



FAQ: Article 11 Fossil Fuel-Free Bylaw Language Changes

What is Warrant Article 11?

Warrant Article 11 asks Town Meeting to alter the definition of major renovations in the Town's 2023 Fossil Fuel-Free Bylaw ("Bylaw") so that it is more consistent with the definition included in the Massachusetts Department of Energy Resources ("DOER") Fossil Fuel-Free Building Demonstration Program Model Rule and regulations.

What is the Municipal Fossil Fuel-Free Building Demonstration Program?

The Municipal Fossil Fuel-Free Building Demonstration Program ("Demonstration Program") was created in 2022 by the Massachusetts legislature. It allows up to 10 municipalities to adopt local legislation requiring new building construction or major renovation projects to be fossil fuel-free. This Demonstration Program responds to the efforts of several communities, including Arlington, to pass such local legislation. DOER officially accepted Arlington into the Demonstration Program in February 2024. At Fall 2023 Special Town Meeting, 89% of Town Meeting Members voted to adopt an updated Fossil Fuel-Free Bylaw, which takes effect on May 21, 2024.

Didn't we just adopt the Fossil Fuel-Free Bylaw? Why are we already making changes to it?

In the months since Town Meeting adopted the Fossil Fuel-Free Bylaw, DOER has recommended that the Town revise the Bylaw's definition of major renovations to encompass large additions and changes of use. DOER has suggested that an updated definition would provide a more complete picture of the impact of the Bylaw on major renovations and align the definition with the Model Rule released alongside the Demonstration Program regulations. The Town's 2023 Bylaw initially excluded additions and changes of use in the definition of major renovations to maintain consistency with the Town's 2020 Clean Heat Bylaw. However, the Town's Clean Energy Future Committee determined that alignment with DOER's recommendation and the opportunity to apply the Bylaw to more projects in Arlington, given the urgency of climate change, were goals justifying the update.

What are the key changes proposed by Article 11?

Proposed additions to the definition of major renovations in the Fossil Fuel-Free Bylaw are underlined in red:

Low-Rise Residential

- Low-rise residential alterations exceeding 50% of the existing conditioned (finished) floor area AND exceeding 1,000 square feet (sq ft)
- Low-rise residential additions exceeding 1,000 sq ft OR exceeding 100% of the existing conditioned floor area
- Low-rise residential changes of use exceeding 1,000 sq ft

Commercial

- Commercial alterations exceeding 50% of the existing conditioned floor area OR exceeding 20,000 sq ft
- Commercial additions exceeding 20,000 sq ft OR exceeding 100% of the existing conditioned floor area
- Commercial changes of use exceeding 20,000 sq ft or equal to 100% of the existing conditioned floor area

All projects listed here would then be prohibited from installing fossil fuel appliances for space or service water heating, cooking, clothes drying, and/or lighting as part of a major renovation.

What would be the impact of Article 11?

The updated definition is expected to increase slightly the number of projects to which the Fossil Fuel-Free Bylaw applies. In 2022 and 2023 combined, a total of six additions and no changes of use have occurred which surpass the thresholds outlined in the proposed amendments to the definition.