



Town of Arlington
Zoning Bylaw Review Committee
Report to Town Meeting
April 23, 2007

Background

The Zoning Bylaw Review Committee (ZBRC) was formed as the result of a 1999 Town Meeting vote *that the Town establish a committee to review the zoning by-law to determine, among other things, if there were sufficient differentiation among the different zones, if size restrictions were appropriate, if sufficient protection was provided to our historic and open spaces, and that the by-law met the requirements of recent regulatory and judicial standards. . . .the committee shall propose and report suggested changes to improve the zoning by-law to subsequent town meetings.*

The ZBRC consists of 10 members—one representative from each of the following; Arlington Redevelopment Board (ARB), the Town of Arlington Department of Planning and Community Development, the Arlington Historical Commission, the business community, and the real estate community, as well as two lawyers and three Town Meeting members—all of whom are appointed by the Town Moderator.

Committee Membership

The ZBRC currently has two openings for new members; one vacancy for a Town Meeting Member and one representative from the Real Estate community. If there is any interest in joining, please contact the committee chair Gregory Flaherty at gxflaherty@aol.com.

Activities During the Past Year

1. Vision 2020 Town Survey:

The Zoning Bylaw Review Committee participated in the Vision 2020 Town Survey for 2006. The committee solicited citizen opinions on the desirability of various land uses in Town and the conversion of business properties to residential uses. The results indicated a desire to leave 'as is' or encourage single family housing and new 2-4 family housing. Multifamily (5+ units) were generally discouraged. Conversion from business properties to residential uses got mixed results, mostly neutral with a small edge towards opposing conversion.

2. Permeable Paving:

The committee explored the expanded use of permeable paving as an option to reduce stormwater runoff. The current zoning bylaw (Section 8.12) does not allow permeable paving as an option for parking areas containing over five spaces. The ZBRC is jointly proposing a warrant article to allow for its use. (Warrant Article 8 ATM2007).

3. Review of Fence Bylaws;

The committee looked at the current scope of rules and regulations regarding fences. After reviewing the Massachusetts building code and the current Arlington Zoning Bylaws, the committee determined to leave the current Bylaw as is. A summary of regulations as follows;

- a) building permits are not required for fences six feet in height or less,
- b) fences are exempted from the 15-foot setback from Open Streams,
- c) fences are to be used as a buffer between industrial and residential lots,
- d) swimming pools must be completely fenced in,
- e) fences, walls, and hedges must not restrict traffic visibility, a height limit of 2'-6" within five feet of a lot line,
- f) parking lots (more than five spaces) and loading space-the setback is reduced from 10-feet to 5-feet if suitable fencing is used.

4. Review of 2007 Town Meeting Warrant Articles.

There are several warrant articles that relate to the Zoning Bylaws, Article 5 (zip cars), Article 6 (compact cars), Article 7 (parking in Open Space Districts), Article 8 (permeable paving), Article 9 (affordable housing), and Article 11 (zoning change for Smith Street). ZBRC's recommendations are attached.

5. Miscellaneous items:

The committee considered several other items for study, accessory or 'in-law' apartments, the preservation of commercial properties and the impact of conversions to residential use, and cluster developments. The ZBRC does not currently have any recommended changes for these items, we will be investigating them further for the next year. As part of its role in reviewing the Arlington Zoning Bylaw and recommending and proposed amendments, the ZBRC continually seeks to anticipate the potential effects of any Bylaw changes on Arlington and its residents.

Future Activities

The ZBRC will continue to meet on the third Wednesday of each month. We will continue to look at the issues surrounding residential density in the Town. We welcome your comments and suggestions on the activities of the committee and on the Arlington Zoning Bylaw itself.

Respectfully Submitted,

Arlington Zoning Bylaw Review Committee:

Gregory Flaherty, Chair and Town Meeting Member; Curtis Connors, attorney; Anna DeSimone, member at-large (in lieu of the business community designee); Chris Loreti, Town Meeting Member; Joey Glushko, Department of Planning and Community Development; Karen Johnson, Arlington Redevelopment Board designee; John D. Leone, attorney; Eric Stange, Arlington Historical Commission designee.

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Recommendations on 2007 Warrant Articles

Article 5: Zoning Bylaw Amendment/Vehicle Sharing

The committee voted unanimously to support this article.

Article 6: Zoning Bylaw Amendment/Compact Car Parking

The committee voted unanimously to support this article.

Article 7: Zoning Bylaw Amendment/Open Space District

The committee voted unanimously to support this article.

Article 8: Zoning Bylaw Amendment/Permeable Paving

The committee voted unanimously to support this article.

Article 9: Zoning Bylaw Amendment/Affordable Housing

The committee voted to support this article.

Article 11: Zoning Map Change for Smith Street

The committee did not vote on this article. It is our understanding that this article will essentially be withdrawn.