

MEMORANDUM

TO: George Hall, Esq.  
Chris Ryan  
Glenn Clancy

FROM: Stephen W. Kidder 

RE: Vehicular Traffic Between Zones 5 and 4

DATE: August 20, 2024

---

In connection with McLean's plan for development of the Child & Adolescent Campus on Zone 4, I am writing to seek your confirmation that McLean will be able to provide services to the Child & Adolescent Campus by direct vehicular access from Zone 5 to Zone 4. This memorandum sets forth our analysis of the relevant provisions of Section 6A of the Belmont Zoning Code.

As we have communicated in our meetings with the Town, the Child & Adolescent Campus will centralize a number of the facilities and several day and residential programs that are currently maintained on Zone 5, the McLean Institutional Subdistrict. In addition, both the Arlington School and Pathways Academy will be relocated to the Campus. McLean will provide services to the Campus, including facility maintenance and kitchen and dining services, from the main Hospital campus on Zone 5. The plan is to set up gate-controlled access from Zone 5 into Zone 4. Service vehicles would not be allowed to exit the McLean District by Olmsted Drive and would have to re-enter Zone 5 through the same gate.

Section 6A of the Belmont Zoning Code sets out the zoning provisions governing the McLean District. One of the primary concerns raised in 1999 when Section 6A was adopted was the impact of traffic coming to the McLean District from outside the Hospital campus. The zoning bylaw that was adopted and the agreements between McLean and the Town addressed this issue in several ways.

Section 6A.3.3 states:

*Vehicular access to the Residential Subdistricts and the McLean Institutional Subdistrict shall be via Mill Street, except in case of emergency access. Vehicular access to the Senior Living Subdistrict and the Research and Development Subdistrict shall be via Pleasant Street, except in case of emergency access.*

This requirement was repeated in the recent adoption of the Zoning Overlay for Zone 3.

By its terms Section 6A.3.3 does not specifically reference vehicular traffic from “outside” the McLean District. While it is possible, therefore, to read the provision as requiring all traffic to Zone 4 to come via Pleasant Street, we think such a reading is not supported by the language of Section 6A.3.3 and is not consistent with the intent behind the provision. First, Section 6A.3.3 does not address internal circulation issues within the McLean District. By its terms, it identifies the public roadways from which access to the various subdistricts is allowed. Nothing in Section 6A.3.3 restricts travel within the McLean District. As noted above, the concern which Section 6A.3.3 addresses is the impact vehicular traffic coming to the McLean District causes on Town roadways. By requiring such traffic to be dispersed between the Mill Street entrance and Pleasant Street entrance, Section 6A.3.3 mitigates this issue. Further, a reading of Section 6A.3.3 that would require McLean service vehicles to access Zone 4 by exiting Zone 5 via Mill Street and then using Town roadways to drive to Pleasant Street and access Zone 4 via Pleasant Street would place unnecessary traffic on the Town’s roadways – a result that clearly runs contrary to the Town’s interest in limiting the burden on Town roadways.

In addition to the restriction set by Section 6A.3.3 of the Zoning Code, the original Traffic Monitoring and Mitigation Agreement (“TMMA”) provided further measures to control traffic coming to the McLean District from outside the District. The TMMA set specific limits on vehicular trips to and from Zones 3 and 4. While these limits have been removed by the amended TMMA, the requirement that all vehicles coming from outside the District access Zone 4 via Pleasant Street remains in place and mitigation measures required by the amended TMMA are based on traffic volume at Pleasant Street and Olmsted Drive. As a result, it is essential that accurate counts of vehicular traffic at Pleasant Street and Olmsted Drive can be monitored. The gate-controlled access that McLean will set up to provide for its service vehicles to access Zone 4 from Zone 5 will ensure that no service vehicles will be allowed to exit the McLean District via Pleasant Street. Therefore, any traffic count conducted at Pleasant Street and Olmsted Drive will provide an accurate measure of the vehicular traffic generated by Zones 3 and 4.

In sum, we believe that Section 6A does not prohibit internal traffic between Zone 5 and Zone 4 and we believe the system planned by McLean to provide such access for service vehicles will fully comply with the provisions of Section 6A and the amended TMMA and will reduce the impact of the Zone 4 development on the Town’s roadways.

Please let me know if you have any questions or would like to discuss.