



## Clean Energy Future Committee

Date: Friday, December 3, 2021

Time: 8:15 a.m.

Location: Conducted via remote participation (Zoom)

To register for the Zoom Meeting: <https://town-arlington-ma-us.zoom.us/meeting/register/tZ0kd-qgrDoqGdM3BE2LKUX-7ndDDPbs3Bbl>

After registering, you will receive a confirmation email containing information about joining the meeting.

Members of the public are asked to send written comment to Daniel Amstutz at [DAmstutz@town.arlington.ma.us](mailto:DAmstutz@town.arlington.ma.us) with a copy to Coralie Cooper at [coralie.cooper4@gmail.com](mailto:coralie.cooper4@gmail.com).

### **\*Notice to the Public on meeting privacy\***

In the interests of preventing abuse of videoconferencing technology (e.g. "Zoom Bombing") all participants, including members of the public, wishing to participate via Zoom must register for each meeting and will notice multi-step authentication protocols. Please allow additional time to join the meeting. Further, members of the public who wish to participate without providing their name may still do so by telephone at 929-436-2866 Meeting ID: **899 0382 1037**.

Documents related to the below agenda items follow as attachments to this document.

### **Agenda**

8:15 – 8:20: Review & Approve Minutes from 10/22/2021 meeting.

8:20 – 8:45: Update on NZAP implementation from working group chairs.

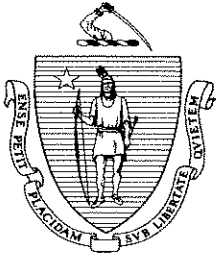
8:45 – 9:10: Warrant article discussion.

9:10 – 9:25: Connect Arlington update (Dan Amstutz).

9:25 – 9:30: Next CEFC meeting.

### Attachments:

- 1) Governor Charles Baker's 3/12/2020 Executive Order Suspending Certain Provisions of the Open Meeting Law
- 2) Draft minutes for the 10/22/2021 meeting
- 3) Draft for Discussion: Solar and Net Zero Proposed Changes to Arlington Bylaws



OFFICE OF THE GOVERNOR  
**COMMONWEALTH OF MASSACHUSETTS**  
STATE HOUSE • BOSTON, MA 02133  
(617) 725-4000

**CHARLES D. BAKER**  
GOVERNOR

**KARYN E. POLITO**  
LIEUTENANT GOVERNOR

**ORDER SUSPENDING CERTAIN PROVISIONS  
OF THE OPEN MEETING LAW, G. L. c. 30A, § 20**

**WHEREAS**, on March 10, 2020, I, Charles D. Baker, Governor of the Commonwealth of Massachusetts, acting pursuant to the powers provided by Chapter 639 of the Acts of 1950 and Section 2A of Chapter 17 of the General Laws, declared that there now exists in the Commonwealth of Massachusetts a state of emergency due to the outbreak of the 2019 novel Coronavirus (“COVID-19”); and

**WHEREAS**, many important functions of State and Local Government are executed by “public bodies,” as that term is defined in G. L. c. 30A, § 18, in meetings that are open to the public, consistent with the requirements of law and sound public policy and in order to ensure active public engagement with, contribution to, and oversight of the functions of government; and

**WHEREAS**, both the Federal Centers for Disease Control and Prevention (“CDC”) and the Massachusetts Department of Public Health (“DPH”) have advised residents to take extra measures to put distance between themselves and other people to further reduce the risk of being exposed to COVID-19. Additionally, the CDC and DPH have advised high-risk individuals, including people over the age of 60, anyone with underlying health conditions or a weakened immune system, and pregnant women, to avoid large gatherings.

**WHEREAS**, sections 7, 8, and 8A of Chapter 639 of the Acts of 1950 authorize the Governor, during the effective period of a declared emergency, to exercise authority over public assemblages as necessary to protect the health and safety of persons; and

**WHEREAS**, low-cost telephone, social media, and other internet-based technologies are currently available that will permit the convening of a public body through virtual means and allow real-time public access to the activities of the public body; and

**WHEREAS** section 20 of chapter 30A and implementing regulations issued by the Attorney General currently authorize remote participation by members of a public body, subject to certain limitations;

**NOW THEREFORE**, I hereby order the following:

(1) A public body, as defined in section 18 of chapter 30A of the General Laws, is hereby relieved from the requirement of section 20 of chapter 30A that it conduct its meetings in a public place that is open and physically accessible to the public, provided that the public body makes provision to ensure public access to the deliberations of the public body for interested members of the public through adequate, alternative means.

Adequate, alternative means of public access shall mean measures that provide transparency and permit timely and effective public access to the deliberations of the public body. Such means may include, without limitation, providing public access through telephone, internet, or satellite enabled audio or video conferencing or any other technology that enables the public to clearly follow the proceedings of the public body while those activities are occurring. Where allowance for active, real-time participation by members of the public is a specific requirement of a general or special law or regulation, or a local ordinance or by-law, pursuant to which the proceeding is conducted, any alternative means of public access must provide for such participation.

A municipal public body that for reasons of economic hardship and despite best efforts is unable to provide alternative means of public access that will enable the public to follow the proceedings of the municipal public body as those activities are occurring in real time may instead post on its municipal website a full and complete transcript, recording, or other comprehensive record of the proceedings as soon as practicable upon conclusion of the proceedings. This paragraph shall not apply to proceedings that are conducted pursuant to a general or special law or regulation, or a local ordinance or by-law, that requires allowance for active participation by members of the public.

A public body must offer its selected alternative means of access to its proceedings without subscription, toll, or similar charge to the public.

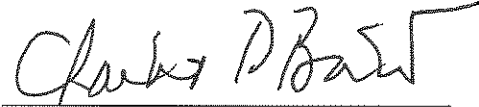
(2) Public bodies are hereby authorized to allow remote participation by all members in any meeting of the public body. The requirement that a quorum of the body and the chair be physically present at a specified meeting location, as provided in G. L. c. 30A, § 20(d) and in 940 CMR 29.10(4)(b), is hereby suspended.

(3) A public body that elects to conduct its proceedings under the relief provided in sections (1) or (2) above shall ensure that any party entitled or required to appear before it shall be able to do so through remote means, as if the party were a member of the public body and participating remotely as provided in section (2).

(4) All other provisions of sections 18 to 25 of chapter 30A and the Attorney General's implementing regulations shall otherwise remain unchanged and fully applicable to the activities of public bodies.

This Order is effective immediately and shall remain in effect until rescinded or until the State of Emergency is terminated, whichever happens first.

Given in Boston at 6:40 PM this 12th day of  
March, two thousand and twenty.

A handwritten signature in cursive script, reading "Charles D. Baker". The signature is written in dark ink and is positioned above a horizontal line.

CHARLES D. BAKER  
GOVERNOR  
Commonwealth of Massachusetts



## **Clean Energy Future Committee Meeting Minutes**

*Draft – for approval at the 12-3-2021 meeting*

October 22, 2021

8:15 – 9:30 a.m.

Virtual Meeting – Hosted on Zoom

Members present: Coralie Cooper (as Chair), Jim DiTullio, Pasi Miettinen, Ryan Katofsky, Marc Breslow, Shelly Dein, Adam Chapdelaine

Members joined after minutes approved: Dan Amstutz, Nellie Aikenhead

Also attending: Brucie Moulton, Tom Ehbrecht, Alex Eberle, Amos Meeks, Anne Goodwin, Eugene Benson, Parke Wilde, Sandra Frawley, Susan Keane

Members not present: David Levy, Diane Mahon

### **Video Meeting Procedures**

Ms. Cooper summarized 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**

The Committee reviewed meeting minutes from the September 24, 2021 Meeting. Ms. Cooper asked for comments. Ms. Dein offered a correction changing 'complement' to 'compliment'. Mr. DiTullio asked to change 'during and in' to 'during or in'. Ms. Dein motioned to approve the minutes with those two amendments; Ryan Katofsky seconded. Pasi Miettinen abstained. The Committee approved the September 24, 2021 meeting minutes as amended.

### **Agenda Item 1: Attorney General Approval of Town Meeting Warrant Article 38**

Ms. Cooper noted that the AG had approved the zoning bylaw that now allows the replacement of home foundations on nonconforming lots if the resulting structure is highly energy efficient. She suggested we think about publicizing this, including writing an article and posting it on CEFC website. Mr. DiTullio asked when the bylaw would become effective, and Mr. Chapdelaine explained that the bylaw becomes effective approximately one week after the Town publicly posts the announcement. Mr. DeTullio also recommended submitting an article to the Advocate. Ms. Aikenhead suggested outreach to the real estate and RE development community, with direct mailers, or emails, or phone calls. Mr. Miettinen recommended telling the Building Department and

posting something there, since it affects ~ 50% of Arlington properties. Ms. Cooper stated that Ms. Mahon suggested in a previous meeting that the CEFC look into whether or not a flyer could be made available at town departments. Mr. Miettinen suggested that if someone replaces their foundation soon as a result of this new bylaw, that we publicize it. Mr. Katofsky suggested that an ad hoc marketing and communications committee be established for this and other future accomplishments, which Pasi agreed with. Ms. Cooper suggested this should be on the NZAP Tracking Sheet.

**Agenda Item 2: Net Zero Action Plan (NZAP) Tracking Sheet**

Ms. Cooper opened the discussion of the NZAP Tracking Sheet by reviewing the purpose of the sheet and some example items on the Tracking Sheet. The CEFC agreed that the sheet could be a useful tool to track follow-up items. Mr. Katofsky noted that even if a task is completed, we need to incorporate implementation as it progresses. Ms. Cooper asked for volunteers to maintain the tracking sheet.

**Agenda Item 3: Updates from CEFC workgroups:**

- A. Net Zero Stretch Code – Mr. Meeks offered that the issuance of the new stretch energy code has been delayed which is potentially troubling. Mr. Meeks suggested that outreach to activists is also recommended so that organizations are ready to comment on a proposal when it is issued. Mr. Meeks indicated that although people in the industry know this is expected, grassroots activists should be mobilized. Mr. Chapdelaine indicated that he has written to all municipalities in the past week and has collected 20 signatories already. Mr. Miettinen thanked Mr. Chapdelaine for reaching out to other municipal leaders.
- B. Arlington Clean Energy Supply – Mr. Katofsky agreed to speak with Patrick Roche of Good Energy, Arlington’s electricity aggregator. Mr. Katofsky had no update.
- C. Electrify Arlington – Ms. Cooper indicated the subcommittee had a 2-hour retreat where they discussed goals and different models for a website. As follow-up, she will talk to the Arlington Public Information Officer, Joan Roman, about establishing a Town of Arlington Electrify Arlington website. The workgroup talked to Cambridge and other communities and discussed different models on how to pilot heat pumps, including using consultants and volunteers. The workgroup also discussed establishing a pilot program for heat pumps. Mothers Out Front could assist in this effort. This group expects to meet every few weeks.
- D. Potential New Warrant Article – Ms. Cooper mentioned that the town will move forward on updating language that municipal buildings should be LEED Silver or better. Mr. Chapdelaine indicated it was a bylaw, and that Allen Reedy of the Permanent Town Building Committee and Planning Director Jenny Raitt were both interested in establishing a higher standard. Mr. Miettinen indicated that the LEED rating system doesn’t always prioritize energy efficiency. Mr. Chapdelaine said he thinks there is leeway to choose another rating system. Mr. Katofsky said his experience on the AHS project may be helpful, and he is happy to join the discussion. The CEFC agreed to establish a small working group.
- E. Fossil Fuel Prohibition – Mr. Chapdelaine indicated there was no movement to report. He thinks this hasn’t moved out of committee yet.

- F. Ms. Cooper indicated that there are several additional ideas for warrant articles. The CEFC needs to identify a lead contact for this. Mr. Katofsky indicated that although NZB3 is listed as done, we still need to communicate this. Ms. Cooper asked the committee to identify leads for warrant article process and for communications. She recommended that we review the Tracker Sheet every few meetings.

**Connect Arlington Plan** – Mr. Amstutz offered to make presentation to the CEFC committee. As part of Connect Arlington implementation, DPCD has started a Bikeway Planning Project to understand how to make the Bikeway safer and more useful to more people. A consultant has been hired and a public survey has been released with responses due by early November. Ms. Dein said she feels that Connect Arlington presentation would be great; Mr. Chapdelaine concurred.

**Gas Leaks Task Force** – Mr. Chapdelaine wants to find a way to coordinate with CEFC. Ms. Cooper was invited to meet with the GLTF.

**Other items –**

Mr. Katofsky indicated that next week both he and Ken Pruitt are co-leading an Arlington Continuing Education (ACE) class on town's NZAP.

Mr. Katofsky added that the Arlington HS rebuild project now has a page on sustainability.

Mr. Katofsky added that the Town is in process of getting 2 electric school buses. Locating the electric vehicle supply equipment (EVSE) has been challenging, but it now seems like the EVSE will be in the lower Ottoson lot.

Ms. Cooper mentioned that Tom Ehbrecht is also leading an ACE class on How to Lower Emissions.

In considering a website for Arlington, Ms. Cooper mentioned developing a bare bones website, but referencing other websites including MA Clean Energy Center's Clean Energy Lives Here, and Green Energy Consumer's Alliance's Drive Green Program. She also mentioned Mass Energize which for \$3,500 to set up and \$1,500 annually, they could host a site that we would populate. Their model includes a scorecard which Newton and others have used. The workgroup will continue to talk to other towns to see how they have set up their websites.

Mr. Katofsky mentioned that Gene Benson suggested we sponsor at least one zoning article. Ms. Cooper mentioned that Gene's idea was to consider the NZAP in the environmental design review process or the special permit process. Mr. Miettinen supported Mr. Benson's suggestion.

Anne Goodwin mentioned that she represents First Parish Church, which is hoping to find a way to support the CEFC committee's work. There are a number of ways they could support the CEFC, for example by participating in a pilot project.

**Next Meeting Date** – Ms. Cooper recommended that we change the meeting date currently scheduled for the day after Thanksgiving. Following a discussion about whether to have one or two meetings before the end of the year, the CEFC recommended that the next meeting be set for December 3, and if another meeting is desirable to advance a warrant article, that we would have time to meet again.

Mr. Katofsky made a motion to adjourn, which Ms. Dein seconded. The motion was unanimously approved.

The Meeting ended at 9:20 am.

Submitted by Shelly Dein

DRAFT



## **Draft for Discussion: Solar and Net Zero Proposed Changes to Arlington Bylaws**

Amend 3.4.4.L to include consistency with the Net Zero Action Plan

### 3.4.4. Environmental Design Review Standards

L. Sustainable Building and Site Design and Climate Protection. Projects are encouraged to incorporate best practices related to sustainable sites, water efficiency, energy and atmosphere, materials and resources, and indoor environmental quality. Applicants must submit a current Green Building Council Leadership in Energy and Environmental Design (LEED) checklist, appropriate to the type of development, annotated with narrative description that indicates how the LEED performance objectives will be incorporated into the project. In addition, projects shall be consistent with the town's Net Zero Action Plan as appropriate and practicable.

-----  
Add definitions and add Section 6.3 for solar energy systems

### Section 2. Definitions

Solar Energy System: A device or structural design feature, a substantial purpose of which is to provide for the collection, storage, and distribution of solar energy for space heating or cooling, electricity generation, or water heating.

Solar Ready Zone: Fifty percent or more of a roof area that is either flat or oriented between 110 and 270 degrees of true north, exclusive of mandatory access or setbacks required by the Massachusetts Fire Code.

### Section 6. Site Development Standards

#### 6.3 Solar Energy Systems

##### 6.3.1. Requirement for Solar Energy Systems

Projects requiring Environmental Design Review per section 3.4.2 of this Bylaw shall include a solar energy system that is equivalent to at least fifty percent of the roof area of the building or buildings that are the subject of the review. Where a site includes a covered parking structure, the structure shall also have a solar energy system that covers at least ninety percent of its top level.

##### 6.3.2. Solar Energy System Assessment

A solar energy system assessment shall be submitted with an application for Environmental Design Review and shall include at a minimum:

- A. An analysis for solar energy system(s) for the site detailing layout and annual production.
- B. The maximum feasible solar zone area of all structures and potential ground mounted canopies.

- C. Drawings showing the solar energy system proposed by the applicant, with a narrative describing the system and the reasons the system was chosen, or a detailed explanation of why the project meets an exemption of Section 6.3.3 for a solar energy system.

#### 6.3.3. Exemptions

A solar energy system on the roof of a building or other structure is not required where there is no solar ready zone or the solar ready zone is shaded for more than fifty percent of daylight hours annually, or for building conversions with insufficient structural load capacity. Further, in the case of a mixed or ground mounted installation, the requirement may be reduced or waived if the assessment determines there is not a viable location to meet the solar requirement.

#### 6.3.4. Location and Safety

- A. Emergency Access. Solar energy systems shall be mounted to ensure emergency access to the roof, provide pathways to specific areas of the roof, provide for smoke ventilation systems, and as provided by the Massachusetts Fire Code.
- B. Safety. A roof mounted solar energy system shall be located so that it does not result in shedding of ice or snow from the roof onto a porch, balcony, stairwell, or pedestrian travel area.
- C. Solar Energy Systems shall not be counted in determining the height and gross floor area of buildings, the amount of impervious surface and open space, and shall be exempt from setback requirements.