



Clean Energy Future Committee Meeting Minutes

Approved at the 05-28-2021 meeting

May 14, 2021

11:00 a.m. – 12:00 p.m.

Virtual Meeting – Hosted on Zoom

Members present: Coralie Cooper (Chair), Jim DiTullio, Ken Pruitt, Dave Levy, Emily Sullivan, Pasi Miettinen, Ryan Katofsky, Nellie Aikenhead, Marc Breslow, Shelly Dein

Also attending: Kelly Lynema, Chris Loreti

Members not present: Adam Chapdelaine, Dianne Mahon, Dan Amstutz

The meeting convened at 11:05 a.m.

Video Meeting Procedures

Mr. Pruitt read a set of prepared remarks explaining the procedures that the Committee would follow to hold a virtual meeting. Governor Baker signed an Executive Order in response to the COVID-19 pandemic allowing virtual meetings, which suspended the usual Open Meeting Law requirement that a quorum of committee members be physically present in order to hold an official committee meeting.

Meeting Minutes

No meeting minutes were approved at this meeting

Agenda Item 1: Warrant Article 38 – Energy Efficient Homes on Nonconforming Lots

Ms. Cooper thanked everyone for joining. She provided an overview of the status of Warrant Article 38 at Town Meeting, and an overview of a proposal from a group of CEFC members to amend the Article.

Ms. Cooper explained that the Article allows new efficient foundations to be installed on non-conforming lots in the R0, R1 and R2 zoning districts when a home is replaced – something that is currently not allowable. The CEFC had originally estimated that this would affect 29% of existing lots in those districts. For lots over 5,000 feet in those districts, Warrant Article 38 would also allow for an expansion of the foundation footprint in some cases (the lots would become conforming lots and would simply need to meet dimensional requirements for conforming lots).

Ms. Cooper noted that, based on information that has recently come to light, the number of nonconforming lots sized between 5,000 and 6,000 square feet is much larger than originally estimated, such that the total percentage of nonconforming lots in the R0-R2 districts is not 29 percent, but closer to 50 percent. Ms. Cooper noted that some Town Meeting Members have expressed a concern about tear-downs that could result in larger homes on these lots.

Ms. Cooper noted that the group working on this article is proposing an amendment to the article that would, in effect, require owners of lots over 5,000 square feet to apply for a special permit to increase their home's footprint.

Mr. Pruitt screen shared the article. Mr. Levy noted that, given Town Meeting rules, any amendment would need to be filed as soon as possible since amendments must be filed at least 48 hours before the meeting at which they are considered.

Mr. Breslow raised a concern about whether this article could cause a rapid increase in teardowns of homes on lots with less than 5,000 square feet. Mr. Miettinen noted that existing zoning rules would apply to those lots, and a larger foundation could not be built on lots with less than 5,000 square feet.

Mr. Breslow asked if we anticipated any other objections to the article. Mr. Pruitt noted the primary concern voiced thus far was about teardowns resulting in bigger homes, but that this concern should be eliminated with the proposed amendment. Mr. Katofsky noted this would create more equity between conforming and nonconforming lots and said he would support this.

Mr. Levy asked if he should be the one to file the amendment. Mr. DiTullio agreed he would be the correct person. Mr. Levy then said for various reasons he supported this amendment as it strikes the right compromise.

Ms. Lynema provided some background on research by the Department of Planning and Community Development on the number of housing lots in various categories that had been conducted in support of this warrant article.

Mr. Loreti thanked the Committee for proposing the amendment. He said he thought that the solution is a good one, and is a good compromise. Mr. Loreti suggested the CEFC go to the Redevelopment Board on Monday and ask it to propose the amendment.

Mr. Levy and Mr. Loreti discussed the technical approach to moving forward with an amendment. Mr. Pruitt suggested that, if approved, Mr. Levy could file the amendment with the Town Meeting Moderator and simultaneously Mr. Pruitt could work with Ms. Raitt and the ARB to put it on the ARB's agenda for Monday night.

Mr. Katofsky motioned for a vote on the proposed amendment. Mr. Levy seconded.

A roll call vote was taken. The Committee unanimously approved the motion to amend Warrant Article 38 by removing the second bullet point under Section 5.4.2.B(8) – which would delete the words “The lot has at least 5,000 square feet of area, or.”

Mr. DiTullio and Mr. Levy then discussed the sequencing of the amendment and how Mr. Pruitt would take next steps with the Arlington Redevelopment Board.

Ms. Dein asked for someone to provide a short written summary of the amendment and why it is being proposed so that outreach to Town Meeting Members could be done effectively.

Ms. Cooper asked if an email to all Town Meeting Members would be welcome. Mr. Pruitt suggested he would send Mr. Levy the amendment language so that Mr. Levy could work with Mr. Leone (Town Meeting Moderator) on the amendment.

Mr. Miettinen said he would work on an updated fact sheet.

Mr. Levy motioned to adjourn. Mr. Pruitt seconded. The Committee voted unanimously to adjourn.

The Meeting ended at 11:43am.

Submitted by Dave Levy.