

Petitioner(s): _____

Contact info: _____

ARTICLE: _____

To see if the Town will amend the Zoning By-Law as follows (proposed new language appears in **bold and is underlined**):

1. By adding to Section 2.06 – “F” Definitions a new sub-section 2) as follows and renumbering the remaining sub-section accordingly:

2) FOSSIL FUEL FREE - For the purposes of providing certain public benefit incentives as contained in this by-law, Fossil Fuel Free refers to construction or renovation that results in an entire building or dwelling unit that uses electricity rather than on-site combustion of fossil fuels (oil or gas) in supporting its operation, with these specific exemptions:

A. Backup electrical generators.

B. Cooking appliances, including portable propane appliances for outdoor cooking and heating.

C. Potable or domestic hot water from centralized hot water systems in buildings with floor areas of at least 10,000 square feet, provided that the Engineer of Record certifies that no commercially available electric hot water heater exists that could meet the required hot water demand for less than 150% of installation or operational costs, compared to a conventional fossil-fuel hot water system.

2. By adding a note to Section 5.01 – Table of Dimensional Requirements by adding language at the top title section of the Table as follows:

Table 5.01 – Table of Dimensional Requirements (for additional dimensional relief see Section 5.93 Public Benefit Incentives for Fossil Fuel Free Buildings)

3. By amending Section 5.09 – Design Review by adding the following language to Section 5.09.4 Community and Environmental Impact and Design Standards subsection (m) as follows:

m. Energy Efficiency – To the maximum extent possible, proposals shall utilize energy-efficient technology and renewable energy resources, **including but not limited to Fossil Fuel Free (as defined in Section 2.06.2), as well as use of on-site solar energy, renewable energy power purchasing agreements, and passive house strategies,** and shall adhere to the principles of energy-conscious design with regard to orientation, building materials, shading, landscaping, and other **sustainable metrics such as reduction of embodied carbon.** Efforts shall be made to harmonize energy-related components with the character of the building and its surroundings and

to prevent adverse effects on the energy consumption of neighboring structures and on the environment.

4. By amending Section 5.43 – Exceptions to Yard and Setback Regulations as follows:

§5.43 – EXCEPTIONS TO YARD AND SETBACK REGULATIONS

Under a special permit after a hearing the Board of Appeals may permit, in lieu of the requirements for yards or setbacks specified in this By-law, the substitution of such other dimensional requirements as shall assure the same standard of amenity to nearby properties as would have been provided by compliance with the regulations of the By-law, as measured by off-setting a reduction in the depth or area of a required yard or setback by an increase in the depth or area of another yard or setback or by the provision or preservation of a condition or a facility not otherwise required, **including but not necessarily limited to meeting Fossil Fuel Free building standards (as defined in §2.06.2) and/or providing landscaping** that will counterbalance such a reduction; provided, however, that under this section the Board of Appeals shall not reduce the depth of a required front yard below 15 feet in M Districts.

5. By adding a new Section 5.93 as follows:

§5.93 – EXCEPTIONS TO ARTICLE V DIMENSIONAL REQUIREMENTS - PUBLIC BENEFIT INCENTIVES FOR FOSSIL FUEL FREE BUILDINGS

Notwithstanding any other public benefit incentives or dimensional relief contained in Article V or as permitted by these by-laws or the provisions of M.G.L.c. 40A, §6 where new construction is Fossil Fuel Free or when renovations to existing buildings or dwelling units include the replacement of existing fossil fuel equipment so as to be Fossil Fuel Free, additional dimensional relief is permitted as follows:

1. **Height. A maximum height greater than permitted in Article V and greater than noted in the Public Incentives column of Table 5.01 is permitted as of right provided that the additional height is no greater than 5' (five feet) for residential districts (S, SC, T and F) and by special permit provided that the additional height is no greater than 10' (ten feet) in all other districts.**
2. **Floor Area Ratio (FAR). Additional FAR greater than permitted in Article V and greater than allowed in the Public Incentives column of Table 5.01 is permitted as of right provided that the additional FAR increase is no greater than 10% (ten percent) in residential districts (S, SC, T and F) and by special permit provided that the additional FAR increase is no greater than 20% (twenty percent) in all other districts.**
3. **Parking Relief. See Section 6.10 for public benefit incentives for parking relief for Fossil Fuel Free buildings.**

6. By adding a new Section 6.10 and additional language at the heading to Section 6.02, Paragraph 1, Table of Off-Street Parking Space Requirements referencing Section 6.10 as follows:

**§6.10 – EXCEPTIONS TO ARTICLE VI VEHICULAR SERVICE USES
REQUIREMENTS - PUBLIC BENEFIT INCENTIVES FOR FOSSIL FUEL
FREE BUILDINGS, SYSTEMS OR EQUIPMENT**

Notwithstanding any other public benefit incentives or relief contained in Article VI, where new construction and/or renovations to existing buildings is Fossil Fuel Free the Board of Appeals may grant additional relief by special permit from the minimum parking space requirements in Article VI, s.6.02, Paragraph 1, the Table of Off-Street Parking Space Requirements.

And at page 6-4 of the Zoning By-Law, SECTION 6.02, Paragraph 1, TABLE OF OFF-STREET PARKING SPACE REQUIREMENTS add the following language at the top of the Table: **(See also Section 6.10 for public benefit incentives for fossil fuel free buildings, systems or equipment)**

Or act on anything relative thereto.

EXPLANATION: (this is a required section)