special permits issued by the ZBA between January, 2012 and June, 2019, an average of just under four special permits per year.

Town Bylaw

The Town Bylaw outlines development controls related to historic properties through the Local Historic Districts and demolition delay. The Local Historic Districts are administered by the Arlington Historic Districts Commission, while the demolition delay bylaw is administered by the Arlington Historical Commission.

There are seven Local Historic Districts in Arlington, all of which have some properties in at least one of the low-density residential zoning districts. In Local Historic Districts, any exterior removal, construction, or alteration that is subject to the public view requires approval from the Historic Districts Commission. The review ensures a heightened level of protection against incongruous alterations of structures or the environment within the purposes of each historic district. The Historic Districts Commission has adopted design guidelines to assist property owners with project application and review.

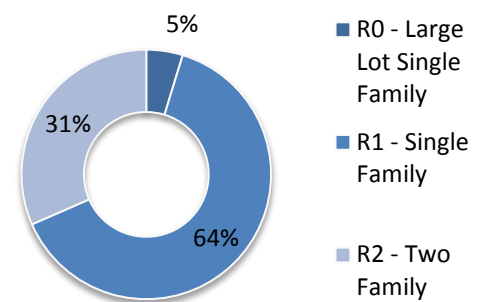
Arlington's demolition delay bylaw applies to any building that is listed on, or part of an area listed on, the National Register or is an inventoried property deemed significant by the Historical Commission. Demolition is defined as including when a property owner proposes to change or remove more than 25% of any one front or side elevation, as well as including a property owner's failure to maintain a watertight and secure structure or the complete removal of the structure. If during the hearing, the Historical Commission determines that the structure is preferably preserved, a 12 month delay is imposed to allow the opportunity to work with the property owner to find alternatives to demolition. Ultimately, however, the structure may still be demolished at the completion of the delay period. Between 2012 and 2015, two properties were demolished following demolition delay.

Data Analysis of Homes by Zoning District

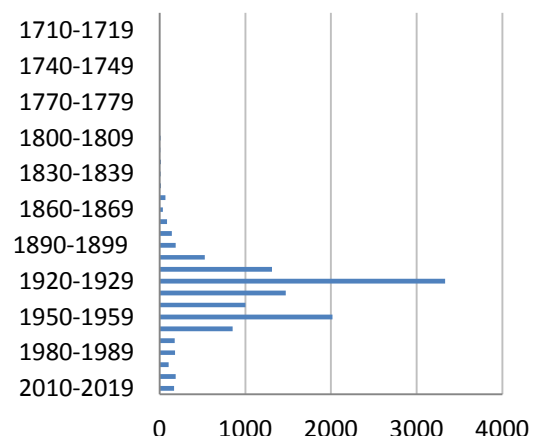
To fully understand the scale of demolitions in Arlington, DPCD compared data on replacement homes and substantial renovations to the overall data on all homes in R0, R1, and R2 zoning districts. Arlington has 11,465 parcels and 15,020 housing units in the R0, R1, and R2 zoning districts, the majority of which (64%) are in the R1 zoning district.

Although many homes have been remodeled to various degrees, only a small proportion of all Arlington homes have been constructed since 2000. Of the homes in R0, R1, and R2 zoning districts, the middle 50% were constructed between the 1920s and the 1950s; only 6.8% have been constructed since 1970. A deeper analysis of home age by zoning district indicates that homes in the R0 zoning district tend to be newer—with a median year built of 1953—than those in R1 or R2 districts, where the median year of home

Total homes by zoning district



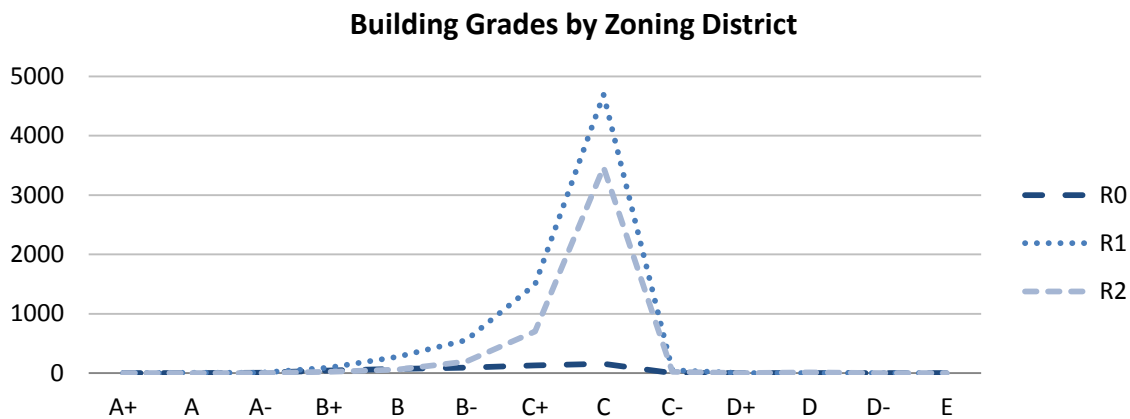
Structures by 10-year cohort



construction is 1930 and 1925, respectively. R0 zoning was adopted at Annual Town Meeting in May, 1991.

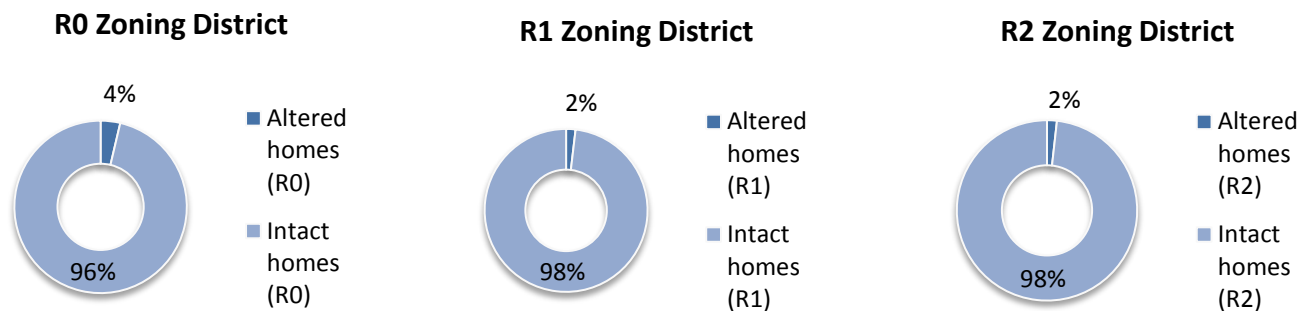
Owner tenure tends to be fairly similar across zoning districts. In the R0 district, the median length of tenure is nine years, versus 11 years in R1, and eight years in R2. Notably, when selecting exclusively for single-family home owners in the R2 district, rates of tenure increase to an average of 17 years and a median of 14 years.

The building condition of Arlington's housing stock in R0, R1 and R2 zoning districts was evaluated using building grades from the Arlington Town Assessor's database. Buildings are assigned a grade between A+ (excellent) and E (very poor), based on the quality of the structure's construction quality and materials.¹ In all zoning districts evaluated in this study, the median building grade is a C, or average. In comparison, homes built since 2010 tend to have better building grades, with newly constructed homes in R0 receiving a median grade of B (good), R1 receiving a grade of B (good), and R2 homes receiving a grade of B- (good (-)).



A limited proportion of Arlington's single- and two-family homes have been affected by the replacement trend. Over the 9.5-year study period, a total of 255 homes were substantially renovated or replaced. Twenty-three of these homes were in the R0 zoning district (4.25% of all R0 homes), or just over two homes per year (0.45% of all R0 homes per year). In the same time period, 160 or 2.2% of all homes in the R1 zoning district were substantially renovated or replaced, around 20 homes per year (0.27% of all R1 homes); and 72 or 2% of all homes in the R2 zoning district were substantially renovated or replaced, approximately nine homes per year (0.25% of all R2 homes).

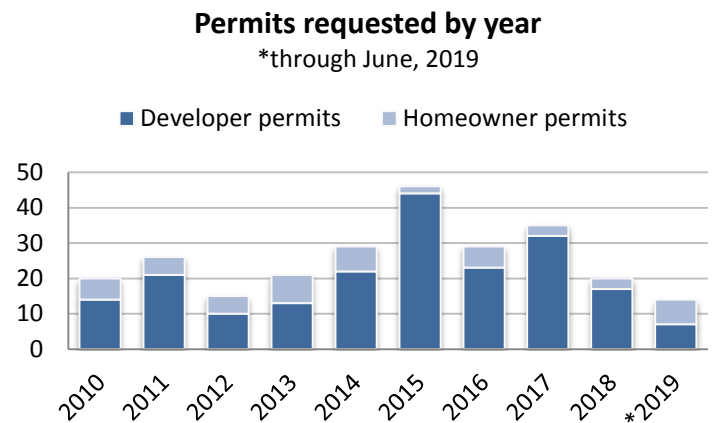
Renovated or replaced homes by zoning district as a proportion of overall homes in that district



¹ International Association of Assessing Officers. Standard on Mass Appraisal of Real Property. 2013. Pg. 6-7.

Scale and Impact

As part of the existing conditions analysis, DPCD reviewed the inventory of housing stock in Arlington and recent rates of demolitions. As described in the previous section, 255 permits were issued for major construction projects during the study period: 203 for demolitions and 52 for substantial renovations. On average, 27 permit applications (representing 0.23% of Arlington residential properties in R0, R1, and R2 districts) were filed each year, peaking in 2015 with 46 permits filed, and as of June 30, 2019 there were 9 building permits issued for complete demolition. Sixty (60) permit applications—24% of all applications—were for demolition permits to replace a single-family home with a two-family home.² Of the total number of permits requested, 20% were issued to homeowners and 80% were issued to contractors/developers.³



Projects completed during the study period were distributed across town, although certain areas experienced more change than others. In particular, there were concentrations of permits along Mott Street and Dorothy Road (12 total), and another concentration of permits on Park and Beacon Streets (12 total). Turkey Hill, the northern portion of Morningside, and the northern area of Arlington Heights near the Belmont line saw more renovation projects than elsewhere in town, as well as a concentration of demolitions.

There is substantial financial incentive for replacing a home or undertaking a major renovation project. The median assessed value of replacement homes—whether the project was homeowner or developer-driven—is 96% greater than the pre-construction assessment. In addition, for many older homes in Arlington, the value of the property far outweighs the value of the structure on that property. For example, in the R1 zoning district, the median assessed land value for parcels on which the home was built prior to 2010 is \$357,650, whereas the median assessed value of the building is \$250,000—the structure is essentially worth 70% of the land value. In the same zoning district, homes built since 2010 have a significantly higher building value—146% of the land value—with a median assessed land value of \$368,200, and a median assessed building value of \$539,800.⁴

DPCD also analyzed the value increase in homes where developers or homeowners completed a substantial renovation project via a large addition. Developers who completed such projects before selling the home to new occupants saw a median 83% increase in the assessed value of the home. The

² This is not explicitly stated on the permit application; this data was determined by studying the historical data for permit applications related to a specific address, and noting which demolition permit applications were followed by permit requests to construct two-family homes.

³ To determine whether the project was undertaken by a homeowner or developer, each building permit request was reviewed to see if the owner was a single instance of a request by one individual versus an LLC, corporation, or an individual making repeat building permit requests on different properties. Sales data was also considered in determining homeowner status: in many cases, projects completed by homeowners during the study period have not yet been put on the market for sale.

⁴ Because the land value of multifamily homes is commonly assessed as \$0, this analysis was not conducted for homes in the R2 zoning district.

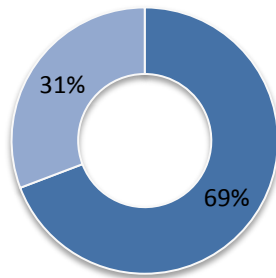
increase in home value is in part because of improvements to a home's condition, but also results from an increase in square footage. In general, homes constructed since 2010 are larger and have a higher floor area ratio (FAR) than homes constructed prior to 2009. A breakdown by zoning district is below:

	R0 zoning district	R1 zoning district	R2 zoning district
Median SF: 2010 – present	3907	3077	2341
Median SF: 2009 and earlier	2592	1816	2200
FAR: 2010 – present⁵	0.34	0.4	n/a ⁶
FAR: 2009 and earlier	0.22	0.29	n/a

Not all replacement homes or substantial renovations are developer-driven. Of those homes that were substantially renovated between 2010 and June 2019, 31% of the projects were initiated and completed by homeowners. Homeowners initiated 17% of overall home replacements during the study period. For homeowners, replacement home projects resulted in a median increase of 76% in assessed value, while substantial renovation projects yielded a median increase of 72% over pre-construction assessment values. DCPD did not find an instance of a homeowner converting a single-family home to a two-family home during the study period.

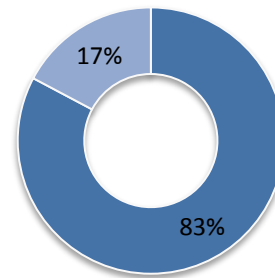
Substantial renovations

■ Developers ■ Homeowners



Teardowns

■ Developers ■ Homeowners



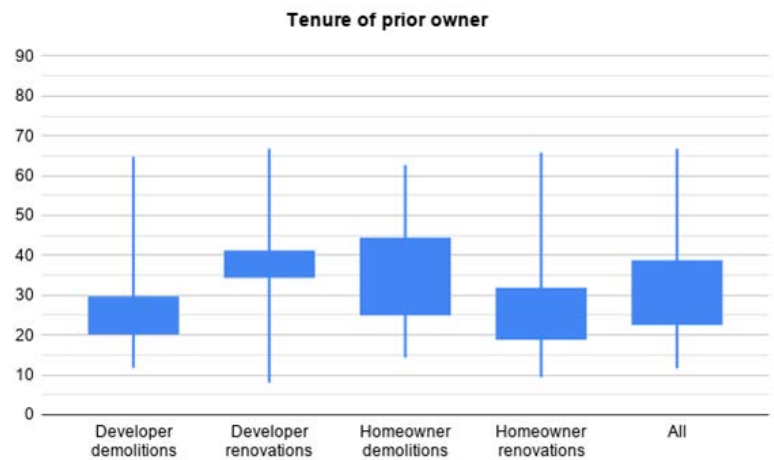
Impact on Sellers

DPCD looked at the assessor's records for each of the properties demolished or substantially renovated during the study period to gather information about the owners of the properties before they were demolished or renovated. Overall, the median tenure of the seller (the resident who owned the home prior to the purchaser who completed a demolition or substantial renovation project) was 23 years; the middle 50% of sellers lived in their homes between 12 to 40 years. The chart below shows the overall spread in lengths of prior homeowner tenure in years, with the middle 50% identified in the larger blue boxes. A breakdown of seller tenure by type of subsequent redevelopment is listed below.

⁵ FAR was calculated by dividing the total finished square footage of a property by the land area.

⁶ Land size was unavailable for most two-family homes in the R2 zoning district, so FAR could not be calculated.

Tenure of prior owners		
	Median tenure	Middle 50%
Demolitions by developers	20 years	12 to 30 years
Renovations by developers	35 years	8 to 41 years
Demolitions by homeowners	25 years	14 to 44 years
Renovations by homeowners	19 years	9 to 32 years
All	23 years	12 to 38 years

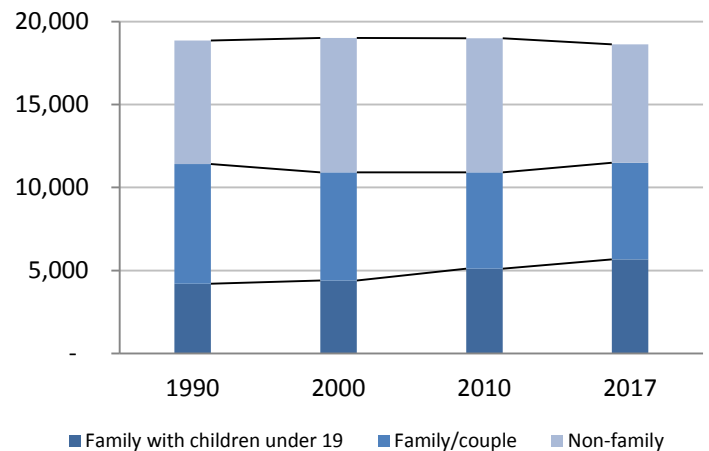


Additional information on seller demographics and income levels is available, however the data above suggests that the average seller of a home that is then replaced or substantially renovated tends to be middle-aged or older by the time of sale and has likely gained substantial equity in their home prior to selling.

Population, Households and Household Composition

Arlington's overall and household populations have been fairly static since the turn of the century, with a 0.8% change increase in population between 1990 and 2017. Non-family households increased in 2000 and 2010, but have since gone down as a proportion of all households. In 2017, the number of family households increased by 5.3% over the 2010 family household population, although the overall number of households went down by nearly 2%. The most significant changes in household composition have been in the proportion of families with children: this cohort has increased 11% since 2010, and 35% since 1990.

Household Composition, 1990-2017



Age

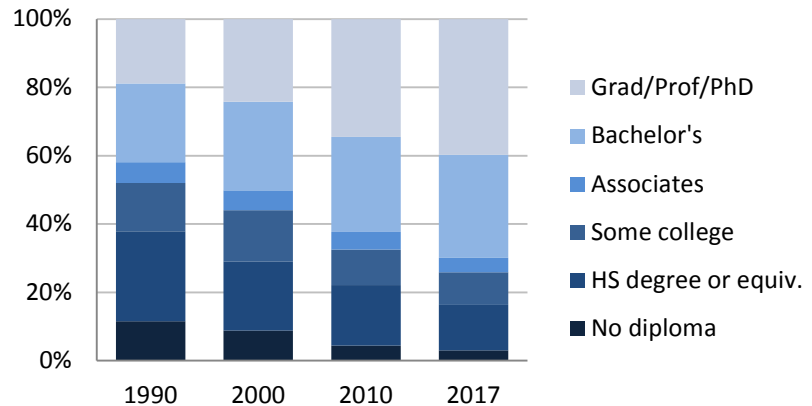
The median age in Arlington is 41.4, about 10% higher than the Boston-Cambridge-Newton, MA-NH Metropolitan Area (38.7) and slightly higher than the Massachusetts median (39.4).⁷ The median age of Arlington residents has risen by approximately 5% since the year 2000.

⁷ 2017 American Community Survey

Education

The educational attainment of Arlington's adult population increased every census year since 1990. In 2017, nearly 70% of Arlington's population age 25 and older had at least a bachelor's degree or higher, compared to 42% in 1990. This is 1.5 times higher than regional rates: in the Boston-Cambridge-Newton region, 46.4% of residents 25 and older have a bachelor's degree or higher. As of 2017, more residents had a graduate or professional degree (39.8%) than those who had a bachelor degree alone (30.2%).⁸

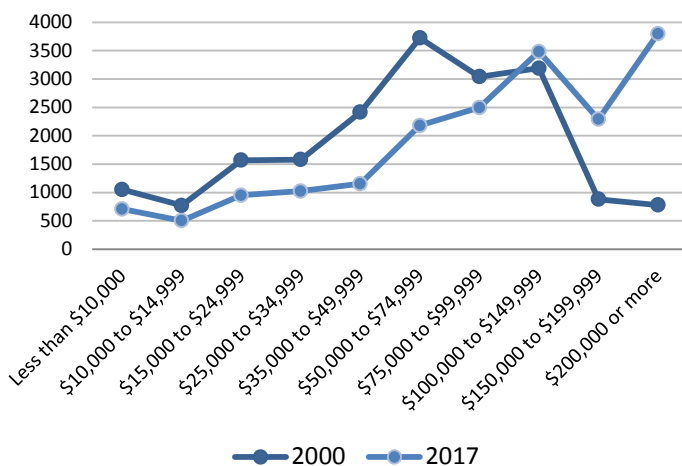
Educational Attainment, Adults 25 and older



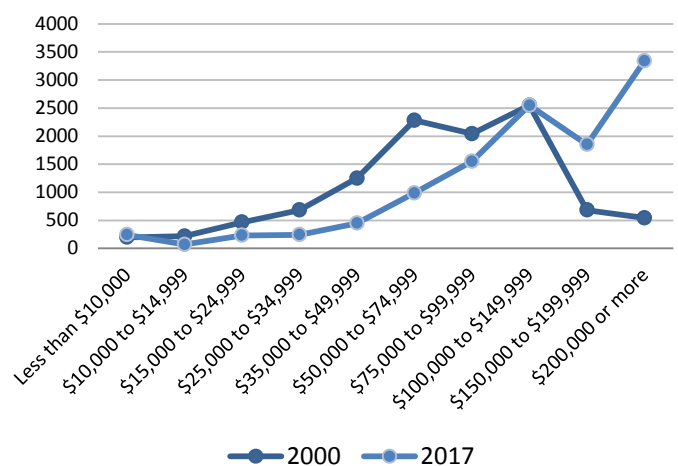
Income

In 2017, the median household income in Arlington was \$103,594, about 25% more than the median in the Boston-Cambridge-Newton, MA-NH Metro Area (\$81,838), and about 1.4 times the statewide median (\$74,167).⁹ As of 2017, nearly 33% of all households earned more than \$150,000 annually, and 23.3% of all households earned less than \$50,000.¹⁰ (Note: year 2000 data in the graphs below has not been adjusted for inflation.)

Overall household income, 2000 and 2017



Family household income, 2000 and 2017



In general, household incomes in Arlington have skewed toward upper-income levels in the past decade. Adjusting median incomes for 2017 dollars reveals that Arlington's households have, on average, grown more affluent, earning 25% more in 2017 than the household median income in 1990.¹¹ Households across Middlesex County have seen a more moderate 5.5% increase in income over the same time period.

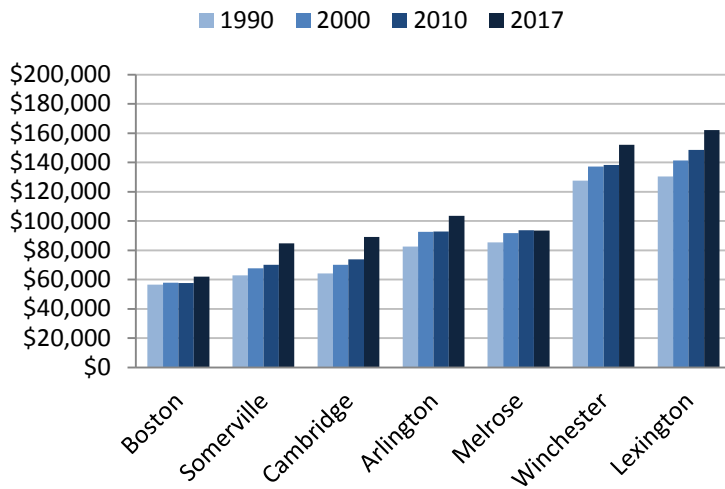
⁸ 1990 and 2000 U.S. Census; 2010 and 2017 American Community Survey.

⁹ 2000 U.S. Census; 2017 American Community Survey.

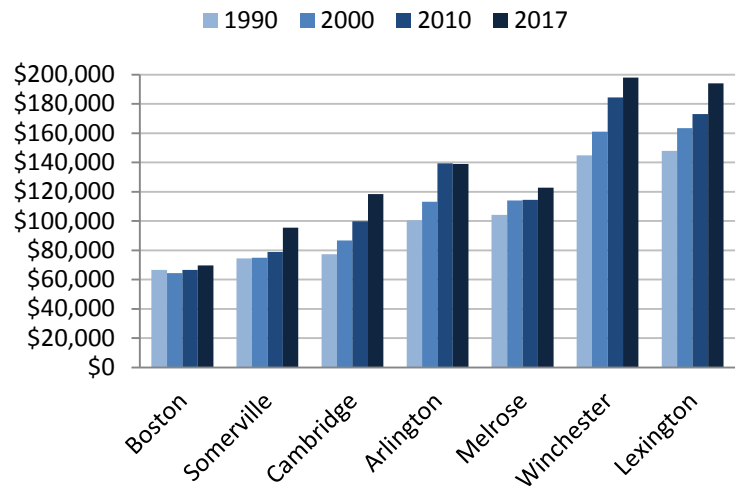
¹⁰ 2017 American Community Survey.

¹¹ Adjustments for inflation were made using the US Bureau of Labor Statistics calculator at <https://data.bls.gov/cgi-bin/cpicalc.pl?>

Median Household Income
(In 2017 Inflation-Adjusted Dollars)



Median Family Household Income
(In 2017 Inflation-Adjusted Dollars)



Looking at a sample of other municipalities in the region, Arlington has historically had lower income levels than Lexington and Winchester, but higher than Cambridge and Somerville. Melrose and Arlington had nearly identical median income levels in 1990, but Arlington has seen greater increases in the past decade. With the exception of Boston and Melrose, municipalities have seen similar increases in median incomes between 2010 and 2017, with family households experiencing larger increases than non-family households.¹²

¹² 1990 and 2000 U.S. Census, 2010 and 2017 American Community Survey

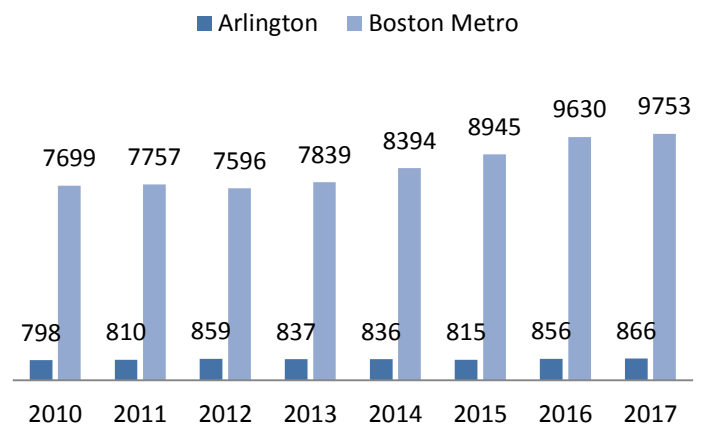
RESEARCH DIRECTED BY SPECIAL TOWN MEETING

Special Town Meeting in 2018 requested the RSG evaluate the effectiveness of Arlington's current demolition delay bylaw and determine whether it should be amended. In particular, the group was tasked with studying the demolition of Arlington residential structures and associated impacts on a number of factors in Arlington's residential neighborhoods, including impact on persons employed in the building trades, impact on the natural environment, and continuing work on assessing localized disruption and health impacts during demolition and construction to evaluate whether there exist gaps in the regulatory framework that should be addressed through implementation of new or revised policy.

Impact on Persons Employed in the Building Trades

The Executive Office of Labor and Workforce Development (EOLWD) tracks local employment trends over time. The chart below shows annual average employment in residential construction, both for the town and the greater Boston region. EOLWD does not indicate where these residents actually work—they may live in Arlington but work in another town—but it does suggest larger trends in residential construction. Likewise, the data does not indicate whether residents employed in residential construction are working on new construction or renovations.

Employment in Residential Construction



Arlington residents employed in residential construction trades peaked in 2006 at 160 workers, but hit a low in 2010 with 79 workers. Over the course of the study period, employment grew from 79 to 111 workers, and returned down to 96 workers in 2017.¹³ We cannot make a direct correlation between the number of residential units demolished or substantially renovated in Arlington and employment in the construction trades.

Impact on the Natural Environment

Two indicators of changes to the natural environment are currently tracked and protected by the town: trees and stormwater runoff.

Trees

DPCD spoke with the Tree Warden to investigate the change in tree population over the study period. Arlington's tree population was not surveyed until the summer of 2017, so an assessment of impact of demolition and construction activity to the tree population is unavailable for the study period. Additionally, Arlington's tree inventory is a survey of street trees, trees in parks, cemeteries, and along the bike trail. The town does not maintain a census on trees located on private property.

As of 2016, the town has required all developers proposing demolitions or large additions to provide a tree plan with their construction drawings. The town originally charged a fee of \$500

¹³ The Official Website of the Executive Office of Labor and Workforce Development (EOLWD): http://lmi2.detma.org/LMI/lmi_es_a.asp.

per tree for removal of trees with a 10 inch or greater trunk diameter, which was waived if the developer replanted a new native shade tree capable of reaching 40 feet in height. This fee was changed in 2018 as a result of an excess of developers choosing to replace instead of preserve trees. The current fee is \$375 per inch of diameter, although the ability to remove an older tree and replace it with a new one is still preferred among developers.

The program is still nascent, therefore the Tree Warden and Tree Committee are seeking ways of improving the bylaw, possibly by removing the clause waiving the fee if developers plant a new tree (thereby requiring fees be paid for all removals of trees with a 10" or greater trunk diameter), and is researching what other municipalities are doing to address tree loss during construction and renovation projects on private property. Additionally, Town Meeting in spring of 2019 approved adjustments to the Town's Tree Protection and Preservation Bylaw and Notice of Demolition to increase protections for trees.

Stormwater

DPCD spoke with the Engineering Department about the impact of large additions and new construction on stormwater in residential districts. Per Article 15 of the Town Bylaw (approved by Town Meeting in 2007), the department tracks all building permit requests for additions larger than 350 square feet; any developer or homeowner proposing additions larger than 350 square feet are required to work with the department to provide a stormwater mitigation strategy. No projects subject to the bylaw may increase the surface water runoff rate relative to the predevelopment runoff rate, therefore it cannot be concluded that new construction or substantial renovation projects cause an increase in stormwater runoff.

In general, Arlington has for some time been working to mitigate the impacts of new construction and substantial renovation on the natural environment. Some measures, such as enforcement of tree replacement, are still being fine-tuned, but the departments involved are aware of the problems with current policy and actively working to address any identified inadequacies in the policies.

Impact on Localized Disruption and Health Impacts During Demolition and Construction

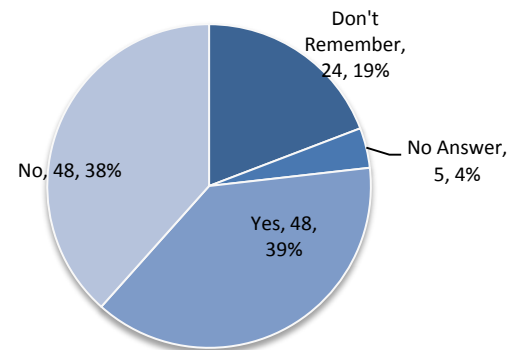
The Good Neighbor Agreement (GNA), also known as Arlington Residential Construction Notification, is sent to notify abutters and occupants within 200 feet of a demolition, open foundation excavation, new residential construction, or construction of a large addition about upcoming construction within seven calendar days prior to commencement of any site work, or within seven days of the filing of an application for a building permit. The GNA articulates a series of rules for construction in residential areas to specifically address a range of concerns as follows:

- Hours of construction
- Noise
- Open excavations
- Drive entrances
- Dumpsters and waste removal
- Portable restrooms
- Storage of construction equipment and materials
- Contractor parking
- Vehicle idling
- Dust control
- Snow removal
- Runoff and sediment control
- Damage to public property
- Protection of adjoining property
- Tree protection (approved by 2019 ATM)

Additionally, the notification must include a copy of the GNA's rules and regulations for construction, contact information for the property owner and contractor, and a proposed site plan for the property.

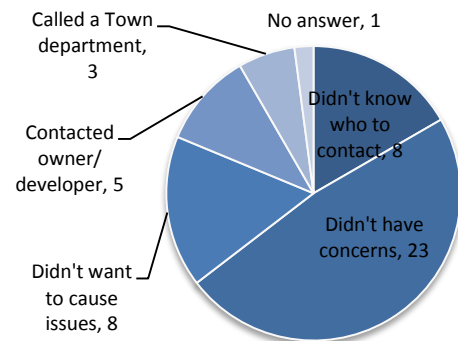
From January through March of 2019, the Residential Study Group administered a survey to abutters of 24 recent residential construction sites in Arlington. Postcards with links to the survey were mailed to 1,280 households within a 200-foot radius of the 24 demolition sites. In total, 180 households responded to the survey; of these responses, 125 identified a street or address that corresponded to one of the 24 demolition sites. The remaining 55 responses referred to a site where construction had occurred prior to the GNA; these responses were not included in the analysis below, as the intent of the survey was to measure the effectiveness of the GNA in mitigating negative impacts of construction (whether or not survey respondents recalled receiving it).

**Did you receive the GNA?
(n=125)**

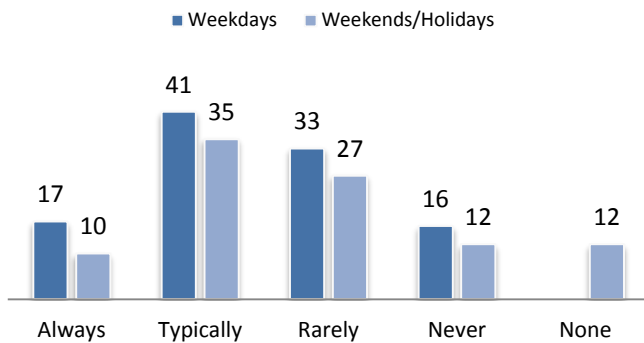
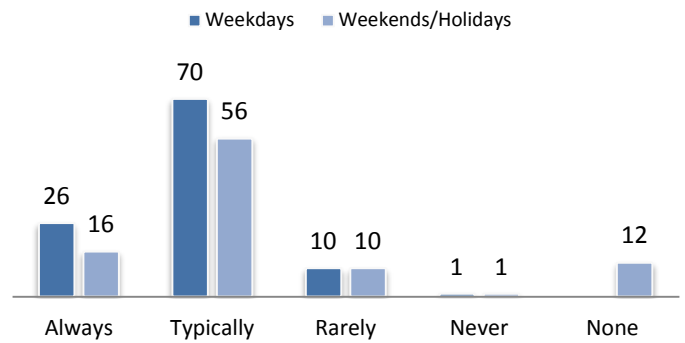


Respondents were split on whether they had received the GNA; of the 125 responses to the survey, 48 (39%) reported that they received the GNA and 48 (39%) said they had not; the remaining 22% were unsure (23) or did not provide an answer (5). Other respondents noted that they received the GNA, but the information provided was incomplete (lacking either the project schedule or plans). Of the 48 individuals who reported receiving the GNA, the majority (38) received it seven or more days prior to construction, and only four respondents said they received it less than seven days prior to construction or after construction began. More than half of the GNA recipients (26) stated they understood the proposed work schedule or timeline, and eight respondents sought additional information about the project—either by contacting the owner/developer or a town department. Of those who reported receiving the GNA, 23 (48%) responded that they did not seek out additional information because they did not have any concerns about the project, and eight (17%) did not know who to contact. An additional eight respondents reported not seeking out additional information because they did not want to cause issues with their neighbor.

Did you attempt to get information or express any concerns before construction began? (n=48)



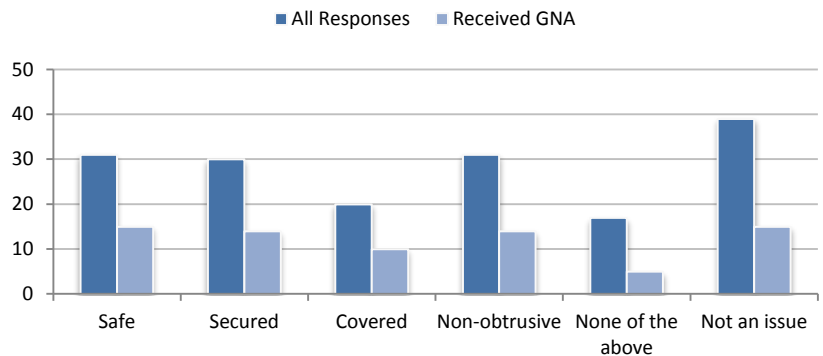
Looking at the broader set of 125 responses, more than half of respondents (65) stay at home during the day; 46 (37%) were not at home during construction hours; these proportions were nearly identical to the responses of those who reported receiving the GNA. The charts below indicate respondents' observations about when construction began and ended on weekdays and weekends. Overall, there appears to have been more issues with construction beginning earlier than 8:00am (9:00am on weekends and holidays) than ending after 6:00pm (5pm on weekends and holidays). Per survey responses, construction sometimes began before allowed construction hours, although in other cases respondents may have conflated contractor arrival times at a site with when construction typically began in the morning, as there were several written complaints about contractors sitting in idling trucks on the street prior to commencing construction activity.

Construction began after 8/9am**Construction ended before 5/6pm**

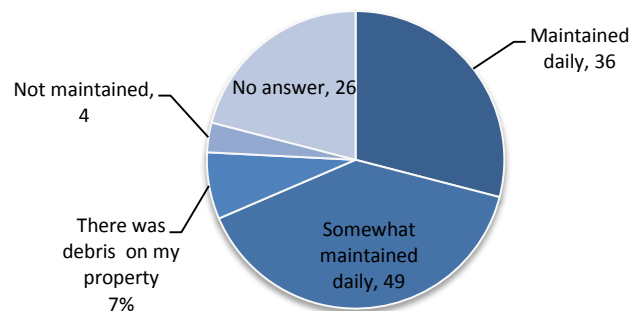
Construction Site Management

In general, the majority of respondents observed that contractors were complying with the site management rules dictated by the GNA. Project sites were fenced either by traditional fencing or alternative barriers in 87 of the 125 survey responses, although 39 (30%) reported that no fencing or barriers were used.¹⁴ Eighty-six respondents (69%) remembered dumpsters on the construction sites, and 68 respondents (55%) remembered portable restrooms on site. More respondents reported that equipment storage on construction sites was safe, secure, covered, non-obtrusive, or not a concern than those who reported that no measures were used to secure equipment and materials. Additionally, 68% of respondents indicated that project sites were maintained regularly ("daily or somewhat maintained"). Notably, when filtering the responses for those who reported receiving the GNA, the proportion of respondents who recalled construction project sites as being maintained regularly increases to 79%, and their perception of equipment and material safety was more positive than the larger set of 125 responses.

If equipment and materials were stored on the project site, do you recall if the site was: (choose all that apply)



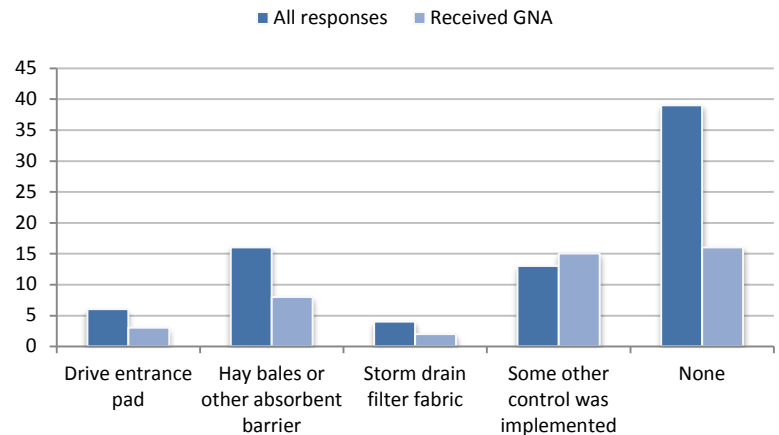
During construction, do you recall if the project site was:



¹⁴ In some instances, fencing may not be required.

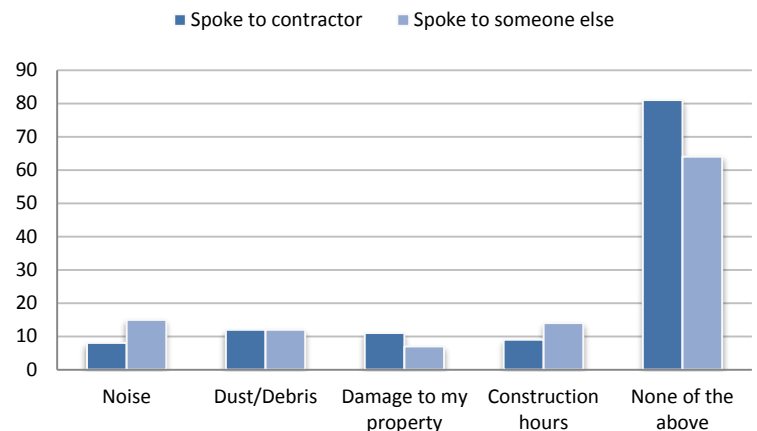
The primary site-related concerns reported by respondents were parking and traffic flow, noise mitigation, and stormwater runoff. Although according to the GNA, contractors are allowed to use on-street parking so long as they comply with all applicable parking regulations, several respondents wrote to complain about contractors parking in the street and impeding traffic flow, and more than half of respondents indicated that traffic flow was sometimes or regularly impeded around the project site. Similarly, 57 respondents (46%) indicated that there was no noise mitigation on site during the construction project. Reported use of stormwater runoff protection measures was moderate: 39 respondents (31%) reported that no stormwater runoff prevention measures were used on the construction site, and very few could recall specific runoff and sediment control systems in place on abutting construction sites.

Runoff and sediment control systems observed on project sites (choose all that apply)



The majority of respondents (81, or 65%) reported that they did not have to contact the contractor regarding issues of noise, dust/debris, damage to their property, or construction hours; contractors were reportedly contacted by 40 respondents regarding the issues listed above, with the most common issue being dust/debris (12 instances). More often, respondents indicated that they had spoken with someone else to report an issue (48 instances), with the majority of issues related to noise (15) or construction hours (14). When discussing an issue with a contractor, 13 respondents (11%) indicated that the contractor was amenable to addressing the issues raised, 8 respondents (6%) indicated that the contractor was not amenable to addressing the issues raised, and 10 respondents (8%) said the contractor was unavailable.

Communication regarding construction issues (n=125)



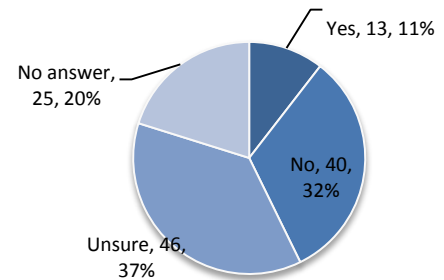
When asked if there were other concerns regarding the construction process not covered in the survey questions, the most frequent issues reported were noise (10), construction occurring outside permitted hours (10), and loss of or damage to trees (10). Eleven respondents noted that construction was not yet completed and felt they could not yet comment on the process. In a separate question allowing written feedback, the top issues reported were about not receiving the GNA or receiving incomplete materials (23), issues with the scale of new construction (13), and construction noise (12).

Site Appearance After Construction

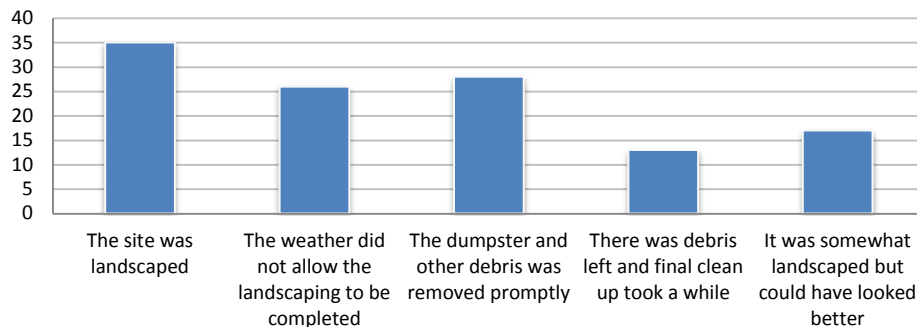
Respondents were neutral on the condition of the site and surrounding areas after construction was completed. Sites were either landscaped (in 35 instances) or could not be landscaped due to weather (26 instances), and 28 respondents reported that the dumpster and other debris were removed

promptly, while 13 indicated that final cleanup took a while. Street and sidewalk conditions were either the same as before construction, cleaned and in good condition, or in better condition after construction for 61% (76) of respondents. The primary concern around landscaping was regarding tree protection, with 40 respondents indicating that they did not observe any measures to protect trees on the construction site. (Note that 2019 Town Meeting approved Articles 32 and 33, which proposed to provide additional protections to trees located on private property.)

Do you recall if steps were taken to protect any trees on the property? (n=125)



How would you categorize the condition of the site at the end of construction? (n=125)



Survey respondents were asked whether there was anything they noticed during construction that was a positive or negative that was not covered in the survey. The top responses were again related to concerns about the scale (7) or design quality (5) of new construction, issues with construction vehicles parking in the roadways (7) and communication problems with contractors (5), although seven commenters noted that they felt the contractors did a good job managing and completing the project. When asked to share thoughts and comments on how the RSG could achieve their goals, the top written responses were related to the importance of compliance with or enforcement of the GNA (15), and issues with the scale of new construction (9). Another six respondents commented that they felt the GNA was a good idea.

Through the administration of the Good Neighbor Agreement, the Town has sought to mitigate the negative impacts of construction by improving communication between owners/contractors and residents on properties abutting construction sites. While the response rate to the GNA survey was low and the sample size of respondents who recalled receiving the GNA was even smaller, review of responses to questions about construction timelines, communication, and lack of concerns around impending construction suggests that the GNA serves its intended purpose by providing a greater level of certainty around construction timelines and site maintenance. GNA recipients reported having fewer concerns about construction projects, and tended to know who to contact with questions or complaints better than respondents who stated they had not received the GNA.

GAPS IN THE EFFECTIVENESS OF THE REGULATORY FRAMEWORK

This section is intended to provide a determination on whether the current regulatory framework is effective based on the qualitative and quantitative data collected. DPCD has evaluated whether there are gaps within the framework that could be addressed based on concerns identified by 2018 Special Town Meeting and through conversations with the RSG.

Demolitions

The Master Plan describes demolition delay as a preservation tool that can help to preserve significant historic building structures and acknowledged that the applicability threshold may need to be changed.¹⁵ As described in the previous section, the buildings that trigger demolition delay are those on the Inventory of Historically or Architecturally Significant Properties. At the 2018 Annual Town Meeting, a group of citizens recommended changing the applicability threshold to any building more than 50 years of age at the time of inquiry, or any building built on or before January 1, 1968, which was referred to the RSG for study. The concern expressed by the residents who filed this article is that Arlington is losing structures that might have an effect on the housing affordability of the community and that the structure may be an important historic or cultural resource. The Select Board in reviewing the article expressed concern about the administrative burden that would have to be taken on by the Historical Commission with the rolling 50-year applicability threshold.

The Master Plan states that since Arlington lacks a comprehensive community-wide resources inventory, perhaps all demolition permits should go to the Historical Commission for review and determination of applicability.¹⁶ A community-wide survey master plan has recently been completed by a consultant working with the Historic and Cultural Resources Working Group of the Master Plan Implementation Committee. This survey master plan has identified areas that the Working Group recommends for review and completion of an inventory form or preservation, and is following an update to Arlington's inventory. Additional discussion of Arlington's demolition delay can be found in the Best Practices section below.

Replacement Homes

On October 5, the RSG completed tours in the R0 and R1 Zoning Districts to homes that were recently constructed. RSG members identified their major concerns as being the style of the home, the shape of the lot, building heights, and width of driveways. Other points that were identified included tree protection and stormwater control, but these topics are better suited for other Town departments, boards, and committees. Although the RSG did not view a property in the R2 Zoning District, the visits were informative on how regulation could be tightened, but ultimately, participants noted that the choices made by the developer or the homeowners were a matter of personal taste.

The majority of homes visited on the tour were properties where a smaller Cape or Ranch style home was removed and replaced with a home that is reflective of current lifestyle choices and was, on average, larger than the home it replaced. Arlington does not have residential design guidelines, the absence of which is sometimes apparent in neighborhoods where there are newer homes. By instituting design guidelines, the design elements of a new house could be complementary to an established

¹⁵ Arlington Master Plan: Your Town, Your Future. Page 173.

¹⁶ *ibid.*

neighborhood rather than taking a piecemeal approach to address various zoning elements that do not address design choices.

Effect on Affordability in Arlington

Given that the initial driving concern about replacement homes was related to the loss of potentially affordable starter homes, DPCD conducted an analysis of affordability for the R0, R1, and R2 zoning districts. According to the U.S. Housing and Urban Development (HUD) definition of affordability, a family of four in Arlington earning 80% of area median income (AMI), or \$81,100, and spending no more than 30% of their monthly gross household income on housing costs¹⁷ can afford a \$273,000 home; the same family earning 120% AMI, or \$129,360, can afford a \$390,000 home.¹⁸ Measured against 2018 assessor data for home values in Arlington, it appears that affordable housing options in all zoning districts are limited.¹⁹

R0 Zoning District

The minimum assessed home value in the R0 zoning district is currently \$493,400, significantly greater than both thresholds of affordability. The first quartile of home values falls between an assessed value of \$493,400 and \$710,000. Average home values in the R0 district are currently \$891,555, with a median of \$802,250.

	All R0 homes	Homes assessed at less than \$273,000	Homes assessed at less than \$390,000 ²⁰
Median assessed value	\$802,250	n/a	n/a
Median year built	1953	n/a	n/a
Median tenure of current owners	9 years	n/a	n/a
Median building grade	C+ (average +)	n/a	n/a
Median SF²¹	2612	n/a	n/a

R1 Zoning District

Of the 7,169 homes in the R1 district, 0.58% meet some level of affordability: seven homes are assessed at \$273,000 or less, and 42 are assessed at \$390,000 or less. Summary data for these homes is below:

¹⁷ Monthly owner housing costs include mortgage (principal and interest), second mortgage and/or home equity loans (principal and interest), real estate taxes, homeowners insurance, condo fee (if applicable), mobile home cost (if applicable), and utilities (electricity, gas, water and sewer, and other utilities). Monthly rental housing costs include contract rent and utilities (electricity, gas, water and sewer, and other utilities).

¹⁸ Many families spend more than 30% of their monthly gross household income on housing and are considered cost-burdened. According to the Housing Production Plan, 33% of all households are cost-burdened while 14% pay more than 50% of income on housing costs (refer to page 33 of the Housing Production Plan).

¹⁹ Assessor data is not necessarily reflective of what a home's sales price would actually be, but it was the most complete dataset available for the purposes of this study. In general, Arlington homes tend to sell for significantly more than their current assessment value, which would further limit affordable housing options for the average family of four. Vacant lots and structures with non-residential land use codes were not included in this analysis.

²⁰ The data for homes less than \$390,000 includes the data from homes less than \$273,000.

²¹ Square footage numbers are from the Arlington Assessor's Office, using data for finished square feet.

	All R1 homes	Homes assessed at less than \$273,000	Homes assessed at less than \$390,000
Median assessed value	\$616,400	\$162,700	\$363,900
Median year built	1930	1926	1919
Median tenure of current owners	11 years	15 years	10 years
Median building grade	C (average)	C (average)	C (average)
Median SF	1824	1218	1139

In general, homes that are assessed at values that could be considered affordable in this district are smaller and older, although their building quality is approximately the same as all homes in the zoning district.

R2 Zoning District

Of the 4,480 homes in the R2 district, 7.7% meet some level of affordability: 20 homes are assessed at or less than \$273,000, and 345 are assessed at or less than \$390,000. Summary data for these homes is below:

	All R2 homes	Homes assessed at less than \$273,000	Homes assessed at less than \$390,000
Median assessed value	\$663,800	\$244,200	\$362,600
Median year built	1925	1900 ²²	1925
Median tenure of current owners	8 years	6 years	7 years
Building grades	C (average)	C (average)	C (average)
Median SF	1020	731	1009

As in the R1 district, homes that meet thresholds of affordability tend to be older, smaller, and have an “average” housing grade, although the difference is smaller in the R2 than the R1 district.

To follow on the concern about the demolition of single-family starter homes, an additional analysis selecting for a subset of single-family homes in the R2 district was completed. Six hundred forty nine (649) homes in the R2 district are coded as single-family. Of these homes, 27 (4.2%) meet the higher threshold of affordability; none meet the 80% AMI threshold.

	R2 single-family homes	Homes assessed at less than \$273,000	Homes assessed at less than \$390,000
Median assessed value	\$572,450	n/a	\$379,700
Median year built	1925	n/a	1947
Median tenure of current owners	14 years	n/a	21 years
Building grades	C (average)	C (average)	C (average)
Median SF	1388	n/a	792

²² Of the 20 homes in this category, eight are units in the Idahurst Mansion at 49-53 Appleton Street, built in 1890.

Notably, with the exception of one home in Arlington Heights, the remaining 26 homes in this cohort are located in the Sunnyside neighborhood and have an attached single-family typology, which is afforded certain exceptions in the Zoning Bylaw to protect the uniqueness of this neighborhood.

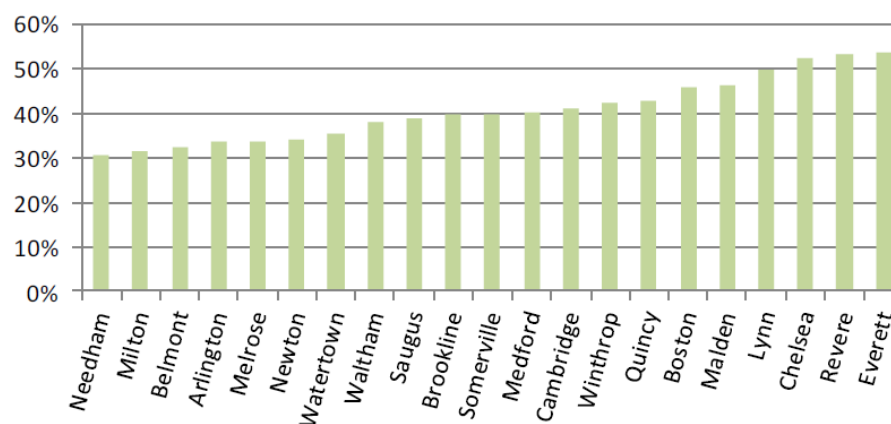
Middle-Income Housing

After reviewing the affordability analysis in the previous section, members of the RSG requested that DPCD consider other measures of affordability using data specific to Arlington's population. Specifically, the RSG wanted to know whether an adequate supply of houses affordable to middle-income households exists in Arlington's real estate market. As described above, U.S. Housing and Urban Development (HUD) and the Urban Land Institute (ULI), define middle-income households as those who earn between 80 and 120% of area median income (AMI).²³ The commonly-accepted measure of housing affordability for a household at any income level is where monthly housing costs are at or below 30% of gross monthly income.²⁴ HUD recognizes that strict adherence to the 30% guideline may be problematic for some communities, given that:

Housing costs reflect more than just the price of housing units alone; these costs also account for neighborhood school quality, public safety, and access to jobs and amenities. The percentage of income standard for housing affordability may not fully consider the effects of housing and neighborhood quality.²⁵

Arlington fits the profile of a desirable community. The town's school quality, public safety, and proximity to employment centers make it desirable, especially to households with young children, who may choose a higher level of cost burdening than 30% of their monthly income. Arlington's Housing Production Plan verifies this, pointing out that 33% of all Arlington households are cost-burdened, while 14% pay more than half their income on housing costs. This is true of most Boston-region municipalities, indicative of high housing costs throughout the region.

Cost-Burdened Households in the Greater Boston Region



Source: U.S. Census Bureau, 2009-2013 American Community Survey

²³ "Building for the Middle: Housing Greater Boston's Workforce." Urban Land Institute. 2016.

<https://boston.uli.org/building-for-the-middle/>

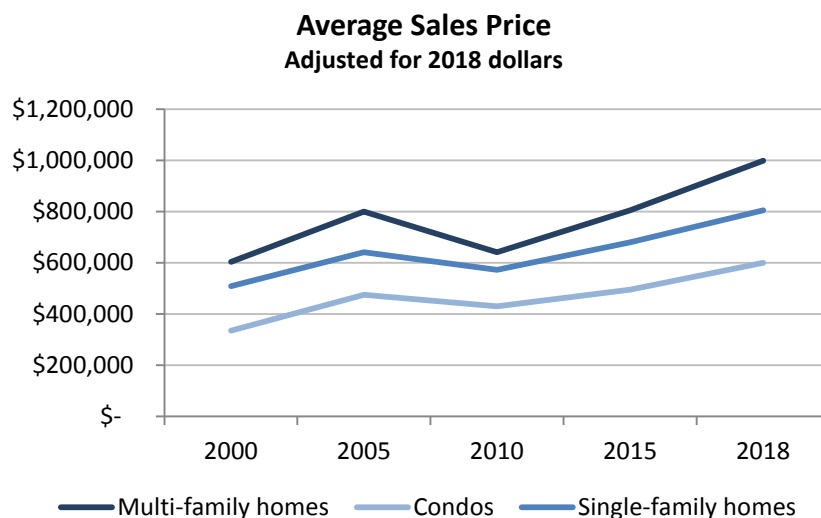
²⁴ Defining Housing Affordability. HUD. <https://www.huduser.gov/portal/pdredge/pdr-edge-featd-article-081417.html>

²⁵ Ibid.

However, no matter how desirable a community, lenders will typically cap a household's qualification for a mortgage at no more than 43% of monthly income. Using these percentages as lower and upper limits, and applying an 80/20 loan to value ratio as points of calculation, the table below outlines mortgages for which households at various income levels around Arlington's reported 2017 median could qualify.²⁶

	80% AMI	100% AMI	120% AMI	135% AMI
Annual income	\$82,875	\$103,594	\$124,313	\$139,852
Monthly income	\$6,906	\$8,633	\$10,359	\$11,654
30% of monthly income	\$2,072	\$2,590	\$2,967	\$3,355
Maximum mortgage amount²⁷	\$350,000	\$439,000	\$467,000	\$573,000
43% of monthly income	\$2,970	\$3,712	\$4,455	\$4,870
Maximum mortgage amount²⁸	\$503,000	\$633,000	\$763,000	\$832,000

The proportion of Arlington homes on the market that a household in any of these income brackets could afford has grown smaller over time. Housing prices have increased for middle-income buyers over the past two decades, and continue to rise in Arlington and across the region. According to The Warren Group, 2018 saw all-time highs in year-end median sales prices for single-family homes and condominiums across Massachusetts, which the firm asserts can be attributed to restricted inventory.²⁹ In Arlington, the median price of a condominium in 2018 was \$600,000; the median sale price of a single-family home was \$805,000.³⁰ Adjusting historical data for 2018 dollars, sales prices of all types of housing units have trended upward, with a slight decline in value after the mortgage crisis in the mid-2000s.



²⁶ These amounts are based on an assumption of a 20% down payment, excellent credit, monthly utility costs of \$141, and that total monthly payments including utilities, taxes, and insurance amount to no more than 30% or 43% of monthly income. These mortgage amounts vary from mortgage amounts on prior pages of this report because they were calculated using simple online calculators using standards less stringent than those defined by HUD. They are provided to give a general sense of middle-income affordability as a response to questions from the RSG.

²⁷ Calculated using mortgage calculator at SmartAsset.com <https://smartasset.com/mortgage/how-much-house-can-i-afford>

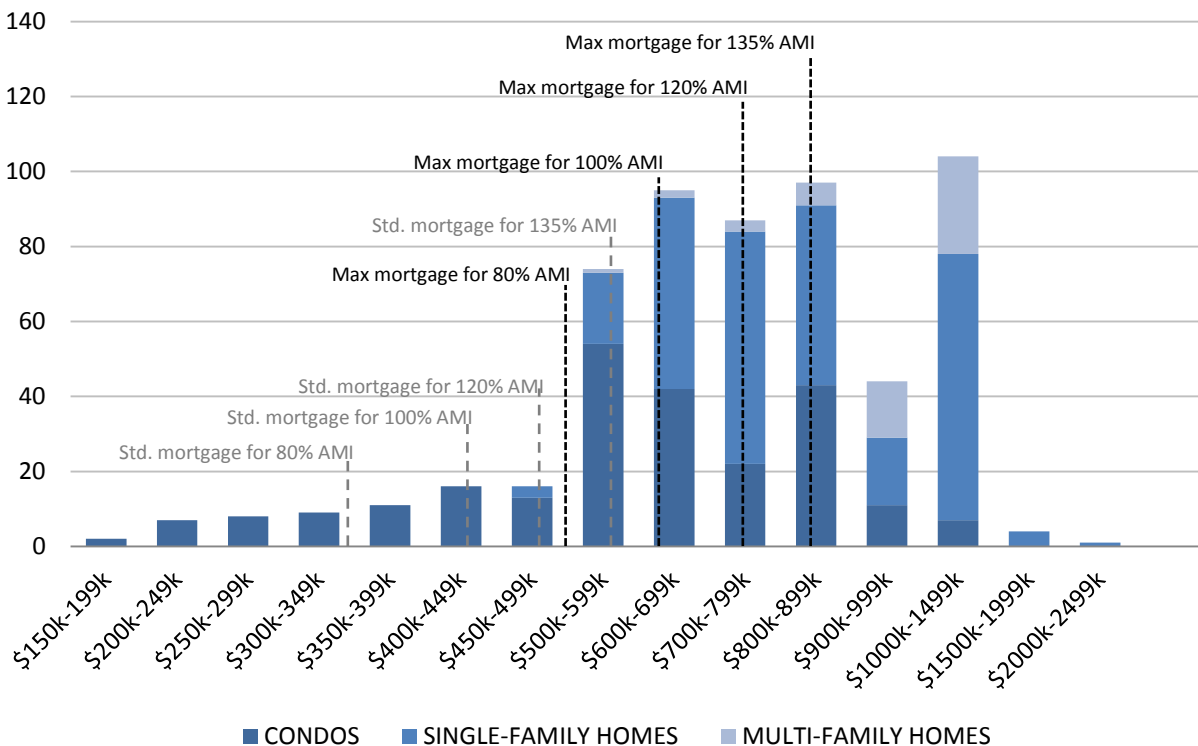
²⁸ Ibid.

²⁹ "Massachusetts Median Single-Family Home, Condo Prices Reach All-Time Highs in 2018." The Warren Group. 1/23/2019. <https://www.thewarrengroup.com/2019/01/23/massachusetts-median-single-family-home-condo-prices-reach-all-time-highs-in-2018/>

³⁰ MLS Total Sold Market Statistics report for 2018 run by Steve McKenna of The Home Advantage Team on 1/10/2019.

When comparing the mortgage values in the table above to 2018 real estate data for single-family, condo, and multi-family³¹ sales, it appears that the issue of affordability is greater at lower income levels than for households earning at or above AMI. Of the 277 single-family homes sold in 2018, 51 sold in the \$600,000-\$699,999 range, and an additional 22 homes sold for less than \$600,000. In all, approximately 26% of all single-family homes sold for \$700,000 or less. Condominiums were less expensive than single-family homes, with a median sales price of \$600,000. Of the 245 condominium sales in 2018, 42 sold in the \$600,000-\$699,999 range, and an additional 120 sold for less than \$600,000. Approximately 66% of all condominium units sold for \$700,000 or less. Multi-family structures were the most expensive, but also comprised the smallest proportion of all residential sales. Of the 53 multi-family home sales in 2018, two were in the \$600,000-\$699,999 range, with only one additional home sold for less than \$600,000. Housing affordable to middle-income households remains available, although sales prices continue to rise and a purchase requires that a household is willing to be cost-burdened or provide a substantial down payment. Because condominium homes are generally more affordable than single-family homes, the R2 zoning district is the richest in supply of houses that may be affordable to middle-income households. While a small, single-family home may have represented the typical “starter home” to a household at the end of the twentieth century, condominiums and townhomes are viable alternatives in Arlington.

Arlington Residential Property Sales, 2018



Of homes on the market, newly-constructed homes are more expensive than older homes. Of the 60 sales involving houses constructed between 2016 and 2018, the average sales price was \$1,281,241. These newly constructed properties had an average square footage of 3,249, and an average cost of

³¹ Multi-family homes are two-family structures that are owned by one household, compared to a condominium or townhome structure, where each unit is sold separately.

\$400 per square foot. The lowest sales price reported for these homes was \$850,000, \$45,000 more than the median single-family sales price and \$250,000 more than the median condominium sales price. In 2018, sales of newly-constructed properties comprised approximately 3.5% of home sales (20 of 575 homes sold). From this data it can be concluded while some housing in Arlington remains affordable to middle-income households, newly-constructed housing is not.

Ultimately, the link between demolition of single-family homes and rising house prices remains unclear. According to MLS data, a median of 277 single-family and 47 multi-family homes are sold in Arlington each year,³² and as reported above, an average of 27 homes were demolished or substantially renovated each year in the study period. If these trends continued, the town could expect to see roughly 8.5% of homes sold in a given year (0.25% of R0, R1, and R2 residential properties) be subsequently demolished or substantially renovated. The sales prices of newly constructed homes are significantly higher than the area median home sales price, although the cost of newly-constructed homes is only one contributor to rising home prices. If regional demand for housing continues to increase while Arlington's supply of housing remains static, the town can expect to see housing prices continue to rise in coming years.

Analysis of Properties that Tend to be Replaced

DPCD identified two conditions that have led to home replacement in recent years: properties sited on lots large enough to be subdivided, and older, smaller properties that often do not meet modern owners' lifestyle preferences.

Subdividable Parcels

An analysis of parcels in the R0, R1, and R2 zoning districts reveals that 469 parcels (4.1% of all parcels in those districts) meet minimum lot size standards to be subdivided. The majority of these parcels (364) are in the R1 zoning district. In the R2 zoning district, where a single-family home could be replaced by a two-family structure by right per Arlington's current zoning bylaw, there are currently 60 lots large enough to be subdivided.

However, a considerable portion of these parcels cannot be developed by right because they are located in a historic district or subject to review by the Conservation Commission, or in some cases, both. Of the parcels that do not fall within one of these two circumstances, another subset of parcels do not have adequate frontage to be subdivided. After subtracting parcels that carry any of these three conditions from the analysis, 93 parcels are shown to be subdividable by right. A breakdown of these parcels is below.

Total Parcels		Large Parcels	Parcels in Historic Districts	Conservation Review Required	Inadequate Frontage	Potentially Subdividable by Right	
Zoning	Total	Total	Total	Total	Total	Total	% of total
R0	541	45	0	18	30	13	2.4%
R1	7,306	364	66	90	269	68	0.93%
R2	3,618	60	5	12	42	12	0.33%
Total	11,465	469	71	120	341	93	0.81%

³² MLS Total Sold Market Statistics reports for years 2000, 2005, 2010, 2015, and 2018 run by Steve McKenna of The Home Advantage Team on 1/10/2019.

This analysis was based on GIS parcel data only. It did not take into account the slope of individual properties or similar factors that may limit the ability to subdivide a parcel.

Older, Smaller Properties

A separate measure of whether a property is more likely to be replaced is to identify smaller, older, single family homes—especially those within the R1 zoning district where the incentive for an owner would be to tear down a small home and replace it with one that maximizes the available square footage within the zoning restrictions. Using 1980 as a threshold for age and 1500 square feet finished area as a threshold for size,³³ DPCD identified 1,977 homes that meet these thresholds. Of these homes, 24 are located in a local or national historic district, and 235 are subject to review by the Conservation Commission;³⁴ subtracting those homes from the analysis yields a final count of 1,721 single family homes that could be considered desirable for replacement. A breakdown of summary statistics for those homes is included below.

	All homes	Homes not subject to additional review		
		R0 district	R1 district	R2 district
Total	1977	13	1553	155
Median year built	1939	1953	1939	1928
Median sf	1,296	1,385 sf	1,304 sf	1,236 sf
Median assessed value	\$614,200	\$675,100	\$613,400	\$624,400

These homes represent a small portion of properties in R0 and R2 zoning districts (2% and 3% respectively), and a larger proportion of properties in the R1 zoning district (16%). This suggests that the potential for future teardowns exists, particularly in the R1 zoning district. This data, however, must be interpreted in the light of real estate data provided in a prior section which describes the low annual turnover of properties and the even lower proportion of homes sold and then subsequently demolished. Given that the character of new development has been described as a concern among residents, there may be an opportunity for the town to develop design guidelines to guide future redevelopment and renovation in a manner that is appropriate to neighborhood context; see the section on best practices for more information.

Summary

Independent of the replacement home trend, a lack of housing affordable to low- and lower-middle income families continues to be a problem in Arlington. This is an issue that is being addressed by the Housing Plan Implementation Committee as part of the Housing Production Plan's implementation.³⁵ Although zoning amendments to help facilitate the production of multifamily housing in high-density residential zoning districts and mixed-use development in commercial areas and other smart growth locations were withdrawn from consideration at 2019 Annual Town Meeting, DPCD will continue to work to identify ways of diversifying the Arlington housing stock by unit type and affordability. Further,

³³ 1500 square feet was selected as a threshold as it is roughly half of the average square footage of newly constructed homes in the R1 zoning district.

³⁴ Some homes are located both within a historic district and are subject to review by the Conservation Commission.

³⁵ Arlington Housing Production Plan (2016). Page 61.

the Housing Corporation of Arlington's current and future developments, including 117 Broadway and 19R Park Avenue, will help create affordable units throughout the community.

Housing that sells for less than \$700,000 remains available in Arlington, although due to regional market pressure it is likely that prices will continue to climb. This cannot be solely attributed to demolition or substantial renovation of older homes. Furthermore, while the high price of housing—particularly single-family housing—in Arlington may be a burden for middle-income households, it simultaneously could be the single largest source of future income for sellers, who may be relying on equity built up in their property for their retirement years. Any approach to demolition delay or other policies enacted by the town must strike a balance between preserving the equity that long-term residents have gained in their properties and generating housing units affordable to lower- and middle-income households.

The concept of what constitutes a suitable “starter home” may be shifting in Arlington and across the region. The R2 zoning district is where the majority of Arlington's townhome and condominium units are located; these units tend to be the most affordable to middle-income families. This situation creates a unique demand for single-family homes in the R2 zoning district; developers can unlock revenue by demolishing a single-family home and replacing it with a two-family structure. Over the long term, it could be expected that a proportion of older single-family homes in R2 districts will eventually be replaced by townhome or condominium units. Additionally, when the housing market is strong, there is a financial incentive for owners of multi-family units to convert those units to condominiums for individual sale. If the preservation of rental units is a goal, the Town should study its current condominium conversion policies to ensure that tenants are sufficiently protected from displacement.

Finally, based on the data presented above, it cannot be said that the loss of structures is resulting in a loss of affordability in Arlington. If affordable homeownership for lower- and middle-income households is a goal, a blanket approach to a demolition delay—a policy which is solely intended to be used for historic preservation purposes—in Arlington may be both inappropriate and ineffective in addressing the problem.

The following section on best practices discusses how Arlington and neighboring communities are implementing demolition delay, as well as a variety of other approaches intended to address community concerns about replacement homes and substantial renovations.

BEST PRACTICES

Over the past decade, communities across the region have experienced the impacts of housing turnover; many have enacted a range of regulations and review processes to encourage preservation of older homes or development of new homes that are compatible with their surrounding neighborhood. DPCD reviewed a range of best practices as commonly practiced in the planning profession and as implemented by other communities in the greater Boston region. These include: demolition delay, expansion of historic districts, neighborhood conservation districts, design review, design standards or guidelines, and regulatory changes to encourage compatible new construction. Many communities use a combination of strategies instead of relying on a single method. The discussion below describes each best practice, how it is currently employed in Arlington or neighboring communities, and the implications (both positive and negative) of each practice.

Demolition Delay

Overview

Demolition delay regulations make it illegal to demolish properties during a defined period, usually from six months to one year. This creates a period in which residents and local governments can work with property owners to improve development or renovation proposals, reduce the overall number of demolitions, slow the pace of demolitions, and, occasionally, move a historic property. In some communities, the delay period is specifically used to determine whether a property is historic and merits preservation. The length of a delay period is determined by each municipality; typical demolition review periods in Massachusetts are between six and 18 months.

In some local communities, demolition delays may be shortened when the developer or owner works with the local historic commission to develop plans for structures that are compatible with surrounding development or those that preserve some elements of the existing structure's historic nature.

How is this used in Arlington or neighboring communities?

The Master Plan describes demolition delay as a preservation tool that can help to preserve significant historic building structures and acknowledged that the applicability threshold may need to be changed.³⁶ As described in a previous section, Arlington follows a list-based inventory process, whereby the Arlington Historical Commission (AHC) maintains a list of architecturally and historically significant properties which by virtue of being on the list are subject to a demolition delay of one year. As of the 2015 Master Plan, Arlington had submitted inventory forms for more than 1,100 properties to the Massachusetts Historical Commission's *Inventory of Historic and Archaeological Assets of the Commonwealth*. In 2018, as part of an inventory update, an additional 135 homes were added to the local inventory.

Per Title VI, Article 6 of the Town's Bylaw, any building in the Historic Structures Inventory is subject to review by the Historical Commission when a property owner proposes to change or remove more than 25% of any one front or side elevation. If, during the public review hearing, the Commission determines that the building is preferably preserved, the bylaw imposes a 12-month delay to allow the opportunity to work with a property owner and find alternatives to demolition.

³⁶ Arlington Master Plan: Your Town, Your Future. Page 173.

As part of the implementation of Arlington’s Master Plan, which called for a comprehensive community-wide resources inventory,³⁷ the Historic and Cultural Resources Working Group (HCRWG) has recently completed a Survey Master Plan, which identifies additional recommendations for areas and structures that should be added to the state inventory. At present, the criteria by which the AHC adds properties—particularly properties on the state inventory—to the local inventory is unclear, although a separate finding of “significant” by the AHC is needed before a property can be added. Once added to the local inventory, any property within an inventoried area that is individually included in the inventory for which a demolition permit is requested may be subject to demolition delay. The Survey Master Plan recommends that before considering amending the demolition delay bylaw to use a date or property age to trigger demolition delay, the town should clarify the process and criteria the AHC uses to add properties on the state inventory to the local inventory. It also recommends that discrepancies between the state and local inventories are reconciled before additional properties are added to the local inventory.

Neighboring municipalities have taken a variety of approaches to their demolition delay regulations: some have a blanket demolition delay requirement for any property built before a specified year, some require that all demolition permit requests are reviewed by the local historic district, and in others, demolition delay is only applied on properties listed on the State Historic Register Inventory, the National Register of Historic Places, or the local inventory. An overview of demolition delay and what triggers it in neighboring communities is included in Appendix A.

In Lincoln, the majority of the work involved in managing the demolition delay process is borne by the local historic commission. Lincoln has a strict demolition delay process; all homes listed on a local, state, or national historic district are automatically subject to demolition delay, but even homes not listed on an inventory must be reviewed by the local historical commission before renovation or demolition projects can begin. Any building permit request for renovation of more than 25% of a home’s exterior or complete demolition requires that the building owner attend a historic commission meeting for a discussion of the home’s historic significance. If the majority of the commission determines that the home is historically or culturally significant, the home is then put on a 12-month demolition delay. During the delay, the owner must appear regularly before the commission to present construction plans and make revisions based on the commission’s requests. If the commission determines that the plans are in keeping with the character of the surrounding community, the demolition delay process may be shortened. Lincoln’s local historic commission has a dedicated administrative assistant responsible for posting legal notices, drafting and composing agendas and minutes, and processing applications.³⁸ Lincoln’s planning staff does not write reports on properties subject to delay.

Conversely, in Somerville, where any property older than 50 years old is subject to demolition delay as dictated by a 2003 update to the city’s ordinance, the majority of work related to managing the process falls to the city’s two preservation planners.³⁹ The current demolition delay ordinance results in 100 to 150 cases each year; the planners conduct extensive research on each property and write a five- to ten-page report to the local historic commission with their recommendations. The commission then decides whether the demolition permit request is approved or whether the property is put on a nine-month demolition delay. The preservation planners work closely with property owners to modify demolition,

³⁷ Arlington Master Plan: Your Town, Your Future. Page 173.

³⁸ Conversation with Elaine Carroll, Administrative Assistant to the Lincoln Historical Commission, on 11/8/2018

³⁹ Somerville, MA – Code of Ordinances. Chapter 7, Housing; Article II, Historic Districts; Section 7-28, Demolition Review Ordinance. https://library.municode.com/ma/somerville/codes/code_of_ordinances

renovation, or construction plans, or in cases where the owner is not open to collaboration, the planners inventory the building and document as much of the structure as possible for historic records. Additionally, Somerville's preservation planners are empowered by the local historic commission to independently review demolition permit requests for accessory structures; they complete approximately 60 to 120 reviews of accessory structures each year.⁴⁰ Somerville is currently reviewing a proposed amendment to the ordinance in order to simplify the demolition delay process, reduce administrative burden, and align the demolition delay process with the goals of SomerVision (the city's master plan). Changes would include: limiting the qualifying age to properties 75 years or older, extending the demolition delay period to 24 months, increasing the abutter notification radius to 300 feet, and clarify the existing ordinance's definitions, organization, and process.

Wellesley adopted a demolition delay bylaw that would impose a twelve-month delay on the demolition in totality or by at least 50% of structures built prior to December 31, 1949. In the two-year development of the proposal, during which the Wellesley Historical Commission sought significant public input and endorsement by several town boards and commissions, the scope of the bylaw was revised from the typical 50 year rolling threshold, to structures constructed prior to 1960, to the final proposal of structures built prior to December 31, 1949. According to the Planning Director, the proposal would result in approximately half of the structures in Wellesley to require review.⁴¹ A companion article to the demolition delay bylaw sought approval to hire a part-time planner to enable the Planning Department to absorb the administrative work related to accepting and processing applications and associated fees, researching and preparation of any necessary reports for the Historical Commission related to the bylaw, and scheduling and noticing the public hearings. As part of the justification for the hiring of a part-time planner, the fee structure was developed in order for the position to be self-funding (\$1,000 for Eligible Buildings and \$200 for all others). For the position to no longer be self-funding, the number of demolitions would have to drop to half the number of demolitions that occurred in Fiscal Year 2016 (down from 87 demolitions to 46 demolitions).⁴² The articles were adopted in 2017 by Wellesley's Town Meeting.

As shown by data in the Analysis of Existing Conditions section, a proposal to amend demolition delay use a date or property age to trigger demolition delay for properties older than 50 years or built before January 1, 1968 would potentially subject 93% of Arlington's R0, R1, and R2 structures to demolition delay. Although an average of 27 permit applications are filed each year for demolition or large additions, other construction projects where greater than 25% of a property's façade would be renovated would also need to first go through a review by the AHC to determine if the property is preferably preserved and subject to demolition delay.

The number of demolitions in Arlington is significantly lower than the number of demolitions occurring in Wellesley. However, there are lessons that could be gained from the Wellesley case study; in particular the significant time spent researching, developing, and engaging the community in the development of the bylaw and acknowledgement of the administrative requirements of a bylaw with a wide scope as was proposed in the Arlington article that prompted this research.

⁴⁰ Conversation with Sarah White, Preservation Planner in the Somerville Office of Strategic Planning and Community Development, on 11/15/2018

⁴¹ Conversation with Michael Zehner, Planning Director, Town of Wellesley, on 11/15/2018

⁴² <http://ma-wellesley.civicplus.com/DocumentCenter/View/845/Annual-Meeting-2017---Advisory-Report-PDF>

Implications of demolition delay

Benefits	Limitations
<ul style="list-style-type: none"> Allows time for neighbors, local government/historic commission, and larger community to provide input on new or renovated home projects and attempt to influence the design process 	<ul style="list-style-type: none"> Does not necessarily result in homes being saved; if a home is not determined to be historically significant, after the delay period a demolition permit is issued whether or not the owner works with the commission to find a mutually-agreeable solution Can result in significant administrative burden for staff or need for additional staffing depending on amount of construction activity and required level of reporting or documentation Can be a subjective process

Expansion of Local Historic Districts

Overview

A local historic district is a district designated by a local ordinance, which falls under the jurisdiction of a local historic preservation review commission. As stated in the Massachusetts General Law, Chapter 40C, the purpose of a local historic district is to preserve and protect the distinctive characteristics of buildings and places significant in the history of the Commonwealth and its municipalities; to maintain and improve the settings of those buildings and places; and to encourage new designs compatible with existing buildings in the district.⁴³

Most local historic districts are protected by ordinances that provide design guidelines for building compatible, appropriately-scaled additions and infill structures for renovation projects. In municipalities, the local historic district commission has the authority to deny demolition of significant structures. The process for expanding a district is lengthy and includes property owner surveys, planning board approval, public hearings, a two-thirds majority town meeting vote, and approval by the state attorney general.⁴⁴

Single-building historic districts have also been popular in Massachusetts, with examples in Somerville, Wellesley, and West Springfield. In some instances it may be necessary or desirable to protect buildings, structures, or sites which are isolated in terms of their setting which is how single-building historic districts function.⁴⁵ The Massachusetts Historical Commission generally recommends that it is desirable to protect the character of the surrounding area, unless there is a clear justification to protect the single property.

How is this used in Arlington or neighboring communities?

Arlington has seven designated local historic districts with a combined total of 359 properties. In these districts, exterior alterations visible from a public way require a Certificate of Appropriateness from the Arlington Historic Districts Commission. These requirements afford a heightened level of protection against incongruous alterations of structure or their environment. Over time, Arlington has expanded a

⁴³ Massachusetts General Law, Chapter 40C:

<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleVII/Chapter40C>

⁴⁴ MA GL Pt I, Title VII, Chapter 40C, Sec. 16: Special Historic Districts; Acceptance and Effect of this Chapter

⁴⁵ "Establishing Local Historic Districts." Massachusetts Historical Commission. 2003.

<https://www.sec.state.ma.us/mhc/mhcpdf/establishinglocalhistoricdistricts.pdf>

number of these districts due to requests from property owners wishing to have their properties included to better preserve historic streetscapes. The AHDC has adopted design guidelines as a way to aid property owners in making exterior changes to their homes that are compatible with the surrounding district.

The last expansion of one of Arlington's historic districts occurred in 2006, when Oak Knoll was added to the Pleasant Street Historic District. The process of expanding the district was initiated in October 2005 after residents of Oak Knoll met with representatives of AHDC and the Arlington Historical Commission (AHC) to discuss the possibility of including eight properties on Oak Knoll in the Pleasant Street Historic District. AHDC voted to nominate the street as a study area, designated AHDC and AHC to act jointly as a study committee as prescribed under M.G.L. 40c Section 3, and asked an Oak Knoll resident to coordinate the research and report production effort. Research was carried out by a local historian, Richard Duffy, and residents of Oak Knoll, and was compiled into a Preliminary Report to the Massachusetts Historical Commission (MHC) and the Arlington Redevelopment Board for their review. In January, 2006, AHDC held a public hearing on the proposed enlargement; based on positive feedback at the hearing and a positive recommendation by MHC, the joint commissions voted to place the proposed enlargement on the 2006 Annual Town Meeting Warrant. The proposal was subsequently endorsed by the Arlington Board of Selectmen and the Arlington Redevelopment Board, and was approved in the 2006 Town meeting.⁴⁶

Implications

Benefits	Limitations
<ul style="list-style-type: none"> Can provide the most complete protection for historic properties (power to deny demolition, mandatory review and approval of all exterior renovations, additions, and infill construction) 	<ul style="list-style-type: none"> Requires significant staff, volunteer, and committee resources to administer effectively Inventories of structures and areas need to be completed before properties are subject to additional protections

Neighborhood Conservation Districts

Overview

A neighborhood conservation district (NCD) is a defined area or neighborhood in which structures share certain physical characteristics and development patterns; they are usually comprised of buildings that are architecturally and historically distinctive. The specific process for establishing an NCD varies by municipality, but in general, the following steps must be followed:

1. A petition containing the signatures of at least 10 property owners within a proposed NCD is submitted to the local Historical Commission. The petition must also include a general statement of the qualities of the proposed area which make it appropriate for NCD designation, a preliminary map of the proposed NCD, and a general outline of the scope of the regulations and guidelines that would be proposed for the NCD.
2. Upon receipt of the petition, the local Historical Commission holds a public hearing, notifying all property owners in the proposed NCD and within a defined abutting area. After the hearing the local Historical Commission by majority vote determines if the proposed NCD warrants additional study.

⁴⁶ "Article 34: Final Report to Town Meeting on the Proposed Enlargement of the Pleasant Street Historic District to Include Oak Knoll." Arlington Historic Districts Commissions. 2006.

3. If the Historical Commission approves the petition, it establishes a study committee to research and prepare a report on the proposed NCD. In some municipalities, the proposed district is protected during the study period as if it were already designated to allow the study committee to review and approve any proposed alterations to properties in the study area before a building permit is issued.
4. The study committee works with residents to prepare a report on the proposed NCD, including a statement of the significant architectural, aesthetic, cultural, economic, social or historical qualities of the proposed NCD or a description of the cohesiveness of the proposed NCD in terms of scale, size, type of construction, materials or style or age of its buildings and structures, or its land use patterns and landscaping; a map of the geographic boundaries of the proposed NCD Area, and a statement describing the nature of the authority to be vested in the proposed NCD Commission, proposed regulations implementing such authority and proposed guidelines for the NCD. In many municipalities, this includes multiple photographs and careful documentation of every building in the proposed NCD.
5. After the study committee files the report with the local Historical Commission, the Historical Commission convenes a public hearing (sometimes jointly with the Planning Board). Public notices advertising the public hearing include a description of the process by which property owners within the proposed NCD may “opt out” or exclude their property from the NCD.
6. After the public hearing, the Historical Commission holds a second meeting to incorporate any changes to the report and eliminate properties whose owners have opted out of the NCD. If more than a designated proportion of properties within the proposed NCD opt out, then the Historical Commission may redraw the boundaries of the NCD or may vote to not recommend an NCD designation. If a designated majority of property owners decide to remain in the NCD and the Historical Commission votes to approve the report, then the recommendation is forwarded to the local governing body with a favorable recommendation to designate the NCD.
7. Final designations on an NCD are determined by majority vote in Town Meeting or by City/Town Council.⁴⁷

NCDs can be tailored to meet individual neighborhood concerns, and typically include design guidelines for front and side setbacks, building height and width, roof pitch and garage location. These guidelines can apply to the design of new construction and alterations to existing structures. NCDs review demolitions and major changes or additions to properties, but cannot necessarily prevent demolition. Unlike a historic district, NCDs do not conduct more fine grain reviews of details like windows, doors, or trim.

How is this used in Arlington or neighboring communities?

The 2015 Master Plan implementation program calls for the town to “consider establishing Neighborhood Conservation Districts” with design review standards for architecture, mature trees and landscaping, open space, walkways, and other features.”⁴⁸ As of 2018, there are no NCDs in Arlington.

Cambridge has four NCDs, each of which is administered by a different commission. Approximately 2,600 properties sit within the four districts, the majority of which (2,000) are in the Mid-Cambridge NCD. Cambridge’s NCD commissions are empowered to approve new construction, demolition, and

⁴⁷ This general process for establishing an NCD was derived from the processes followed in Cambridge and Lexington.

⁴⁸ “Your Town, Your Future. Arlington Master Plan.” (2015)

alterations that are visible from a public way.⁴⁹ The commissions are comprised of volunteer citizens who are appointed by the City Manager. Administration of district business is provided by staff of the Historical Commission (a city department).

Lexington passed a NCD bylaw at their 2016 Town Meeting. In 2017, residents of two neighborhoods began a study process with the goal of establishing the town's first NCDs, however both groups struggled to get more than 75% of property owners within the proposed NCD boundaries to opt in.⁵⁰ Two NCDs were approved in April, 2018, although not all homeowners within the district boundaries opted to be part of the new district. The Turning Mill NCD includes 162 homes; 42 homeowners opted out of being part of the new district. The Pierce-Lockwood NCD is much smaller; in a neighborhood of 22 homes, 15 have opted in.⁵¹

Similarly in Wellesley, where the Denton Road NCD has been administered since 2008, an attempt to establish a second NCD in the Standish Road neighborhood which had been largely left untouched by demolitions was met with significant resistance from the property owners resulting in the development of a "Swiss cheese" NCD. Further, those property owners that did not opt in to the NCD expressed displeasure that the neighborhood would be associated with an NCD, and could adversely impact property values. Ultimately, the proposal was shelved by the proponents.⁵²

Implications of establishing an NCD

Benefits	Limitations
<ul style="list-style-type: none"> • Can address issues like demolition and oversized new construction with less administrative burden than historic districts • Boundaries and eligibility criteria can be more inclusive than traditional historic districts • Collaboratively determined and managed • Allows for resident control of local design • Allows for consideration of the "whole architecture" of a district rather than parcel by parcel review 	<ul style="list-style-type: none"> • Requires substantial buy-in from residents within the proposed NCD boundary • Extensive volunteer effort required to document each structure within an identified NCD • Risk of creating multiple neighboring districts with different requirements, which can cause confusion for residents when embarking on renovation projects

⁴⁹ <https://www.cambridgema.gov/historic/districtsHistoricProperties>

⁵⁰ Conversation with David Kucharsky, Lexington Planning Director, on 11/8.

⁵¹ "Green Light for Turning Mill and Pierce-Lockwood NCDs." Wicked Local Lexington, 4/13/2018. <http://lexington.wickedlocal.com/news/20180413/lexington-town-meeting-no-new-requirements-for-new-construction--yet>

⁵² Conversation with Michael Zehner, Planning Director, Town of Wellesley, on 11/15/2018

Design Review

Overview

Establishing a design review process is a method for reviewing major development proposals and suggesting ways to improve appearance and compatibility with existing structures in the community. Design review may be triggered when a project exceeds a certain size, or may be required in exchange for allowing slightly larger square footage. Design review committees are comprised of appointed members, usually architects and urban designers who have educational training and substantial professional experience.

Design review can determine whether an addition to a structure is viable over demolition and rebuilding, and whether the design of the new structure meets the standards and guidelines of the community. Initiating a design review process may also be appropriate for variance or special permit requests for renovations that result in a greater floor area.

How is this used in Arlington or neighboring communities?

Arlington does not currently have a design review process. Some surrounding communities have a design review process for large projects; for example, in Cambridge, projects larger than 2,000 square feet trigger an advisory consultation, called “large project review.” The review involves a meeting where the general public and city staff may view and comment on the proposed project. This process is advisory in nature, and is independent of review by the Planning Board.⁵³ Likewise, the city of Somerville has a Design Review Committee (DRC), which assists the Planning Board and Zoning Board of Appeals. In most cases, either board refers an applicant to the DRC, which then provides design criteria, guidance and recommendations.⁵⁴ Wellesley’s Design Review Board (DRB) is an advisory board that supports the Planning Board, the Zoning Board of Appeals, and the Inspector of Buildings. In particular, the DRB reviews residential projects that trigger “Large House Review”, large construction projects, and signs.

Implications of design review

Benefits	Limitations
<ul style="list-style-type: none"> • Design review is not necessarily tied to the historic nature of the neighborhood, allowing for lifestyle preferences and modernization of housing stock in non-historic neighborhoods • Can be flexible and allow design elements that might accent or complement a particular neighborhood feature as long as the general design qualities of the area remain intact • Can accommodate the protection of more than one style or era within the community 	<ul style="list-style-type: none"> • Does not change underlying zoning, so size and scale of new construction may not be affected • Requires significant administrative resources and staff with design training, or selection of a review committee with substantial design/architectural experience • May increase cost and time of construction

⁵³ “Large Project Review.” Cambridge Community Development Department.

<https://www.cambridgema.gov/CDD/zoninganddevelopment/largeprojectreview>

⁵⁴ “About the Design Review Committee.” City of Somerville. <https://www.somervillema.gov/departments/design-review-committee>

Design Standards and Guidelines

Overview

Design *standards* are compulsory requirements for new construction or renovation in a community as a way of ensuring that new construction results in contextually sensitive design. Design *guidelines* are not mandatory, but provided in order to educate planners, design consultants, developers, homeowners, and local staff about a community's design objectives. Both standards and guidelines address architectural character, color and materials, a structure's relationship to the surrounding community, pedestrian relationships with the structure, and parking. They are typically accompanied by visual aids and guidebooks to make clear what the community desires, thus reducing uncertainty for prospective developers.

Design standards or design guidelines are often used in combination with design review.

How is this used in Arlington or neighboring communities?

Arlington does not currently have residential design standards or guidelines, although there are design standards for commercial and industrial properties on Massachusetts Avenue and Broadway, the Mill Brook Corridor, and the Minuteman Bikeway, as defined in *Design Standards for the Town of Arlington* (2016). Additionally, 2019 Town Meeting approved funding to hire a consultant to help establish residential design guidelines. Cambridge has a series of design and development guidelines by neighborhood; the guidelines have been developed over time as the city has embarked on neighborhood-specific planning projects. In most cases, the city's zoning ordinance has been updated to include a reference to neighborhood design guidelines where applicable.⁵⁵

Watertown recently began a project to develop residential design guidelines. The guidelines will clarify expectations about what is permitted (and why) in order to maintain the existing neighborhood character and promote a more harmonious relationship between the existing neighborhood fabric and new construction.⁵⁶ The Planning Director in Watertown reported there had been some resistance from a property rights group in Watertown, but that the vast majority of the comments from builders, homeowners, and other residents have been positive.

Implications

Benefits	Limitations
<ul style="list-style-type: none"> Developed based on community engagement to identify what is special, unique, or worthy of conserving in an area Ability to create harmonious neighborhoods of existing housing stock and infill housing stock 	<ul style="list-style-type: none"> Extensive administrative time and potential consultant expense in community engagement Requires administration by a well-qualified board supported by adequate staff and resources, especially if detailed design review is to take place Decisions by design review board may be subject to legal challenges in controversial cases (applies to design standards only) Requires sufficient political will from community in order to be supported and maintained

⁵⁵ "Design Guidelines and Area Plans Referenced in the Zoning Ordinance." Cambridge Community Development Department. <https://www.cambridgema.gov/CDD/zoninganddevelopment/Zoning/designguidelines>

⁵⁶ <https://www.ci.watertown.ma.us/831/Design-Standards-Guidelines-2014-15>

Revisions to the Regulatory Framework

Overview

This practice involves a careful review and revision of a town's zoning bylaw to remedy regulations that inadvertently result in the development of overly-large homes. Before making revisions to the zoning bylaw, a study would need to be completed wherein an architectural consultant would review typical floor plans of dominant housing in the neighborhood, fully evaluate building possibilities within the current allowable footprint, and think through expansion strategies related to the floor plans to provide homeowners with guidance. The goal of the review and subsequent revisions is to identify ways of allowing homeowners to complete reasonable expansion plans that allow for modernization and reasonable expansion without developing a property that is out of place with surrounding homes.

Typical revisions to the zoning bylaw include limits on FAR or lot coverage, requirements for larger setbacks (especially on side yards), or increases to open space requirements.

How is this used in Arlington or neighboring communities?

Recently, with the guidance of the Residential Study Group, the Town's Zoning Bylaw was updated to limit driveway slope for below-grade garages, thereby constraining the footprint and increasing setbacks for new construction. The Residential Study Group also implemented the Good Neighbor Agreement, through which abutters to construction are made aware of the project, the project schedule, and contact information for the project proponent.

Communities in Massachusetts have made significant regulatory steps to control the size and mass of residential buildings, notably Wellesley, Newton, and Weston. All three communities have used techniques to measure gross floor area, with some differences, and proposals that exceed the threshold require additional review. Wellesley and Weston have created a residential site plan review through its Planning Boards, whereas Newton's City Council issues a special permit.

Wellesley's Large House Review (LHR) is a residential site plan review process, conducted at a public hearing that invites input from abutters to address whether a proposed house is compatible with the character of its surroundings and whether certain impacts, commonly associated with larger homes, can be mitigated. LHR applies only when a proposed project exceeds specified square foot thresholds within the specified residential Area Regulation Districts (e.g., 3,600 square feet for dwellings within the 10,000 Square Foot Area Regulation District, the lowest density residential district). The threshold, known as Total Living Area plus Garage, is a measurement of volume, and has been revised a number of times to result in a more consistent calculation.⁵⁷ Newton's calculation is based on FAR and Weston's calculation is based on a basic measurement of gross floor area.

The Wellesley Planning Board refers to six standards—Preservation of Landscape, Scale of Buildings, Lighting, Open Space, Drainage, and Circulation—and advisory opinions from the Design Review Board and the Engineering Division in making decisions. Since its adoption in 2007, the Planning Director indicated there have been a total of 99 projects acted upon by the Planning Board. The last time a project was denied by the Planning Board was in 2012. In all cases, the Planning Board approves projects with conditions to address the six standards.

⁵⁷ Conversation with Michael Zehner, Planning Director, Town of Wellesley, on 11/15/2018

Implications

Benefits	Limitations
<ul style="list-style-type: none"> • Reduces economic incentive for demolitions • Review of structures that reach the accepted threshold occur during a public hearing 	<ul style="list-style-type: none"> • Does not actively limit demolitions and should not be a deniable review • Can result in an abundance of non-conforming properties within a community, which is in conflict with the 2015 Master Plan action of reduce the number of uses that require a special permit • Could result in the devaluation of larger lots • Requires substantial staff resources to evaluate plans and determine gross square footage based on ordinance requirements

Recommendations

Based on the data reviewed in this report, it cannot be said that the loss of structures is resulting in a loss of affordability in Arlington. As described in the review of existing conditions, there are very few properties that can be considered affordable under the definition established by the Department of Housing and Urban Development. Arlington is generally unaffordable to households earning low- to moderate-incomes as well as those households that are at middle-incomes based on the data available in the Assessor's database. However, it can be reasonably concluded that households purchasing homes in Arlington are electing for cost burdening in exchange for the opportunity to reside in a desirable community. Through efforts of the town and specifically the Housing Plan Implementation Committee, there are ongoing efforts to address the loss of affordability in Arlington through the diversification of housing stock and support of the creation and preservation of affordable housing development.

Moving beyond the concerns of affordability in the community, a measured response to the perceived problem of replacement homes requires an understanding of why older homes in Arlington and across our neighboring communities are being replaced. According to the American Planning Association, the replacement home trend is a result of several factors:⁵⁸

1. Changing housing demands: older homes tend to have smaller rooms, smaller square footage, poor or overly-divided floor plans, and inadequate amounts of storage areas. They also often have aging or inefficient heating and air conditioning systems. Homeowners today often seek amenities like higher ceilings, home offices, attached garages, and modernized and efficient heating and cooling technology; when an owner needs to make multiple changes to an older home in order to achieve these amenities, a complete demolition and replacement home may be an easier and less expensive task than a context-sensitive renovation.
2. Changing appeal of urban living: many older homes that are at risk of being replaced are located within close proximity to urban amenities that are now increasingly desirable, such as parks, schools, public transportation, restaurants, and shopping, whereas new homes or vacant lots in the Boston region's outer ring suburbs lack proximity to these amenities.

⁵⁸ "Too Big, Boring, or Ugly: Planning and Design Tools to Combat Monotony, the Too-Big House, and Teardowns" by Lane Kendig. American Planning Association. Planning Advisory Service Report #528. 2004. Pages 11-13.

3. High land values: in areas with high rates of demolition and replacement with newer, larger homes, a property's land value far exceeds the building value. Buyers seeking a home that offers modern design amenities, but who desire proximity to urban amenities will often choose to purchase a home solely for its land value with the intent of demolishing the existing structure instead of constructing on a greenfield in the suburbs.

The Master Plan describes the existing dimensional and density controls in the Zoning Bylaw as being reasonable and consistent with the development patterns of the community. Before taking an approach that dramatically changes the regulatory structure, the town needs to consider the following in deciding on an approach to address the issues of replacement homes:

1. Look to the 2015 Master Plan and ongoing implementation activities to ensure that actions taken to address replacement homes are consistent and not in conflict with the town's broader goals, activities, and priorities;
2. Balance concerns about neighborhood impact with property rights;
3. Avoid regulations that may preclude "modest" and "acceptable" renovations/additions by homeowners;
4. Ensure that when new guidelines are implemented, older homes do not become nonconforming, thus exacerbating fears of current owners or making teardowns a more attractive option than renovation; and
5. Ensure that any policy does not have a disparate impact on development.

This study was the result of a Town Meeting directive to determine how to best control the prevailing type of development occurring in Arlington currently; that is, the demolition of older, smaller homes which are replaced with homes that may not be consistent with the character or development pattern of the neighborhood. Demolition delay is a tool used to protect historic structures and should not be misconstrued as an effective tool to protect affordability and prevent development. However, there needs to be a method to bring new residential structures into conformance with the aesthetic preferences of the community. This goal has been echoed in the Residential Study Group meetings as this report has been developed. With that in mind, DPCD recommends the following two-pronged approach: using the results of the Historical and Cultural Resources Working Group's Survey Master Plan to guide the expansion of demolition delay and pursuing the development of residential design guidelines.

The Master Plan recommended the completion of a comprehensive historic resources inventory and survey (the Survey Master Plan), which was advanced by the Historic and Cultural Resources Working Group of the Master Plan Implementation Committee and was completed in spring 2019. Through work completed for the Survey Master Plan, we understand that Arlington has a list-based Demolition Delay Bylaw, which means that the AHC maintains a list of buildings the Commission finds to be significant. Buildings on this list are subject to the demolition delay bylaw. The process or criteria the AHC uses to find a building significant and add it to the town's demolition review list is unclear. In some instances, the AHC has used addition to the statewide inventory through preparation of an inventory form sufficient to determine a building's significance, at which point the AHC votes to find the building

significant and place it on the local inventory. There are discrepancies, however, between the state inventory and the list maintained by the AHC.

Prior to considering an update to the town's demolition delay bylaw, DPCD recommends that the town develop clear, publicly-available criteria for determining a property's significance and eligibility for the local list. Once these criteria are established, the AHC should then reconcile discrepancies between the local and state inventories; at a minimum, properties on the local AHC list should be represented at a state level by MHC inventory forms. Only after these steps are completed should the town consider modifications to the demolition delay bylaw, such as reviewing the definitions, organization, process, and length of delay of the current policy and make recommendations to expand it as appropriate. If an expansion of the town's demolition delay is considered at all, based on data provided in this report the DPCD recommends limiting application of age-based demolition delay to the low density residential districts (R0, R1, and R2). Additionally, before amending demolition delay, further conversations should be held with the AHC about developing a full time staff position to handle the administrative burden of processing demolition and renovation building permit requests for these properties.

Moving to the second recommendation of this report, DPCD believes that advancing residential design guidelines is the most efficient method to creating a community-wide statement on what is special, unique, or worthy of conserving in Arlington with the goal of creating a harmonious relationship between existing housing stock and new housing stock. While some in the community might believe that design guidelines do not go far enough to regulate new homes in Arlington, the development of a new regulatory framework is not appropriate considering the goals of the Master Plan stated above. Additionally, Arlington does not experience the number of demolitions or large-scale renovations that are experienced by communities that have established a new regulatory framework. Additionally, adjusting the density and dimensional controls in R0 through R2 zoning districts of the Zoning Bylaw would have the impact of creating a large number of nonconforming lots throughout the community, a result that would be in conflict with the Master Plan.

In developing residential design guidelines, the community can identify topic areas that are important, such as mass, landscape, open space, and circulation, and set forth accepted standards that would address these topic areas in new construction. For example, related to massing, design guidelines could identify that blank walls should not be present or dormers should be minimized. Preferred materials could also be identified, as well as preservation of existing landscape during construction to ensure privacy and protect mature trees. While adopting design guidelines may be met with resistance, it appears that this recommendation would satisfy many of the concerns around replacement housing stock, and should be prompted by the boards, commissions, and neighborhood groups that are concerned with new development. DPCD received approval by Town Meeting in 2019 for the request for funding to contract with an appropriate consultant to move forward on this recommendation.

Overall, these recommendations are a balanced approach and address the goals of the Town Meeting article, the original purpose of the Residential Study Group, and are not in conflict with the Master Plan.

APPENDIX A: OVERVIEW OF LOCAL POLICIES

City/Town	Delay	Qualifications				
		Historic	And / or	Built before / age	And / or	Other
Bedford	18 months	National Registry of Historic Places or local inventory	Or	1/1/1943		
Belmont	12 months	National, state, or local inventory	Or			Is historically, culturally, politically, economically, or socially important either by itself or in the context of a group of buildings
Cambridge	6 months	National or local inventory	And	50+ years old	Or	Designated by the Commission to be a significant building or is historically or architecturally significant either by itself or in the context of a group of buildings
Lexington	12 months	National or local inventory	Or			Determined by the Commission to be historically or architecturally significant
Lincoln	12 months	National, state, or local inventory (OR within 200 feet of the boundary line of an area)	Or			Determined by majority vote of the LHC to be important
Medford	18 months	National or state register	Or	75+ years old		
Natick	6 months	National, state, or local “regulated” building	Or			Is historically or architecturally important either by itself or within the context of a group of buildings
Needham	6 months	National, state, or local inventory				
Newton	12 months	National or state register	And	50+ years old	Or	Is historically, culturally, politically, economically, or socially important either by itself or in the context of a group of buildings

Somerville	9 months	National register	And	50+ years old	Or	Is historically, culturally, politically, economically, or socially important either by itself or in the context of a group of buildings
Wellesley	12 months			12/31/1949	And	Is historically, culturally, politically, economically, or socially important either by itself or in the context of a group of buildings OR is located within 150 feet of the boundary line of any federal or local historic district and is contextually similar to the buildings located in that district
Weston	12 months	National register or local inventory	And	1945	Or	Is included within a “significant area” or “further study area” inventoried by the commission in the 1993-1994 Historical Resources Survey
Winchester	12 months	National or state register	Or	1940	Or	Included in the MA Historical Commission’s Inventory

APPENDIX B: METHODOLOGY AND DATA SOURCES

The criteria used to select the properties to be studied for the existing conditions report was determined through conversations with individuals from the Town of Arlington's Inspectional Services and Assessor's Departments. Data was drawn from Assessor's department for all homes in R0, R1, and R2 zoning districts, and was combined with data collected from Arlington's online Assessor's Database for homes that were built or substantially renovated between 2010 and June, 2019. Home sales data that was not available on the Assessor's database was researched on Redfin.com; using online realtor data was only necessary for homes constructed in late 2017.

In topics where the full assessor's dataset was used for analyzing the R0, R1, and R2 residential zoning districts, the dataset was reduced by eliminating structures tagged with a non-residential land use codes. This eliminated buildings used for non-residential purposes from the analysis, such as churches and schools. Furthermore, structures that are used exclusively for assisted living were not included in the analysis.

Additional data was provided by Arlington's GIS Department, particularly in studying residential zoning districts within the larger town context. Information on regulatory controls was pulled from the Zoning Bylaw and Town Bylaw. Links to data sources are provided below:

Town of Arlington Building Permit Database:

<https://www.arlingtonma.gov/departments/inspectional-services/view-building-permits>

Town of Arlington GIS:

<https://www.arlingtonma.gov/departments/information-technology/geographic-information-system-gis>

Town of Arlington Inspectional Services Department:

<https://www.arlingtonma.gov/departments/inspectional-services>

Town of Arlington Master Plan: Your Town, Your Future:

<https://www.arlingtonma.gov/departments/planning-community-development/master-plan>

Town of Arlington Online Assessor's Database:

<https://www.arlingtonma.gov/departments/information-technology/geographic-information-system-gis/address-search>

Town of Arlington Town Bylaws:

<https://www.arlingtonma.gov/town-governance/laws-and-regulations/town-bylaws>

Town of Arlington Zoning Bylaw:

<https://www.arlingtonma.gov/town-governance/laws-and-regulations/zoning-bylaws>