



## Report of the Arlington Redevelopment Board to the 2004 Annual Town Meeting

Below, the Board lists the warrant articles on which it is required to issue a recommendation. Each article is briefly explained and is followed by the Board's vote. Town Meeting members should take particular note that the recommendation of the Redevelopment Board, not the original warrant article, is the motion that will be considered by the Town Meeting. A vote of "no action" means that the Town Meeting will be asked to vote that no action be taken on the proposed warrant article. Sometimes the recommended vote shown in this report differs slightly from the warrant article. This occurs when errors are discovered or testimony at the public hearing convinces the Board that a change should be made. In such cases, the changes must not differ from the original to the extent that the scope of the warrant article is changed. When there is question about the scope, the Town Moderator will make the judgment. Any changes to an article are noted in the votes shown below.

The Arlington Redevelopment Board held a public hearing on March 22, 2004. Only a few people attended. The Redevelopment Board voted its recommendations in open meetings on March 29 and April 12. All the votes of the Board were unanimous.

In all illustrations of the amended bylaw sections below, **highlighted text** indicates additions and ~~struck through~~ text indicates deletions.



**ARTICLE 5 ZONING BYLAW AMENDMENT/BICYCLE/PARKING**

This amendment was proposed by the Redevelopment Board. It seeks to make the requirement for bicycle parking more apparent to persons reading the Zoning Bylaw. A bylaw passed by Town Meeting in 2003 requires bicycle parking in projects that require Environmental Design Review (EDR). The requirement is included in Article 8, Off Street Parking and Loading Requirements. The article puts developers on notice that they must comply with the bicycle parking standard.

**VOTE:**

**That the Town vote to amend the Zoning Bylaw in Article 11, Section 11.06, f. 4. Circulation, by deleting the words “vehicular and pedestrian” and inserting in place thereof, the words “vehicular, pedestrian and bicycle”; and further, after the words “and arrangement of” deleting the words “of parking areas” and inserting in place thereof, the words “vehicle parking and bicycle parking areas, including bicycle parking spaces required by Section 8.13”.**

**REVISED TEXT:**

- f. ENVIRONMENTAL DESIGN REVIEW STANDARDS. ...
- .
- .
- 4. Circulation. With respect to ~~vehicular and pedestrian~~ vehicular, pedestrian and bicycle circulation, including entrances, ramps, walkways, drives, and parking, special attention shall be given to location and number of access points to the public streets (especially in relation to existing traffic controls and mass transit facilities), width of interior drives and access points, general interior circulation, separation of pedestrian and vehicular traffic, access to community facilities, and arrangement of ~~parking areas~~ vehicle parking and bicycle parking areas, including bicycle parking spaces required by Section 8.13 that are safe and convenient and, insofar as practicable, do not detract from the use and enjoyment of proposed buildings and structures and the neighboring properties.

**ARTICLE 6 ZONING BYLAW AMENDMENT/DIMENSIONAL AND DENSITY REGULATIONS**

This article was submitted by the Redevelopment Board and sets minimum dimensional regulations for 1, 2, and 3-family homes when they are built in business districts. Currently many business districts have zero setbacks and no minimum lot sizes which makes it possible to build homes with unacceptably small yards. Some years ago Town Meeting voted to allow small residence buildings in business districts. The requirements of this article should have been inserted in the Bylaw at that time.

The vote is different from the warrant article in that the front setback has been reduced to ten feet. Upon investigation of the types of buildings that could be constructed, it appears that ten feet is a more reasonable standard.

**Examples of residential style buildings in business districts (with 10' front setback)**



385 Massachusetts Avenue



736 and 742 Massachusetts Avenue

**VOTE:**

**That the Town vote to amend the Zoning Bylaw in Article 6, Section 6.00, Table of Dimensional and Density Regulations by inserting in the B1, B2, B2A, B3, B4, B5 districts the new use “Single-family detached dwelling, two-family dwelling, duplex house, three-family dwelling<sup>QR</sup>” and the following dimensions:**

**Lot Requirements Minimum, Size, Sq. Ft. - 5,000; Lot Requirements Minimum, Frontage - 50; Intensity of Development, Floor Area Ratio - 1.00; Intensity of Development, Lot Coverage Maximum – NA; Intensity of Development, Minimum Lot Area Per Dwelling Unit - 2,500; Minimum Yard, Ft, Front – 10; Minimum Yard, Ft., Side – 10; Minimum Yard, Ft., Rear – 20; Height Maximum, Stories - 2-1/2; Height Maximum, Feet – 35; Open Space Minimum, Percent of Gross Floor Area, Landscaped - 10%; Open Space Minimum, Percent of Gross Floor Area, Usable - 30%;**

**and in the B1 district in the use “All permitted uses” by deleting the word “All” and inserting in place thereof the words “Any other”;**

**and in the B2 district in the use “Building with a principal use of a three family dwelling, town house structure or apt. house” by deleting the words “three family dwelling”**

**and at the end of the table, insert footnote Q as follows: “Q In cases subject to Section 11.06 Environmental Design Review, the Redevelopment Board in evaluating the proposal may by Special Permit adjust the required setbacks set forth elsewhere in this Bylaw to account for specific conditions unique to the proposal.”**

**and at the end of the table, insert footnote R as follows: “R These dimensional requirements shall not apply to any special permit issued before the first advertisement of this bylaw change in February, 2004.”.**

SECTION 6.00 - TABLE OF DIMENSIONAL AND DENSITY REGULATIONS (Continued)

Dis-trict	Use	Lot Requirements, Minimum <sup>M</sup>		Intensity of Development			Minimum Yard, Ft. <sup>P</sup>			Height Maximum		Minimum Percent of Gross Floor Area		
		Size, Sq. Ft.	Frontage, Ft.	Fl. Area Ratio Maximum	Lot Coverage Maximum Percent	Lot Area per Dwelling Unit, Sq. Ft.	Front <sup>E</sup>	Side <sup>E</sup>	Rear <sup>E</sup>	Stories	Feet <sup>G</sup>	Landscaped	Usable	
ART. 8, STM 3/85; ART. 11, ATM 4/98														
ARTS. 84 & 92, ATM 3/79														
R6 (cont.)														
	Town House Structure, apartment house, or office structure on a lot greater than 20,000 sq. ft. in area	20,000	100	1.20 <sup>F</sup>	NA	700	15+(H/10) <sup>D</sup> (H+L)/6 <sup>D</sup> (H+L)/6 <sup>D</sup>			4 3	40 35	10%	25%	
	Any other permitted principal structure	6,000	60	0.80	NA	NA	20	10	20	3	35	10%	-	
ART. 93, ATM 3/78; ART. 92, ATM 3/79														
R7 Any permitted principal structure														
		20,000	100	1.50 <sup>F</sup>	NA	550	15+(H/10)(H+L)/6 at least 20 ft.			6 at least 20 ft.	5 at least 20 ft.	40 60	10%	15%
B1 Single-family detached dwelling, two-family dwelling, duplex house, three-family dwelling <sup>OR</sup>														
		5,000	50	1.00	NA	2,500	10	10	20	2-1/2	35	10%	30%	
All Any other permitted uses														
		5,000	50	0.75	NA	2,500	20	10	20	3	35	20%	- <sup>H</sup>	
ART. 81, ATM 4/80														
B2 Building with a principal use of a <del>three-family dwelling</del> , town house structure, or apt. house														
		5,000	50	1.00	NA	1,450	20	10	20	3	35	10%	20%	
Single-family detached dwelling, two-family dwelling, duplex house, three-family dwelling <sup>OR</sup>														
		5,000	50	1.00	NA	2,500	10	10	20	2-1/2	35	10%	30%	
Any other permitted use														
		-	50	1.00	NA	1,450	0	0	10+(L/10)	3	35	10%	- <sup>H</sup>	

SECTION 6.00 - TABLE OF DIMENSIONAL AND DENSITY REGULATIONS (Continued)

Dis- trict	Use	Lot Requirements, Minimum <sup>M</sup>		Intensity of Development				Minimum Yard, Ft. <sup>P</sup>			Height Maximum		Open Space Minimum Percent of Gross Floor Area	
		Size, Sq. Ft.	Frontage, Ft.	Ft. Area Ratio Maximum	Lot Coverage Maximum Percent	Minimum Area per Dwelling Unit, Sq. Ft.	Front <sup>E</sup>	Side <sup>E</sup>	Rear <sup>E</sup>	Stories	Feet <sup>G</sup>	Landscaped	Usable	
ART. 8, STM 3/85; ART. 11, ATM 4/98														
B2A	Apartment house fronting on a street with a right-of- way width of 50 feet or less	20,000	100	0.80	NA	1,450	15	10+(L/10)	30	3	35	10%	25%	
	Apartment house fronting on a street wider than 50 feet	20,000	100	1.20 <sup>F</sup>	NA	700	15+(H/10)	(H+L)/6	(H+L)/6 at least 30 ft.	4	40 25	10%	20%	
	Single-family detached dwelling, two-family dwelling, duplex house, three- family dwelling <sup>OR</sup>	5,000	50	1.00	NA	2,500	10	10	20	2-1/2	35	10%	30%	
	Any other permitted use	-	50	1.00	NA	NA	-	-	10+(L/10)	3	35	10%	- <sup>H</sup>	
ART.81, ATM 4/80														
B3	Building with a princi- pal use of a town house structure or apartment house	20,000	100	1.40	NA	600	15+(H/10)	(H+L)/6	(H+L)/6	5 3	60 40	10%	20%	
	Single-family detached dwelling, two-family dwelling, duplex house, three- family dwelling <sup>OR</sup>	5,000	50	1.00	NA	2,500	10	10	20	2-1/2	35	10%	30%	
	Any other permitted use	-	50	1.00	NA	600	-	-	(H+L)/6	5 3	60 40	20%	-	
		20,000	100	1.40	NA	600	-	-	(H+L)/6	5 3	60 40	10%	- <sup>H</sup>	

SECTION 6.00 - TABLE OF DIMENSIONAL AND DENSITY REGULATIONS (Continued)

Dis- trict	Use	Lot Requirements, Minimum <sup>M</sup>		Intensity of Development			Minimum Yard, Ft. <sup>P</sup>			Height Maximum		Open Space Minimum Percent of Gross Floor Area	
		Size, Sq. Ft.	Frontage, Ft.	Ft. Area Ratio Maximum	Lot Coverage Maximum Percent	Minimum Lot Area per Dwelling Unit, Sq. Ft.	Front <sup>E</sup>	Side <sup>E</sup>	Rear <sup>E</sup>	Stories	Feet <sup>G</sup>	Landscaped	Usable
ART. 8, STM 3/85; ART. 11, ATM 4/98													
B4	Apartment house fronting on street with a right-of- way width of 50 ft. less	20,000	100	0.80	NA	1,450	15	10+(L/10)	30	3	35	10%	25%
	ART. 92, ATM 3/79 Apartment house fronting on street wider than 50 ft.	20,000	100	1.20 <sup>F</sup>	NA	700	15+(H/10)(H+L)/6(H+L)/6 at least 30 ft.			4	40 25	10%	20%
	Single-family detached dwelling, two-family dwelling, duplex house, three- family dwelling <sup>OR</sup>	5,000	50	1.00	NA	2,500	10	10	20	2-1/2	35	10%	30%
	Any other permitted use	-	50	1.00	NA	NA	-	-	10+(L/10)	3	35	10%	- <sup>H</sup>
ART. 92, ATM 3/79; ART. 81, ATM 4/80; ART. 16, STM 3/87													
B5	Building with a principal use of a town house struc- ture or apartment house	20,000	100	1.50	NA	550	15+(H/10)(H+L)/6(H+L)/6 at least 20 ft. at least 20 ft.			NA	75 <sup>N</sup> 40	10%	15%
	Single-family detached dwelling, two-family dwelling, duplex house, three- family dwelling <sup>OR</sup>	5,000	50	1.00	NA	2,500	10	10	20	2-1/2	35	10%	30%
	ART. 5, STM 3/81 Any other permitted use	-	50	1.40 <sup>I</sup>	NA	600	-	-	(H+L)/6	5 3	60 40	10%	- (20% for residen- tial use)
	ART. 16, STM 3/87	40,000	100	1.50 <sup>I</sup>	NA	550	-	-	(H+L)/6	NA	75 <sup>N</sup>	10%	- <sup>H</sup>

SECTION 6.00 - TABLE OF DIMENSIONAL AND DENSITY REGULATIONS (Continued)

Dis- trict	Use	Lot Requirements, Minimum <sup>M</sup>		Intensity of Development			Minimum Yard, Ft. <sup>P</sup>			Height Maximum	Open Space Minimum Percent of Gross Floor Area		
		Size, Sq. Ft.	Frontage, Ft.	Fl. Area Ratio Maximum	Lot Coverage Maximum Percent	Minimum Lot Area per Dwelling Unit, Sq. Ft.	Front <sup>E</sup>	Side <sup>E</sup>	Rear <sup>E</sup>	Stories	Feet <sup>G</sup>	Landscaped	Usable
ART. 8, STM 3/85; ART. 11, ATM 4/98													
B5 (cont.) ART. 16, STM 3/87		80,000	150	1.80 <sup>I</sup>	NA	550	-	-	(H+L)/6	NA	75 <sup>N</sup> 40	10%	- <sup>H</sup>
H	Hospital or any other permitted use	200,000	-	1.00	40%	NA	(H+L)/6 not less than 30 ft.	(H+L)/6 not less than 30 ft.	(H+L)/6 not less than 30 ft.	NA	70	60%	-
ART. 13, ATM 4/01													
I	All permitted uses	-	-	1.50	NA	NA	10	10 <sup>J</sup>	10 <sup>J</sup>	4 3	52 39	-	-
ART. 5, ATM 4/00; T Uses 4.01, 5.01, 5.05, 5.09, 8.17													
		6,000	60	0.35	NA	NA	25	10	20	2-1/2	35	30%	-
ART. 92, ATM 3/79; ART. 43, STM 3/82 PUD All permitted uses													
		200,000 <sup>K</sup>	-	0.80	NA	NA	(See Section 6.28)			NA <sup>L</sup>	85 40	(See Sect. 6.30)	
ART. 14, ATM 4/01 OS All permitted uses													
		-	-	-	-	-	-	-	-	-	-	-	-

Additional regulations are contained in the text of Article 6.

Footnotes to Table of Dimensional and Density Regulations

A See Section 6.06 for exceptions.

ART. 15, ATM 5/91

B In R0, R1 and R2 districts, the rear yard need not be more than 20 percent of the full lot depth.

C One side yard must not be less than 10 feet, and the total of both side yards must not be less than 16 feet.

D A town house structure shall not exceed 150 feet or 6 town houses in length for a single story structure nor 120 feet for that part of the structure more than one story in height. See also Section 6.25 for end yards for town house structures and Section 6.21 for minimum court dimensions.

ART. 22, ATM 4/97



- E L is the length of a wall parallel (or within 45 degrees of parallel) to lot line, measured parallel to lot line, subject to the provisions of Section 6.26 for buildings of uneven alignment or height. H is height of that part of the building for which the setback or yard is to be calculated.
- F See the bonus provisions of Section 6.12.
- G When two numbers are listed, see Section 6.13 for applicable height regulation.
- H Open space requirements for residential uses (computed from their floor area only) shall be 10 percent landscaped and 20 percent usable in the B1, B2, B2A, B3, and B4 districts, and 15 percent usable in the B5 district.
- I May increase with bonus provisions of Section 6.12; however, in no event shall the residential uses exceed a floor area ratio of 1.50.
- J Not required where abutting railroad track or railroad right-of-way if railroad is to be utilized for loading or unloading.
- K Lots in separate ownership of less than 200,000 square feet in area shall be developed according to the dimensional, density, and use regulations of the B3 district.

Footnotes to Table of Dimensional and Density Regulations, cont.

ART.92, ATM 3/79

L Residential uses shall be no more than 5 floors of such building.

ART.8, STM 3/85

M For each structure consisting of a single family dwelling, two family dwelling, duplex family house, or three family dwelling, each such structure shall meet both the minimum lot requirements and frontage requirements imposed hereby.

ART.16, STM 3/87

N The maximum heights in feet of any building or buildings may be modified by Special Permit of the Arlington Redevelopment Board in any case under the provisions of Article 11.06 of this bylaw provided that the total roof area exceeding either maximum height shall be equal to an equal roof area, within the part of the project to which the same height limit applies, that is less than the maximum height so that the total of the products of the horizontal roof area of all roofs times their respective heights shall not exceed the product of the horizontal area of the total roof times the applicable maximum height permitted in the district, and provided further that the height of any roof shall not exceed the applicable maximum height permitted in the district by more than twelve feet.

ART. 15, ATM 5/91

O Any lots shown on the zoning map as proposed by the zoning bylaw change first advertised on February 21, 1991, as being in the R0 district, and which were duly recorded with the Registry of Deeds on or before February 21, 1991, and which did not contain a principal building, or for which a building permit was not issued, may be built upon with a single family residential use provided that the lot contains not less than 6,000 square feet of area and 60 feet of frontage.

ART. 11, ATM 4/98

P See Section 5.02.

Q In cases subject to Section 11.06 Environmental Design Review, the Redevelopment Board in evaluating the proposal may by Special Permit adjust the required setbacks set forth elsewhere in this Bylaw to account for specific conditions unique to the proposal.

R These dimensional requirements shall not apply to any special permit issued before the first advertisement of this bylaw change in February, 2004.

**ARTICLE 7 ZONING BYLAW AMENDMENT/FLOODPLAIN DISTRICT**

This article was submitted by the Redevelopment Board. It clarifies the standards by which development is permitted in the floodplain districts. It is inspired by an effort by the State Department of Conservation and Recreation to strengthen local review and enforcement of the standards required to participate in the National Flood Insurance Program (NFIP). We have included the bare minimum of the suggestions to allow us to continue participation without adding a great deal of extra requirements. We may well be asked to include more changes next year. For the most part, the changes proposed refer to the State regulations which govern in development within the floodplain, rather than writing out the standards in our bylaw. This allows us to more easily keep current with the State guidelines which supersede our regulations anyway.

**VOTE:**

**That the Town vote to amend the Zoning Bylaw in Article 11, Section 11.04,b in the ~~third~~ fourth sentence after the words, “The Floodplain Overlay consists of the” by inserting the words, “Flood Insurance Study,”, and in section 11.04,c after the words, “by all regulations of this Section 11.04” by inserting the words, “, Wetlands Protection Regulations, Department of Environmental Protection (DEP), 310 CMR 10.00, Inland Wetlands Restriction (DEP) 310 CMR 13.00,” and in the end of the same sentence by deleting the words, “Section 3.04” and inserting in place thereof the words, “Section 3.05”, and in Section 11.04,d,2 by deleting paragraphs 2.2, 2.3 and 2.4 and inserting new paragraphs as follows, “2.2 The proposed use shall comply with the regulations as amended in Massachusetts Wetlands Protection Regulations, Department of Environmental Protection (DEP), 310 CMR 10.00 and Inland Wetlands Restriction (DEP) 310 CMR 13.00; 2.3 Base Flood Elevation Data is required for proposals or other developments greater than 50 lots or five acres, whichever is the lesser, within unnumbered A zones.”.**

**REVISED TEXT:****Section 11.04 - Floodplain District (portions)**

- a. OBJECTIVES. The objectives of this District are to promote: ...
- b. DEFINITION. The Floodplain District is superimposed over any other district established by this Bylaw. The 100-year floodplain is defined as the relatively flat lowland which adjoins a watercourse or other body of water and which is subject to seasonal or periodic flooding by the watercourse or water body at a storm frequency of 100 years. Specifically, the Floodplain District includes those areas along the Mill Brook, Alewife Brook, Mystic River, Spy Pond, Arlington Reservoir, and Mystic Lakes which are in the 100-year floodplain as established by the flood elevations indicated on the Floodplain Overlay Map. The Floodplain Overlay consists of the Flood Insurance Study, Flood Insurance Rate Map and the Floodway Boundary/Floodway Map as published by the Federal Emergency Management Agency for the Town of Arlington, July 5, 1982, as amended.
- c. INTERPRETATION AND APPLICATION. Any proposed use, structure, development, filling, grading, or excavation within the Floodplain District shall be governed by all regulations of this

Section 11.04, Wetlands Protection Regulation, Department of Environmental Protection (DEP), 310 CMR 10.00, Inland Wetlands Restriction (DEP) 310 CMR 13.00 and the Massachusetts State Building Code, and shall require a building permit. The extent of the Floodplain District shall be determined by the Inspector of Buildings under Section 3.04 Section 3.05 of the bylaw.

d. PERMITTED USES. Mobile homes shall not be permitted at any location in the Floodplain District, and no construction, development, or filling shall be permitted in the Floodway as defined on the Wetland and Floodplain Overlay Map. Certain uses may be permitted in the Floodplain District as follows:

1. As a Right

2. By Special Permit.

ART. 46, STM 3/82; ART. 4, ATM 5/91

No structure or building shall be erected, constructed, substantially improved, enlarged (except as provided in 11.04(d)(1)(b)), or otherwise created or moved, no earth or other material dumped, filled, excavated, or transferred, unless all the following conditions are found to exist as part of the granting of a Special Permit by the ZBA:

2.1 The proposed use, including filling or excavating, when combined with all existing uses, will not increase the water surface elevation of the 100-year flood more than one (1) inch at any point;

~~2.2 In zones A1 to A30, new construction or substantial improvements (as defined in 11.04(d)(1)(b)) of residential structures have the lowest floor (including basement) elevated to or above the level of the 100-year flood.~~

~~New construction or substantial improvements of nonresidential structures within the Floodplain District have the lowest floor (including basement) elevated to or above the level of the 100-year flood or, together with attendant utility and sanitary facilities, to be floodproofed up to the level of the 100-year flood in accordance with the Massachusetts State Building Code.~~

~~2.3 In AO zones, new construction or substantial improvements of residential or nonresidential structures have the lowest floor (including basement) elevated above the crown of the nearest street to or above the depth number specified on the Floodplain Overlay Map; however, nonresidential structures may alternatively be floodproofed to this elevation.~~

~~2.4 When floodproofing is used in lieu of elevation, the floodproofing methods shall be certified by a registered professional engineer or architect as being adequate to withstand the forces associated with a 100-year flood, and such certification shall be submitted to the town.~~

2.2 The proposed use shall comply with the regulations as amended in Massachusetts Wetlands Protection Regulations, Department of Environmental Protection (DEP), 310 CMR 10.00 and Inland Wetlands Restriction (DEP) 310 CMR 13.00;

2.3 Base Flood Elevation Data is required for proposals or other developments greater than 50 lots or five acres, whichever is the lesser, within unnumbered A zones.

The provisions of this subsection 11.04(d)(2) shall not apply to the reconstruction or repair of a structure, unless it constitutes substantial improvements as defined in 11.04 (d)(1.b), existing at the time of advertisement of this section (August 1975) after a fire or other casualty as provided in Section 9.06 of this Bylaw. However, major repairs shall use construction materials and utility equipment that are resistant to flood damage, and construction methods and practices that will minimize flood damage.

## ARTICLE 8

## ZONING BYLAW AMENDMENT/WETLAND AND FLOODPLAIN OVERLAY

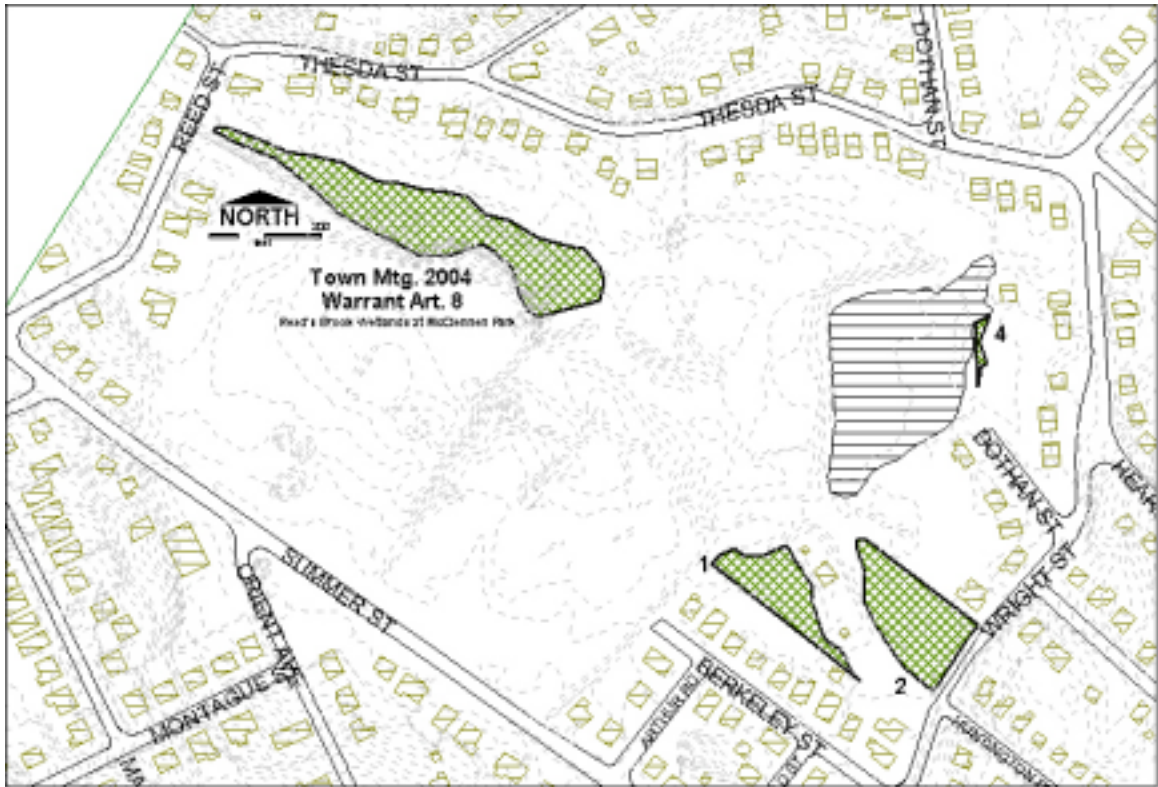
This article was submitted by the Redevelopment Board and the Conservation Commission. It proposes to amend the Wetland and Floodplain Overlay (map). The Wetland and Floodplain Overlay is an official part of the Zoning Map and displays known wetlands and floodplains in Arlington. Wetlands that meet State definition are subject to State Wetlands Protection, wetlands that appear on Arlington's Wetland and Floodplain Overlay are subject to State protection and are also covered by Arlington's Wetland Protection Bylaw (Town Bylaw, Title V, Article 8). This article seeks to include several known wetlands that already meet State standards on the overlay map. Including known wetlands on the overlay serves to alert the public and the Building Inspector to the presence of protected wetlands.

Any development that is proposed within 100 feet of a wetland (or other water resource) is subject to review by the Conservation Commission. The map serves to alert property owners to the location of a wetland. The precise location and the determination that a property is within the 100 foot limit must be made by observation at the site and measurements done in the field. The water resources that are proposed to be added are shown on the map.

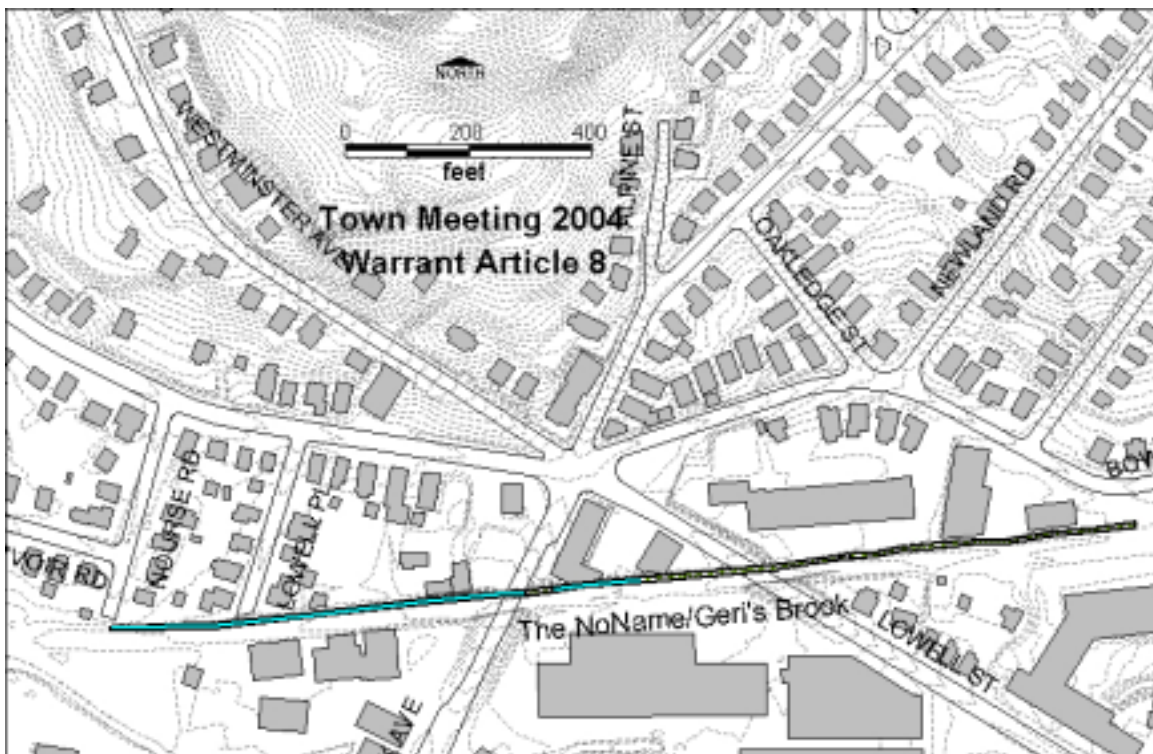
### VOTE:

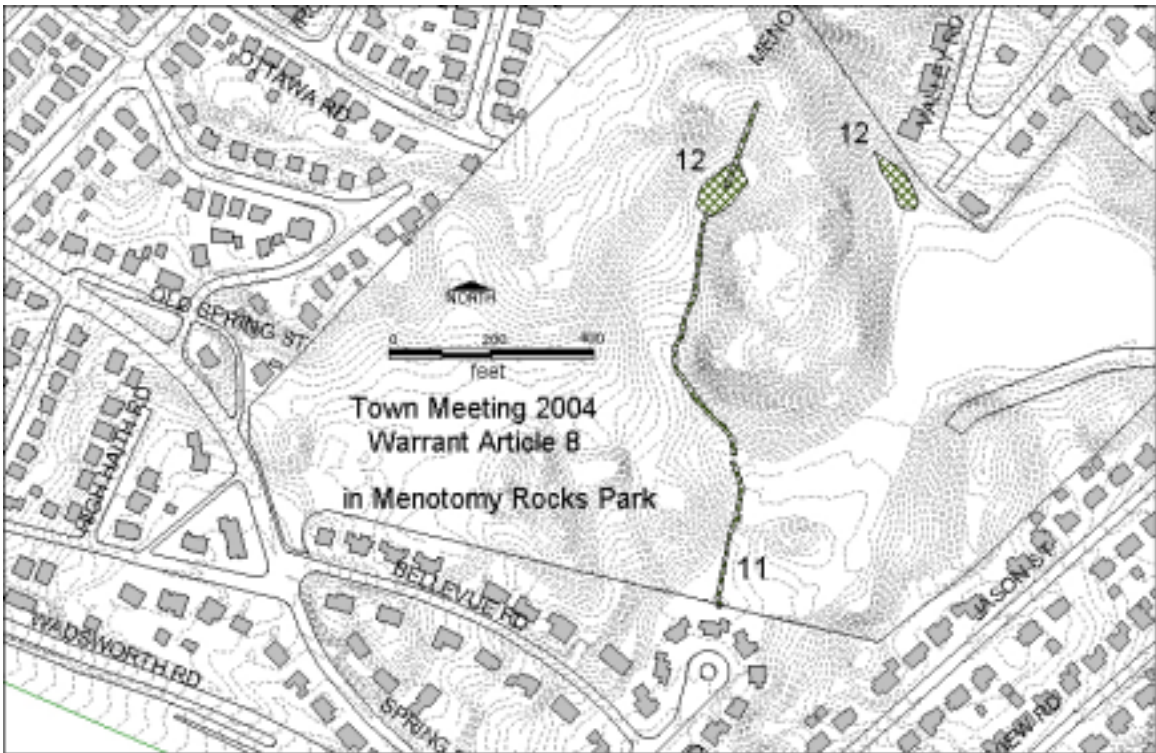
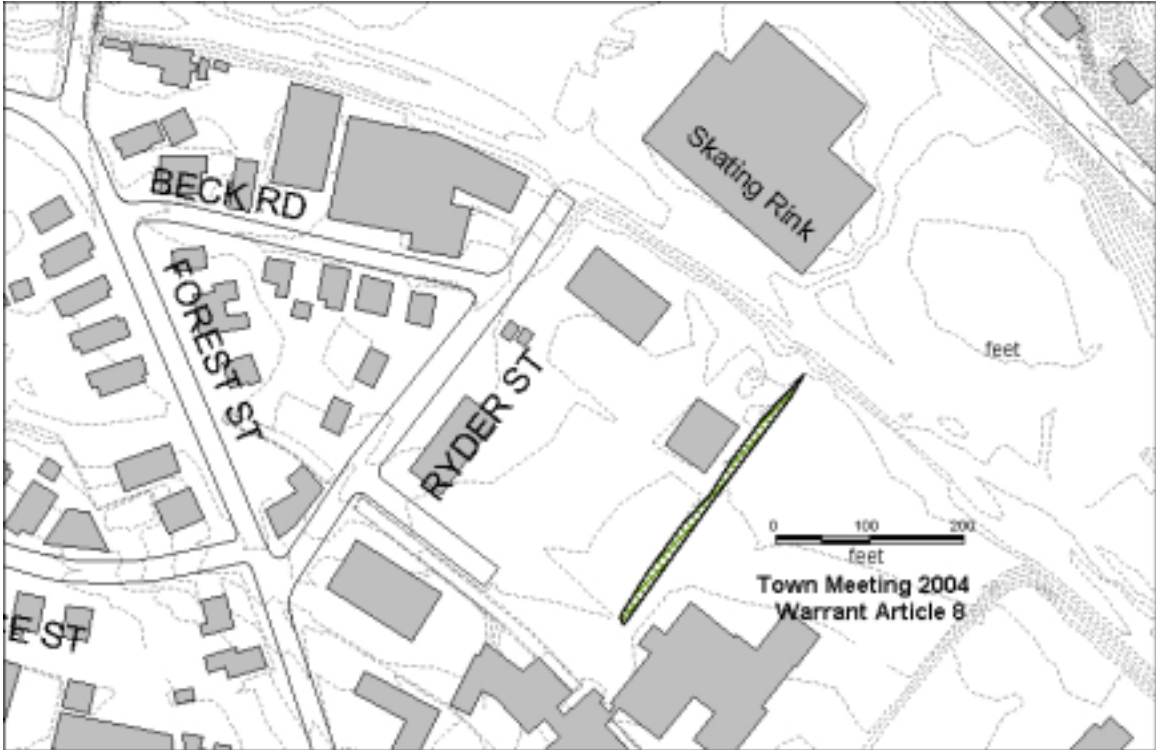
**That the Town vote to amend the Zoning Bylaw in the Wetland and Floodplain Overlay to the Zoning Map by adding the wetlands and water resources shown on the map entitled "Proposed additions to the Wetland and Floodplain Overlay, Warrant Article 8, Annual Town Meeting, April, 2004:**

**REVISED TEXT:** (Portions of the map are reproduced for illustration below)









**ARTICLE 9                    ZONING BYLAW AMENDMENT/OFF STREET PARKING**

This article was submitted by ten registered voters and seeks to permit the ARB to waive parking requirements for residential development that is primarily affordable (more than 50% affordable?) and is a multi-resident, single-room-occupancy type of use or is a dormitory or lodging house. In order to have the parking requirement waived, the owner must show the ARB that the residents won't need such parking. The article presumes that a special permit for such a project would be subject to Environmental Design Review and therefore be issued by the ARB. The article makes reference to the existing ability of the ZBA and ARB to reduce parking requirements on special permit applications before them (Zoning Bylaw section 8.12(a)(10) allows the boards to reduce parking to 80% of that which is otherwise required.) The apparent intention is to make it easier to create single room occupancy housing units. The article is much too vague, relies on imprecise standards and may create problems in the long run, especially if the property is used differently in the future.

**VOTE: No action.**

**ARTICLE 10                    ZONING BYLAW AMENDMENT/INDUSTRIAL ZONE**

This article was submitted by ten registered voters and seeks to allow multi-family residential development in industrial zones, with a special permit from the ARB, if 30% of the units are affordable. Current zoning does not permit residential use in an industrial zone. Since the residential market is much stronger than the industrial and commercial markets right now, there could be demand for conversion of industrial sites. However, allowing conversion of industrial sites further limits Arlington's industrial/commercial base, and limits the amount of land available for such uses into the future. Under MGL Chapter 40(B), (Comprehensive Permit) industrial sites can be developed residentially with 25% affordable housing which would seem to make this alternative unattractive to developers in the first place. It also seems untoward that the only type of housing the Town would allow in industrial zones is that with a high affordable component.

**VOTE: No action.**

**ARTICLE 11                    ZONING BYLAW AMENDMENT/AFFORDABLE HOUSING**

This article was submitted by ten registered voters and proposes that the Town's inclusionary bylaw be modified to allow non-profit organizations to purchase affordable units created by Section 11.08 of Arlington's Zoning Bylaw. Section 11.08 currently requires any new residential development with six or more units must include 15% of the units at an affordable price (commonly referred to as "inclusionary zoning"). To date, all development subject to this section has been condominiums, and the units have been sold to income qualified, first time homebuyers. This article seeks to allow the Housing Authority or a non-profit to purchase the units and rent them to eligible households. The Affordable Housing Requirements are administered by the ARB and are distributed subject to a marketing plan approved by the Director of Housing (member of the



Planning Department). We believe that the sale of a unit to a public or non-profit is already allowed by the current law and that the proposed change is unnecessary.

**VOTE: No action.**

**ARTICLE 12 ZONING BYLAW AMENDMENT/AFFORDABLE HOUSING II**

This article was submitted by ten registered voters and proposes to amend the Town’s inclusionary zoning bylaw. Section 11.08 of the Zoning Bylaw currently requires units to be provided on the site, but does allow a financial contribution in lieu of units, at the discretion of the ARB. Article 12 would allow a third alternative, units to be provided somewhere else in the Town, so long as the additional units are greater in number than the number that would have been required on site. As proposed, this article does not give clear discretion to the ARB to reject this alternative. The Affordable Housing Task Force, and the Arlington Housing Authority have voted not to endorse this change, because of their preference for units to be provided on site, in order to promote mixed income communities in Arlington.

**VOTE: No Action.**

**ARTICLE 13 ZONING BYLAW AMENDMENT/TEMPORARY SIGNS**

This article was submitted by the Park & Recreation Commission and seeks to permit “temporary signs,” allowing advertising, at athletic fields. While it is not stated, the intent is to raise funds to support Park and Recreation Commission programs and facility maintenance. The article was submitted in conjunction with Article 15 which would amend the Town Bylaws to establish a special permit process by which the Commission would determine the display of such advertising.

The Town Meeting recently passed amendments to establish open space zoning to protect Arlington’s precious open space. An important part of the regulations in the open space district is the limitation on signs that can be displayed in areas that are preserved in order to be free of signage and other reminders of urbanization.

**VOTE: No action.**

**ARTICLE 14 ZONING BYLAW AMENDMENT/OFF STREET PARKING**

This article was submitted by ten registered voters and proposes to increase the parking requirements for larger apartments. The existing bylaw requires 1.5 parking spaces for each two-bedroom unit; the proposed change would increase this requirement to 2 parking spaces for each two-bedroom unit and 1 parking space per bedroom for larger units. The proposal would create different parking standards for houses and apartments and counter-intuitively require more parking for apartments. The reason the article was submitted is unclear, but the increased parking would have the effect of simultaneously increasing the cost of housing and reducing the supply of housing. Increased parking

requirements also would have a detrimental effect on the appearance of the town and would encourage auto traffic.

**VOTE: No action**

**ARTICLE 15 BYLAW AMENDMENT / TEMPORARY SIGNS II**

This article was submitted by the Park & Recreation Commission and is related to Article 13, above. It seeks to establish a permit process in the Town Bylaw for the placement of advertising at athletic fields. The selectmen will report to Town Meeting on this article. The Redevelopment Board opposes the article for the reasons indicated above under Article 13.

**ARTICLE 16 ABANDONMENT OF EXTERIOR LINES**

This article was submitted by ten registered voters and seeks to remove a restriction placed on many properties along Massachusetts Avenue. The selectmen will report to the Town Meeting on this article, but the redevelopment Board would like to express its support.

In the early part of the last century the Town of Arlington purchased easements from some property owners on Massachusetts Avenue. The easements are commonly called building lines or exterior lines. The easements typically cover a strip of land on the street frontage and were intended to keep the strip free of buildings to allow the street to be widened at some time in the future.

It is generally accepted by the Arlington Redevelopment Board that Massachusetts Avenue will not be widened, perhaps could not be widened, yet the building lines have constrained development on a number of properties that have come before the Board in recent years. Building lines exist and have impacted the redevelopment design on the Time Olds site, 743 Mass. Ave.; Greater Boston Motor Sports, 1098 Mass. Ave.; and both Boston Federal Savings Bank sites, old: 980 Mass. Ave., and new: 874 – 880 Mass. Ave. The most striking impact can be seen at Greater Boston Motor Sports, where the building was designed with the glass, greenhouse type structure in order to move the building near to the street, but be able to easily remove the glass part if need be.

In general the easement lines are a nuisance that can have a detrimental effect on the redesign of properties and should be eliminated. The problem is that it is relatively expensive to research the easements. We don't even know how many properties are affected. It makes sense to ask that the property owner who is burdened by the building line bear the expense of removing it. The removal requires Town Meeting action and the Board believes the Town should support such action.

**ARTICLE 17 VOTE AMENDMENT / PARMENTER SCHOOL**

This article was submitted by the Redevelopment Board and will be reported on by the Selectmen. The article proposes to amend a previous Town Meeting vote (1992) which gives the Arlington Redevelopment Board jurisdiction over the Parmenter School. The vote to grant such jurisdiction was originally made in 1983 and the Redevelopment Board

has rented and managed the property ever since. The proposed amendment corrects a past oversight and extends the ARB's jurisdiction until 2008.

A precursor to this vote is the vote of the School Committee to declare the building surplus. The School Committee voted in January. Now the Town Meeting must place the building in the ARB's jurisdiction. The dates in the article show the jurisdiction beginning in 1998 because it was not done at that time as it should have been. It was intended that the votes by the School Committee and the Town Meeting would be done every five years through the course of the current leases in the building which expire in 2008. As mentioned above, the article then corrects the 1998 oversight and extends the jurisdiction until 2008.

**ARTICLE 18 ENVIRONMENTAL AND ENERGY EFFICIENCY**

This article was submitted by the Sustainable Arlington Task Group/Vision 2020 and 10 registered voters. It seeks to require that all commercial development meet or exceed Silver Certification of the Leadership in Energy and Environmental Design (LEED) Green Building Rating System. A similar article regarding Town owned construction was passed at last year's Town Meeting.

Although the warrant article is not specific, Town Counsel has confirmed that this would require a change in the Zoning Bylaw because it requires the ARB to assure LEED compliance in order to issue a special permit. Most likely this would be done by adding such a criterion to the eleven criteria currently in Section 11.06 of the Zoning Bylaw.

The Redevelopment Board supports the green building concept but finds that the LEED Silver Certification is too difficult to achieve and frequently inappropriate for certain kinds of buildings. While the proposed bylaw allows the ARB to find that the rating level is inappropriate for a particular submittal, it feels a more achievable standard would be more enforceable and establish a true new standard.

**VOTE: No action**