

**Town  
of  
Arlington**



**Warrant  
for  
Special  
Town  
Meeting**

**Monday, October 6, 1975**



# TOWN OF ARLINGTON WARRANT FOR SPECIAL TOWN MEETING



MONDAY, THE 6TH DAY OF OCTOBER, 1975

## THE COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

To the Constables of the Town of Arlington, in said County:

GREETING:  
In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of the Town of Arlington, to meet in the

TOWN HALL  
in said Town on  
MONDAY, THE 6TH DAY  
OF OCTOBER, 1975

at 8 o'clock P.M., at which time and place the following articles are to be acted upon and determined exclusively by town meeting members, in accordance with, and subject to, the referenda provided for by Chapter 43A of the General Laws.

Article 1. To hear and act upon reports of the Finance and other committees heretofore appointed.

Article 2. To see if the town will vote to amend the Zoning Bylaw by striking out the present bylaw and inserting in place thereof the following new Zoning Bylaw for the Town of Arlington:

### ZONING BYLAW TOWN OF ARLINGTON, MASSACHUSETTS ARTICLE 1

#### TITLE, AUTHORITY, AND PURPOSE

##### Section 1.01 - Short Title

This Bylaw shall be known and may be cited as the "Zoning Bylaw of the Town of Arlington, Massachusetts," hereinafter referred to as "this Bylaw."

##### Section 1.02 - Authority

This Bylaw is adopted pursuant to the Authority granted by Chapter 40A of the General Laws of the Commonwealth of Massachusetts and amendments thereto, herein called the "Zoning Enabling Act." Where the Zoning Enabling Act is amended from time to time after the effective date of this Bylaw and where such amendments are mandatory, such amendments shall supersede any regulations of this Bylaw which have been set forth on the basis of the Zoning Enabling Act in existence at the effective date of this Bylaw.

##### Section 1.03 - Purpose

The purpose of this Bylaw is to promote health, safety, convenience, morals and welfare of the inhabitants of the Town of Arlington; to lessen congestion in the streets; to conserve health; to secure safety from fire, panic and other dangers; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements; to conserve the value of land and buildings; to encourage the most appropriate use of land throughout the Town; to achieve optimum environmental quality through review and cooperation by the use of incentives, bonuses and design review; and to preserve and increase its amenities and to encourage an orderly expansion of the tax base by utilization, development, and redevelopment of land. It is made with reasonable consideration to the character of the district and to its peculiar suitability for particular uses, with a view to giving direction or effect to land development policies and proposals of the Redevelopment Board, including the making of Arlington a more viable and more pleasing place to live, work, and play.

#### ARTICLE 2 DEFINITIONS

##### Section 2.01 - General

For the purpose of this Bylaw and unless the context of usage clearly indicates another meaning, the following terms shall have the meanings indicated herein. Words used in the present tense include the future; the singular number includes the plural, and the plural the singular; the words "used" or "occupied" include the words "designed," "arranged," "intended," or "offered" to be used or occupied; the words "building," "structure," "lot," "land," or "premises" shall be construed as though followed by the words "or any portion thereof"; and the word "shall" is always mandatory and not merely directory. Terms and words not defined herein but defined in the Commonwealth of Massachusetts State Building Code shall have meanings given therein unless a contrary intention clearly appears. Words not defined in either place shall have the meaning given in the most recent edition of Webster's Unabridged Dictionary. Uses listed in the Table of Use Regulations under the classes Retail and Service Trades and Wholesale Trade and Manufacturing shall be further defined by The Standard Industrial Classification Manual published by the U. S. Bureau of the Census.

##### Abandonment:

The cessation of a use as indicated by the visible or otherwise apparent intention of an owner to discontinue a use of a structure or lot; or the removal of the characteristic equipment or furnishing used in the performance of the use, without its replacement by similar equipment or furnishings; or the replacement of a nonconforming use or structure by a conforming use or structure.

##### Alteration:

Any construction, reconstruction or other similar action resulting in a change in the structural parts, height, number of stories, exits, size, use or location of a building or other structure.

##### Apartment House:

A building designed or intended or used as the home or residence of four or more families, each in a separate dwelling unit, living independently of each other and who may have a common right in halls and stairways.

##### ARB:

The Arlington Redevelopment Board which was vested with the rights and powers of a planning board by the Massachusetts General Court in Chapter 783 of the Acts of 1971.

##### Awning:

A rooflike covering, as of canvas, stretched upon a frame that is affixed to a building and used above or before any place as a shelter from rain or sun.

##### Basement:

A portion of a building, partly below grade, which has more than one-half of its height, measured from finished floor to finished ceiling, above the average finished grade of the ground adjoining the building. A basement is not considered a story unless its ceiling is four (4) feet six (6) inches or more above the average finished grade.

##### Boarding House; Boarding Home:

A house in which a regular service of meals is furnished for persons for a remuneration.

##### Building:

A combination of any materials, whether portable or fixed, having a roof, enclosed within exterior walls or fire walls, built to form a structure for the shelter of persons, animals or property. For purposes of this definition, "roof" shall include an awning or any similar covering, whether or not permanent in nature.

##### Building, Accessory:

A building, the use of which is customarily incidental and subordinate to that of the principal building, and which is located on the same lot as that occupied by the principal building, or on an adjacent lot in the same ownership.

##### Building Area:

The aggregate of the maximum horizontal cross sectional area of all buildings on a lot exclusive of cornices, eaves, gutters, chimneys, steps, unenclosed porches, bay windows, balconies, and terraces.

##### Building, Attached:

A building having any portion of one or more walls in common with adjoining buildings.

##### Building Coverage:

The building area expressed as a percent of the total lot area.

##### Building, Detached:

A building having open space on all sides.

##### Building, Setback Line:

The line established by this Bylaw, beyond which a building shall not extend, except as specifically provided by this Bylaw.

##### Building, Nonconforming:

A building, lawfully existing at the time of adoption of this Bylaw, or any subsequent amendment thereto, which does not conform to one or more of the applicable dimensional and density regulations for the district in which the building is located.

##### Building, Principal:

A building in which is conducted the principal use of the lot on which it is located.

##### Carport:

A roofed structure, unenclosed on two or more sides, which may serve as a shelter for motor vehicles.

##### Cellar:

A portion of a building, partly or entirely below grade, which has more than one-half of its height, measured from finished floor to finished ceiling, below the average finished grade of the ground adjoining the building. A cellar is not deemed a story.

##### Certificate of Occupancy:

A statement signed by the Inspector of Buildings, setting forth either that a building or structure complies with the Zoning Bylaw or that a building, structure or parcel of land may lawfully be employed for specified uses, or both.

##### Commercial Vehicle:

For the purposes of this Bylaw, any cart or wagon or any vehicle which is included in the definition of a motor vehicle given in Chapter 10 of the General Laws including but not limited to passenger car or van on which is permanently affixed any writing to designate the business, or

professional use or affiliation of said car or van, or any truck or other vehicle which would be classified other than a passenger vehicle for purposes of registration in the Commonwealth of Massachusetts or an auto home or bus, but excluding a passenger car not marked for business use.

##### Common Land:

A parcel or parcels of open space within the site designated for a planned unit development, maintained and preserved for open uses, and designed and intended for the use or enjoyment of residents of the planned unit development, but not including parking areas or ways, public or private. Common land may contain such complementary structures and improvements as are necessary and appropriate for the benefit and enjoyment of residents of the planned unit development including walks, patios, benches, playground facilities, and terraced areas.

##### Court:

An open, uncovered, unoccupied space partially or wholly surrounded by the walls of a structure.

##### Court, Inner:

A court surrounded on all sides by the exterior walls of a structure.

##### Court, Outer:

A court having at least one side thereof opening onto a street, alley or yard or other permanent open space.

##### District:

A zoning district as established by Article 3 of this Bylaw.

##### Dormitory:

A dwelling, under the ownership or control of an educational, charitable or philanthropic organization which provides separate rooms or suites for the semi-permanent occupancy of individuals or groups of up to four individuals per room, with common bath and toilet facilities and without individual cooking facilities.

##### Drive-In Food Service Establishment:

A fast-order food establishment which provides convenient vehicular access and may provide service to customers while in their vehicles and any fast-order food establishment which provides a greater number of parking spaces than is required by the zoning bylaw.

##### Driveway:

An open space, which may be paved, located on a lot, which is not more than twenty (20) feet in width, built for access to a garage, or off-street parking or loading space.

##### Duplex House:

Is a house containing two dwelling units adjoining side by side; that is, in which no part of one dwelling unit is over any part of the other dwelling unit. A duplex house shall be considered as one (1) principal building occupying one (1) lot for the purpose of determining yard requirements.

##### Dwelling:

A privately or publicly owned permanent structure, whether owned by one or more persons or in condominium, or any other legal form which is occupied in whole or part as the home residence or sleeping place of one or more persons. The terms "one-family," "two-family," or "multi-family" dwelling shall not include hotel, lodging house, hospital, membership club, mobile home, or dormitory.

##### Dwelling Unit:

One or more living and sleeping rooms providing complete living facilities for the use of one or more individuals constituting a single housekeeping unit, with permanent provisions for living, sleeping, eating, cooking, and sanitation.

##### Erected:

The word erected shall include the words attached, built, constructed, reconstructed, altered, enlarged and moved.

##### Essential Services:

Services through erection, construction, alteration, or maintenance of gas, electrical, steam, or water transmission or distribution systems and collection, communication, supply, or disposal systems whether underground or overhead. Facilities necessary for the provision of essential services include poles, wires, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants and other similar equipment and accessories in connection therewith. Specifically excluded from this definition are buildings necessary for the furnishing of adequate service by such public utility or governmental agencies for the public health, safety, or general welfare.

##### Family:

A number of individuals living together as a single housekeeping unit and doing their cooking upon the premises.

##### Fast-Order Food Establishment:

An establishment whose primary business is the sale of food for consumption on or off the premises which is (a) primarily intended for immediate consumption rather than for use as an ingredient or component of meals; (b) available upon a short waiting time; and (c) packaged or presented in such a manner that it can be readily eaten outside the premises where it is sold.



**Floodline:**

The limits of flooding from a particular body of water caused by a storm whose frequency or occurrence is once in a given number of years, as determined and certified by a registered professional engineer, qualified in drainage.

**Floor Area Ratio:**

The ratio of the gross floor area to the total area of the lot.

**Frontage:**

The front part of a building or lot abutting on a public or private way approved by the Town.

**Garage, Private:**

Any building or portion of a building, accessory to and located upon the same lot as a residential building or upon a lot in the same ownership and adjacent to the lot on which the served residential building is located, which is used for the keeping of a motor vehicle or motor vehicles and in which no business or industry dealing with sales, servicing, or repair of such vehicles is carried on.

**Garage, Auto Repair:**

Any building used for the keeping of motor vehicles and in which a business or industry dealing with the repair or servicing of such vehicles is maintained, but not including body work or painting.

**Garage, Public:**

Any building used for the keeping of motor vehicles in which a business dealing with the storage of such vehicles is maintained either for profit or public service. Such business shall not involve the repair or servicing of any motor vehicles.

**Gross Floor Area:**

The sum, in square feet, of the gross horizontal areas of all the floors of a principal building and its accessory building on the same lot, including basements, as measured from the exterior faces of the exterior walls, or centerlines of walls separating two (2) buildings, including:

- Elevator shafts and stairwells on each floor;
  - Attic space with a structural headroom of seven (7) feet or more, except as hereafter excluded;
  - Interior mezzanines, and penthouses; and
  - Basement and cellar areas not devoted exclusively to uses accessory to the operation of the building;
- e. All weather habitable porches and balconies; but excluding:
- Areas used for parking garages, accessory parking, or off-street loading purposes;
  - Basement and cellar areas devoted exclusively to uses accessory to the operation of the building;
  - Open or lattice enclosed exterior fire escapes;
  - Attic space and other areas for elevator machinery or mechanical equipment accessory to the building; and
  - Porches and balconies.

**Height of Building:**

The vertical distance of the highest point of the roof above the average grade of the curb line abutting the property. In the R1 and R2 zoning districts where the lot has a slope in excess of five (5) percent, the height is the vertical distance of the highest point of the roof above the average finished grade of the ground adjoining the building as computed before the building is actually erected. This definition excludes penthouses, bulkheads, and other allowable superstructures above the roof line.

**Home Occupation:**

An accessory use which by custom has been carried on entirely within a dwelling unit, and is incidental and subordinate to the dwelling use. In connection with such use, there is to be no retail sale of merchandise on the premises. Such use shall be carried on by the occupants of the dwelling unit in compliance with the provisions of Section 5.05 and shall not in any manner change the residential character of the building. Home occupations do not include such uses as barber shops, beauty parlors, commercial stables or kennels, real estate or insurance offices, teaching of more than three pupils simultaneously, and in the case of musical instruction, more than one pupil at a time.

**Hospital:**

An institution certified by the American Hospital Association as an accredited hospital providing health services for in-patient and/or out-patient medical or surgical care of the sick or injured and including related facilities such as, but not limited to, laboratories, out-patient departments, central staff service facilities, and staff offices which are an integral part of the institution.

**Hospital, Veterinary:**

A building providing for the diagnosis and treatment of ailments of animals other than human, including facilities for overnight care.

**Hotel:**

A building or any part of a building containing rooming units without individual cooking facilities for transient occupancy and having a common entrance or entrances; and including an inn, motel, motor inn and tourist court, but not including a boarding house, lodging house or rooming house.

**Inspector of Buildings:**

Inspector of Buildings, Arlington, Massachusetts.

**Junk:**

Any worn out, castoff, or discarded articles or material which is ready for destruction or has been collected or stored for salvage or conversion to some use.

**Junk Yard:**

The use of more than two hundred (200) square feet of the area of any lot, whether inside of outside a building, or the use of any portion of any lot that joins any street, for the storage, keeping or abandonment of junk.

**Loading Space:**

An off-street space at least twelve (12) feet in width, fifty (50) feet in length and with a vertical clearance of at least fourteen (14) feet, having an area of not less than one thousand three hundred (1,300) square feet which includes access and maneuvering space used exclusively for loading and unloading of goods and materials from one vehicle. The dimensions of the loading space may be reduced by the Inspector of Buildings to not less than three hundred (300) square feet which includes access and maneuvering

space, when it is clearly evident that service vehicles utilizing said space will not require the area listed above.

**Lodging Unit:**

One or more rooms for the semi-permanent use of one, two or three individuals not living as a single housekeeping unit and not having cooking facilities. A "Lodging Unit" shall include rooms in boarding houses, lodging houses, tourist homes or rooming houses. It shall not include convalescent, nursing or rest homes; dormitories of charitable, educational or philanthropic institutions; or apartments or hotels.

**Lot:**

An area or parcel of land or any part thereof not including water area, in common ownership, designated on a plan filed with the Inspector of Buildings by its owner or owners as a separate lot and having boundaries identical with those recorded in the Middlesex County Registry of Deeds. A series of two or more attached and/or semi-detached dwellings may under certain conditions be considered to occupy a single lot regardless of ownership.

**Lot, Corner:**

A lot at the junction of and abutting on two or more intersecting streets or ways, the interior angle or intersection of street lot lines or, in the case of a curved street, extended lot lines, being not more than one hundred thirty-five (135) degrees.

**Lot, Interior:**

A lot, the side lines of which do not abut on a street.

**Lot Line, Front:**

The property line dividing a lot from a street right-of-way.

**Lot Line, Rear:**

Any lot line which is parallel to or within 45 degrees of being parallel to a front lot line, except for a lot line that is itself a front lot line, and except that in the case of a corner lot the owner shall have the option of choosing which of the two lot lines that are not front lot lines is to be considered a rear lot line. In the case of a lot having no street frontage or a lot of odd shape, only the one lot line furthest from any street shall be considered a rear lot line.

**Lot Line, Side:**

Any lot line not a front or rear lot line.

**Lot, Nonconforming:**

A lot lawfully existing at the effective date of this Bylaw, or any subsequent amendment thereto, which is not in accordance with all provisions of this Bylaw.

**Lot, Through:**

A lot, the front and rear lot lines of which abut streets; or a corner lot, two opposite lines of which abut streets.

**Marquee:**

A rigid surface canopy structure projecting from a building over an exterior entrance thereto and used as a shelter from rain or sun.

**Membership Club:**

A social, sports, or fraternal association or organization which is used exclusively by members and their guests.

**Office:**

A place in which functions such as directing, consulting, record keeping, clerical work, and sales (without the presence of merchandise) of a firm are carried out; also, a place in which a professional person conducts his professional business.

**Open Space:**

A yard including sidewalks, swimming pools, terraced areas, patios, playcourts, and playground facilities; and not devoted to streets, driveways, off-street parking or loading spaces, or other paved areas.

**Open Space, Landscaped:**

Open space designed and developed for pleasant appearance in trees, shrubs, ground covers and grass, including other landscaped elements such as natural features of the site, walks and terraces, and also including open areas accessible to and developed for the use of the occupants of the building located upon a roof not more than 10 feet above the level of the lowest story used for dwelling purposes.

**Open Space, Usable:**

The part or parts of a lot designed and developed for outdoor use by the occupants of the lot for recreation including swimming pools, tennis courts or similar facilities, for garden or for household service activities such as clothes drying; which space is at least 75 percent open to the sky, free of automotive traffic and parking, and readily accessible by all those for whom it is required. Such space may include open area accessible to and developed for the use of the occupants of the building, and located upon a roof not more than 10 feet above the level of the lowest story used for dwelling purposes. Open space shall be deemed usable only if: (1) at least 75 percent of the area has a grade of less than eight (8) percent and (2) no horizontal dimension is less than 25 feet.

**Outdoor Storage Area:**

A space outside of a building which is used to keep merchandise for use, goods to be processed, or machinery for use.

**Owner:**

The duly authorized agent, attorney, purchaser, devisee, trustee, lessee, or any person having vested or equitable interest in the use, structure or lot in question.

**Parking Space:**

An off-street space inside or outside a structure for exclusive use as a parking stall for one (1) motor vehicle.

**Penthouse:**

An enclosed structure above the roof of a building, other than a roof structure, extending not more than twelve (12) feet above the roof and occupying not more than thirty-three and one-third (33 1/3) percent of the roof area.

**Planned Development:**

A development involving the construction of two or more principal buildings on the same lot for any permitted use.

**Recreational Trailer or Vehicle:**

A vehicular, portable unit designed for travel, camping, or recreational use, including but not limited to the following:

- Travel Trailer: A vehicular, portable dwelling unit built on a chassis, being of any length provided its gross weight does not exceed forty-five hundred (4,500) pounds, or being of any weight provided its overall length does not

exceed twenty-eight (28) feet.

2. **Pick-Up Camper:** A portable dwelling unit designed to be mounted on a pick-up truck or chassis, whether or not so mounted.

3. **Motorized Camper:** A portable dwelling designed and constructed as an integral part of a selfpropelled vehicle.

4. **Tent Trailer:** A folding structure, constructed of canvas, plastic or similar water repellent material, designed to be mounted on wheels to be used as a temporary dwelling.

5. **Boat Trailer:** A vehicle without motive power, designed to be drawn by a motor vehicle and designed for the hauling or storage of a boat, aircraft, snowmobile or other recreational vehicle.

**Rehabilitation Residence:**

For the purposes of this Bylaw, a building licensed or operated by the Commonwealth of Massachusetts as a Group Residence to provide residential care of alcoholic, drug or mental patients.

**Repair:**

With respect to a building or structure, any construction which replaces materials and does not change the height, number or stories, size, use or location of a structure.

**Restaurant:**

An establishment where the principal activity is the service or sale of food or drink for on-premises consumption.

**Rooming or Lodging House:**

A building containing four or more lodging units.

**Service Station:**

A building or part thereof with no more than two service bays whose chief activity is the selling of gasoline, oil and related products for motor vehicles or the provision of lubricating services, car washing services or auto repair including tire servicing and repair, but not recapping or retreading, replacement of miscellaneous parts and minor adjustments to parts or motor not involving removal of head, crankcase or racing motor.

**Setback:**

The shortest horizontal distance from the front lot line to the nearest building wall or building part not specifically excluded by Section 6.19.

**Sign:**

Any permanent structure, device, letter, word, model, insignia, trade flag, streamer, display, emblem, or representation used as, or which is in the nature of, an advertisement, announcement, or direction, or is designed to attract the eye. This definition shall include signs located within a window when illuminated. Marquees, canopies, clocks, thermometers and calendars shall be subject to the provisions when used in conjunction with signs as defined above. A sign shall be painted, posted or otherwise securely affixed to a substantial intermediate removable surface and, except for free-standing signs, such surface shall be securely affixed to the face of the building front, which can be street or parking lot frontage, but shall be in a single, unbroken plane. The foregoing shall not prevent installation of a sign by individual letters or devices cut into or securely affixed to the exterior wall of a building, provided that such letters or devices have a minimum depth or projection of one-fourth of an inch. The material of the sign and intermediate surface and the manner of affixation of the sign to the intermediate surface and of the intermediate surface to the wall of the building shall be subject to the approval of the Building Inspector for the purpose of protecting the safety of the public.

**Sign, Accessory:**

Any sign that, with respect to the premises on which it is erected, advertises or indicates one or more of the following: the person occupying the premises, the business transacted on the premises, and directional or parking instructions, or the sale or letting of the premises or any part thereof.

**Sign Area, Area of a Sign, Signage:**

The entire area within a single continuous perimeter, and a single plane, composed of a square, circle or rectangle which encloses the extreme limits of the advertising message or announcement or wording together with any frame, background, trim or other integral part of the display including the necessary supports or uprights on which such sign is placed. Sign area of a standing or pole sign is the entire area of one side of such sign such that two faces which are back to back are counted only once for the purpose of standing or pole sign area.

**Sign, Canopy:**

A rooflike covering, as a canvas, on a frame that is affixed to a building projecting over a sidewalk portion of a way, and carried by a frame supported upon the ground or sidewalk.

**Sign, Facing or Face:**

The surface of a sign board, background area, and structural trim upon, against or through which a message is displayed or illustrated on the sign.

**Sign, Free-standing:**

A sign not a part of or attached to any building but generally located elsewhere on a lot.

**Sign, Ground:**

A free-standing sign located on or close to the ground, the top of which shall not be higher than four (4) feet above the ground.

**Sign, Standing or Pole:**

A free-standing sign not exceeding fifteen (15) feet in height with eight (8) feet of clearance under the sign area and erected upon supporting devices or stands.

**Sign, Permanent:**

Any sign as defined above, intended to be erected and maintained for more than sixty (60) days.

**Sign, Projecting:**

Any sign which is attached to a building or other structure and any part of which projects more than twelve (12) inches from the wall surface of that portion of the building or structure in front of which the sign is positioned.

**Sign, Roof:**

Any sign erected, constructed and maintained upon or over the roof of any building.

**Sign, Portable:**

A free standing sign not permanently affixed, anchored, or secured to the ground or a structure on the lot it occupies, including trailer signs but excluding signs affixed to or painted on a vehicle.

**Sign, Temporary:**

Any sign, including its supporting structure intended to be maintained for a continuous period not to exceed sixty (60) days.

**Sign, Wall:**

A sign not exceeding four (4) feet in height securely affixed to a wall projecting no more than twelve (12) inches from and parallel to the face of such wall, not projecting beyond the building face fronting on a street or parking lot nor above the highest line of the building to which it is attached. A wall sign shall be no higher than the lowest of the following: (a) twenty-five (25) feet above grade; (b) the bottom of the sills of the first level of windows above the first story; or (c) the cornice line of the building at the building line. If attached to a parapet, a sign shall not exceed the height of the parapet.

**Sign, Primary Wall:**

A sign on the building face fronting on a street or parking lot frontage.

**Sign, Secondary Wall:**

A sign located on any building face fronting on a street or parking lot frontage other than that of the primary wall sign. The cumulative area of all secondary wall signs shall not exceed fifty (50) percent of the maximum possible area of the primary wall sign.

**Signs, Window:**

Signs painted or posted on an interior translucent surface including windows and doors, such coverage not to exceed twenty-five (25) percent of the area visible from the exterior of the building.

**Special Permit:**

A use of a structure or lot or any action upon a premises which may be permitted under this Bylaw only upon application to and the approval of the Board and in accordance with provisions of Article 10.

**Story:**

The portion of a building which is between one floor level and the next higher floor level or the roof. If a mezzanine floor area exceeds one-third of the area of the floor immediately below, it shall be deemed to be a story. A basement shall be deemed to be a story when its ceiling is four (4) feet six (6) inches or more above the finished grade. A cellar shall not be deemed to be a story. An attic shall not be deemed to be a story if unfinished and not used for human occupancy.

**Story, Half:**

A story which is under a gable, hipped, or gambrel roof, where less than one half the floor area has a clear height of seven (7) feet or more.

**Street:**

A public or private way which is 27 or more feet in right-of-way width which is accepted or devoted to public use by legal mapping or by any other lawful procedure. It shall be synonymous with the word road, avenue, highway, and parkway, and other similar designations.

**Structure:**

A combination of materials for permanent or temporary occupancy or use, such as a building, bridge, trestle, tower, framework, retaining wall, tank, tunnel, tent, stadium, reviewing stand, platform, swimming pool, shelters, piers, wharves, bin, fence, sign, or the like.

**Three-Family Dwelling:**

A house containing three (3) dwelling units in which the dwelling units are arranged vertically.

**Town House Structure:**

A row of at least three (3) one-family attached dwelling units whose side walls are separated from other dwelling units by a fire wall or walls. Each unit in the row, or town house, may be owned by a separate owner and shall have its own at grade access.

**Trailer:**

Any vehicle which is immediately portable, and is arranged, intended, designed, or used for sleeping, eating, or business, or is a place in which persons may congregate, including a mobile home, house trailer or camper. A trailer, whether immediately portable or no longer immediately portable by virtue of having its wheels removed or skids attached, shall not be considered a building for the purposes of this Bylaw.

**Two-Family Dwelling:**

A house containing two (2) dwelling units, in which part of one dwelling unit is over part of the other dwelling unit. (See Duplex House.)

**Use:**

The purpose for which a structure or lot is arranged, designed, or intended to be used, occupied or maintained.

**Use, Accessory:**

A use incidental and subordinate to the principal use of a structure or lot, or a use, not the principal use, which is located on the same lot as the principal structure.

**Use, Nonconforming:**

A use lawful by existing at the time of adoption of this Bylaw or any subsequent amendment thereto which does not conform to one or more provisions of this Bylaw.

**Use, Principal:**

The main or primary purpose for which a structure or lot is designed, arranged or intended; or for which it may be used, occupied or maintained under this Bylaw.

**Use, Substantially Different:**

A use which by reason of its normal operation would cause readily observable differences in patronage, service, appearance, noise, employment or similar characteristics from the use to which it is being compared.

**Variance:**

Such departure from the terms of this Bylaw as the ZBA, upon appeal in specific cases, is empowered to authorize under the terms of Article 10.

**Yard:**

An open space unobstructed from the ground up, on the same lot with a principal building, extending along a lot line or front lot line and inward to the principal building. The

size of a required yard shall be measured as the shortest distance between the outer face of the building foundation wall and a lot line or front lot line. Structures which are below the finished lot grade, including shelters for nuclear fallout shall not be deemed to occupy required yards.

**Yard, Front:**

A yard extending for the full width of the lot between the front line of the nearest building wall or building part not specifically excluded by Section 6.19 and the front lot line.

**Yard, Rear:**

A yard, unoccupied except by an accessory structure or accessory use as herein permitted, extending for the full width of the lot between the rear line of the building wall and the rear lot line.

**Yard, Side:**

A yard unoccupied, except by an accessory structure or use as herein permitted, between a building and a side lot line extending from the front yard to the rear yard. In the case of a lot having no street frontage or a lot of odd shape, any yard that is not a front yard or a rear yard shall be considered a side yard.

**ZBA:**

The Zoning Board of Appeals of the Town of Arlington, Massachusetts.

**ARTICLE 3****ESTABLISHMENT OF DISTRICTS****Section 3.01 - Establishment of Districts**

For the purposes of this Bylaw, the Town of Arlington is hereby divided into 16 districts to be known as:

Full Name and Class	Short name
Residence 1	Residential
Residence 2	Residential
Residence 3	Residential
Residence 4	Residential
Residence 5	Residential
Residence 6	Residential
Residence 7	Residential
Business 1	Business
Business 2	Business
Business 3	Business
Business 4	Business
Business 5	Business
Hospital	Hospital
Planned Unit	Planned Unit
Development	Development
Industrial	Industrial
Transportation	Transportation

Residential Districts, as a group, are herein referred to as "R" districts.

Business Districts, as a group, are herein referred to as "B" districts.

**Section 3.02 - Description of Zoning Districts****R1 - Single-Family District**

The Single-Family District is composed of all those areas so designated on the official zoning map. It has the lowest residential density of all districts and is generally served by local streets only. Intensive land uses, uses which would detract from the desired residential character, and uses which would otherwise interfere with the intent of this bylaw are discouraged.

**R2 - Two-Family District**

The Two-Family District is composed of all those areas so designated on the official zoning map. The predominant use is a two-family dwelling and the district is generally served by local streets only. This district is generally within walking distance of the stores and transportation facilities along Massachusetts Avenue and Broadway. Uses which would detract from the desired residential character, consume large amounts of land, or otherwise interfere with the intent of this bylaw, are discouraged.

**R3 - Three-Family District**

The Three-Family District is composed of all those areas so designated on the official zoning map. The predominant use is a three-family dwelling with locations along Massachusetts Avenue and Broadway. It is the intent that no businesses be located in the R3 district. Uses which would detract from the desired residential character, consume large amounts of land, or otherwise interfere with the intent of this bylaw, are discouraged.

**R4 - Town House District**

The Town House District is composed of all those areas so designated on the official zoning map. It is located along arterials or in the Center area. The predominant uses are one- and two-family dwellings in large, older houses. Conversions of these old homes to apartments or offices is allowed to encourage their preservation. Town house construction is permitted at the same density as the apartment conversions, and at a scale in keeping with the older houses. Uses which would detract from the desired residential character, or otherwise interfere with the intent of this bylaw, are discouraged.

**R5 - Apartment District - Low Density**

The Low-Density Apartment District is composed of all those areas so designated on the official zoning map. The predominant use is two- to three-story garden apartments located along or near principal arterials. Small scale offices would be allowed on principal arterials only. Uses which would detract from the desired residential character, consume large amounts of land, or otherwise interfere with the intent of this bylaw, are discouraged.

**R6 - Apartment District - Medium Density**

The Medium Density Apartment District is composed of all those areas so designated on the official zoning map. The predominant use is apartments up to eight stories high with offices permitted at a smaller scale. Locations are principally Massachusetts Avenue and Pleasant Street. Uses which would detract from the desired residential and office character, or otherwise interfere with the intent of this bylaw, are discouraged.

**R7 - Apartment District High Density**

The High Density Apartment District is composed of those areas so designated on the official zoning map. The predominant use is apartments up to 12 stories high, although offices are also permitted at the same scale.

Locations are principally within or adjacent to Arlington Center. Uses which would detract from the desired character, such as large-scale retail uses, or otherwise interfere with the intent of this bylaw, are discouraged.

**B1 - Neighborhood Office District**

The Neighborhood Office District is composed of all those areas so designated on the official zoning map. Predominant uses include one- and two-family residences, houses with offices on the ground floor, or office structures which are in keeping with the scale of adjacent houses. With most locations on or adjacent to Massachusetts Avenue, the district is intended to encourage preservation of small-scale structures to provide contrast and set off the higher density, more active areas along the Avenue. Uses which would detract from the desired low level of activity, consume large amounts of land, or otherwise interfere with the intent of this bylaw, are discouraged.

**B2 - Neighborhood Business District**

The Neighborhood Business District is composed of all those areas so designated on the official zoning map. Predominant uses include small retail and service establishments serving the needs of adjacent neighborhoods and oriented to pedestrian traffic. Locations are almost all along Massachusetts Avenue or Broadway. Uses which would detract from this small-scale business character, or otherwise interfere with the intent of this bylaw are discouraged.

**B3 - Village Business District**

The Village Business District is composed of all those areas so designated on the official zoning map. Predominant uses include retail, service and office establishments catering to both convenience and destination goods shoppers and oriented to pedestrian traffic. Multi-use development is encouraged, such as retail with office or business and residential. The three business uses include portions of the principal business areas of Arlington Lake Street, Arlington Center, and Arlington Heights. Businesses which consume large amounts of land and activities which interrupt pedestrian circulation and shopping patterns or otherwise interfere with the intent of this bylaw are discouraged.

**B4 - Vehicular Oriented Business District**

The Vehicular Oriented Business District is composed of all those areas so designated on the official zoning map. Uses include retail, wholesale, and service uses related to the servicing or purchase of vehicles or establishments primarily oriented to automotive or trucking traffic and which require large expanses of land. Apartments are permitted at the R6 scale; however, lower density residential uses are discouraged. Other uses which would interfere with the intent of this bylaw are discouraged.

**B5 - Central Business District**

The Central Business District is composed of all those areas so designated on the official zoning map in Arlington Center. It includes retail, service, and office uses, and provides for large scale development up to 12 stories high. The scale is intended to reinforce the Center's role as the focus of activity in Arlington. Multi-use development is encouraged, such as the combining of residential and business uses. Activities shall be oriented to pedestrian traffic and to centralized parking. Businesses which consume large amounts of land and activities which interrupt pedestrian circulation and shopping patterns or otherwise interfere with the intent of this bylaw are discouraged.

**H - Hospital District**

The Hospital District is composed of that area so designated on the official zoning map. The predominant use is that of a hospital and related medical facilities. Intensive land use and those which would be in conflict with a hospital or otherwise interfere with the intent of this bylaw are discouraged.

**I - Industrial District**

The Industrial District is composed of all those areas so designated on the official zoning map. These areas in the Mill Brook Valley allow uses requiring the manufacture, assembly, processing or housing of materials, which because of their traffic, noise, appearance, odor, or hazard would be disruptive to residential and other land uses. Residential use, retail business use, or uses which would otherwise interfere with the intent of this bylaw are discouraged.

**T - Transportation District**

The Transportation District is composed of all those areas designated on the official zoning map. Principal uses are a railroad or rapid transit right-of-way, open space uses, or extension by air rights of uses in adjacent districts. Uses in conflict with these allowed uses or otherwise interfere with the intent of the bylaw are discouraged.

**PUD - Planned Unit Development District**

The Planned Unit Development District is composed of that area so designated on the official zoning map. Large scale, multi-use development is permitted upon approval of a development plan and the assembly of a large amount of land.

**Section 3.03 - Zoning Map**

The location and boundaries of the Zoning Districts are hereby established as shown on a map entitled "Zoning Map of the Town of Arlington, Massachusetts," dated August 1975, bearing the signatures of the members of the Redevelopment Board and on file in the Office of the Town Clerk, which map, including an overlay map entitled "Wetland and Floodplain Overlay," with all explanatory matter thereon is declared to be a part of this Bylaw.

**Section 3.04 - Changes to Map**

Any change in the location of boundaries of a Zoning District hereafter made through the amendments of this Bylaw shall be indicated by the alteration of such map and the map, thus altered, is declared to be a part of the Bylaw thus amended.

**Section 3.05 - Boundaries of Districts**

The location of the boundary lines of districts shown upon the Zoning Map shall be determined as follows:

- Where a boundary is indicated as a street, alley,



railroad, rapid transit right-of-way, watercourse or other body of water, it shall be construed to be the centerline or middle thereof, or where such boundary approximates a Town boundary, then to the limits of the Town boundary.

b. Where a boundary is indicated as following approximately or parallel to a street, railroad, rapid transit right-of-way, watercourse, or other body of water, it shall be construed to be parallel thereto and at such distance therefrom as shown on the Zoning Map. If no dimension is given, such distance shall be determined by the use of the scale shown on the Zoning Map.

c. Where a dimensioned boundary or the actual property boundary coincides within ten (10) feet or less with a lot line, the boundary shall be construed to be the lot line.

d. Where a boundary is indicated as intersecting the centerline of a street, railroad, watercourse or other water body, and unless it is otherwise indicated, it shall be construed to intersect at right angles to said centerline or, in the case of a curved centerline, to the tangent to the curve at the point of intersection.

e. The abbreviation "PL" means property line as shown on the Town Assessor's Map as in effect at the effective date of this Bylaw. The abbreviation "PL" when used in conjunction with a subsequent amendment to this Bylaw, shall mean a property line as shown on the Town Assessor's Map as in effect at the effective date of such amendment.

f. The abbreviation "CL" means "Centerline" and "CL" means "Center of Intersection."

g. Whenever any uncertainty exists as to the exact location of a boundary line, the location of such line shall be determined by the Inspector of Buildings, provided, however, that any person aggrieved by his decision may appeal to the ZBA.

#### ARTICLE 4

##### INTERPRETATION AND APPLICATION

###### Section 4.01 - Interpretation

The provisions of this Bylaw shall be interpreted to be the minimum requirements adopted for the promotion of the health, safety, morals, or the general welfare of the Town of Arlington, Massachusetts, and except for the Zoning Bylaw of the Town of Arlington, Massachusetts, dated March 1959, and all subsequent amendments thereto, the provisions of this Bylaw are not intended to repeal, amend, abrogate, annul, or in any way impair or interfere with any lawfully adopted bylaw, covenants, regulations, or rules. Whenever the regulations made under the Authority hereof differ from those prescribed by any statute, bylaw, or other regulation, that provision which imposes the greater restriction or the higher standard shall govern.

###### Section 4.02 - Application

Except as herein provided, the provisions of this Bylaw shall apply to the erection, construction, reconstruction, alteration, or use of buildings, structures or use of land. Except as herein provided, any existing conforming use, structure, or lot shall not by any action become non-conforming and any existing nonconforming use, structure, or lot shall not become further nonconforming.

###### Section 4.03 Existing Buildings and Land

This Bylaw shall not apply to existing buildings or structures, nor to the existing use of any building or structure or of land, to the extent to which it is legally used at the time of adoption of this Bylaw, but it shall apply to any change or use thereof and to any alteration of a building or structure when the same would amount to reconstruction, extension or structural change, and to any alteration of a building or structure to provide for its use for a purpose or in a manner substantially different from the use to which it was put before alteration, or for its use for the same purpose to a substantially greater extent.

Section 4.04 - Mixed Uses  
In cases of mixed occupancy, the regulation for each use shall apply to the portion of the building or land so used.

#### ARTICLE 5

##### USE REGULATIONS

###### Section 5.01 - Applicability of Use Regulations

Except as provided in this Bylaw, no building, structure, or land shall be used except for the purposes permitted in the district as described in this article. Any use not listed shall be construed to be prohibited.

###### Section 5.02 - Permitted Uses

In the following Table of Use Regulations, the uses permitted by right in the district shall be designated by the word "yes," except that any use listed in the following Table of Use Regulations as a permitted use, the proposed location of which does not abut on a street which is laid out and approved by the Board of Survey as a traveled way, or which has not been built to subgrade, so that such way or street is possible for fire apparatus and other traffic, or which abuts on a street or way in which there is no public sewer or in which there is no water available for connection with the building after completion, may be allowed only by special permit. Those uses that may be permitted by special permit in the district, in accordance with Articles 10 and 11, shall be designated by the letters "SP." Uses designated with a blank shall not be permitted in the district.

A lot or structure located in the R6, R7, B1, B2, B3, B4, B5, PUD, I, H, and T districts may contain more than one principal use as listed in Section 5.04 "Table of Use Regulations." For the purposes of interpretation of this Bylaw, the use containing the largest floor area shall be deemed the principal use and all other uses shall be classified as accessory uses.

Section 5.03 - Uses Subject to Other Regulations  
Uses permitted by right or by special permit shall be subject, in addition to use regulations, to all other provisions of this Bylaw.

###### Section 5.04 - Table of Use Regulations

See table on accompanying pages which is declared to be a part of this Bylaw.

###### Section 5.05 - Customary Home Occupation

For the use of a dwelling in any "R" district for a home occupation, the following conditions shall apply:

- No nonresident shall be employed therein.
- The use is carried on strictly within the principal building.
- Not more than twenty-five (25) percent of the existing gross floor area of the dwelling unit so used, not to exceed six hundred (600) square feet, is devoted to such use. In connection with such use, there is to be kept no stock in trade, commodities or products which occupy space beyond these limits.
- That there shall be no display of goods or wares visible from the street.
- All advertising devices visible from off the lot are specifically prohibited.
- The buildings or premises occupied shall not be rendered objectionable or detrimental to the residential character of the neighborhood due to the exterior appearance, emission of odor, gas, smoke, dust, noise, electrical disturbance, or in any other way. In a structure containing more than one dwelling unit, the use shall in no way become objectionable or detrimental to any residential use within the structure.
- Any such building shall include no feature of design not customary in buildings for residential use.

#### ARTICLE 6

##### DIMENSIONAL AND DENSITY REGULATIONS

###### Section 6.00 - Table of Dimensional and Density Regulations

The regulations for each district pertaining to minimum lot size, minimum frontage, maximum floor area ratio, maximum lot coverage, minimum lot area per dwelling unit, minimum front yard depth, minimum rear yard depth, minimum rear yard height, minimum landscaped open space, and minimum usable open space shall be as specified in this section, "Table of Dimensional and Density Regulations," and subject to the further provisions of Article 6.

##### GENERAL REGULATIONS

###### Section 6.01 - Reduction of Lot Areas and Separation of Lots

a. The lot or yard areas required for any new building or use may not include any part of a lot that is required by any other building or use to comply with any provisions of this bylaw, nor may these areas include any property of which the ownership has been transferred subsequent to the effective date of this bylaw if such property was a part of the area required for compliance with the dimensional regulations applicable to the lot from which such transfer was made.

b. Lots shall not be separated or transferred in ownership so as not to comply with the provisions of this bylaw.

###### Section 6.02 - Setback From Open Stream

In no case shall any building or structure be permitted within 15 feet of the embankment of any open stream.

###### Section 6.03 - Spacing of a Residential Building on the Same Lot with Another Principal Building

a. Where two or more main buildings to be used as dwellings are proposed to be built upon property in one ownership or where one or more such buildings are proposed upon property where there are one or more existing residential buildings, required front, side, and rear yards shall be provided between each building and assumed lot lines shown upon the building permit application. The ZBA, however, may by special permit, modify the yard dimensions between such buildings designed and intended to remain under the same ownership and management where it is demonstrated that there will result light, air, sunlight, and amenity of a standard no lower than would result from such requirements.

b. When a permitted main building to be used as a dwelling is to be located on the same lot with and to the rear of a permitted nonresidential building (including a building with commercial uses on the ground floor and residential uses above), each such building shall be independently provided with all required front, side, and rear yards, and required lot area; and the distance between such buildings shall not be less than twice the required rear yard depth.

c. When a permitted main building to be used as a dwelling is to be located on the same lot with and beside a permitted nonresidential building, required front, side and rear yards shall be provided between each building and assumed lot lines shown upon the building permit application.

###### Section 6.04 - Spacing of Nonresidential Buildings on the Same Lot

Where two or more main buildings for other than residential uses are proposed to be built upon property in one ownership, front, side, and rear yards are required only at lot lines abutting other property.

###### Section 6.05 - Exceptions to Dimensional Requirements for Uses 2.05 and 2.07

a. The floor area ratio requirements as applied to Uses 2.05 and 2.07 listed in Section 5.04 shall be less restrictive than as specified in Section 6.00 in the following respects:

1. Where several lots in the same ownership and also in the same use district are separated from each other only by an adjacent street or intersecting adjacent streets, the area of all such lots may be aggregated in calculating floor area ratio.

2. The floor area ratio shall be increased by one percent for each 2,000 square feet of lot area exceeding the lot size minimum for the district under consideration, up to 50 percent.

b. Under a special permit, the Board of Appeals may permit further modifications in the dimensional requirements specified in Article 6 as applied to Uses 2.05 and 2.07 to the extent necessary to allow reasonable development of such a use in general harmony with other uses permitted and as regulated in the vicinity.

###### Section 6.06 - Exceptions to Minimum Lot Size, Frontage, Open Space, and Side Yard Requirements in R1 and R2 Districts

Minimum lot size, frontage, open space and side yard requirements in R1 and R2 districts shall not apply to lots which prior to the passage of the original bylaw of the

Town of Arlington in 1934 were shown as separate parcels on subdivision plans approved by the Board of Survey or on plans or deeds duly recorded with the Registry of Deeds. In the case of such lots, frontage of any dimension on a public or private way approved by the Town shall be required, and for such lots the required side yards need not be more than 7 feet 6 inches or 15 percent of the lot width whichever is the greater.

Section 6.07 - Buildings in Floodplains  
Dimensional and density regulations shall apply to buildings located in floodplains. Additional regulations are contained in Section 11.04.

###### Section 6.08 - Minimum Floor Area for a Single Family House

No single-family detached dwelling shall have a floor area of less than seven hundred sixty-eight (768) square feet. No single-family detached dwelling more than one story in height shall have a first floor area of less than five hundred (500) square feet or a second floor area of less than two hundred fifty (250) square feet. Of the second floor area, at least one hundred twenty-five (125) square feet must have a clear head room of seven (7) feet.

##### LOT SIZE, FRONTAGE, AND LOT AREA PER DWELLING UNIT REGULATIONS

Section 6.09 - Lot Area per Dwelling Unit  
Minimum lot area per dwelling unit shall control the maximum number of dwelling units, of all types, that can be constructed on contiguous land under one ownership in one zoning district. In business (B) districts, where a lot may contain both residential and nonresidential principal structures, the maximum number of dwelling units is controlled by dividing the total lot area by the minimum lot area per dwelling unit. Land in lower density districts used for buildings in higher density districts (such as for parking under Uses 5.07 and 5.08) shall not be included in the calculation of minimum lot area per dwelling unit for dwellings in the higher density district.

###### Section 6.10 - Sale or Lease of Lots in a Planned Unit Development

Upon completion of an environmental design review, as required in Section 11.05, individual tracts of land in the Planned Unit Development of at least 30,000 square feet may be leased or sold for development in accordance with the approved Planned Unit Development plan without the provision of new setbacks for front, side, or rear yards. Each tract or lot so leased or sold must contain provision for a principal building, off-street parking, and open space or place area to serve it as required in the PUD district.

##### FLOOR AREA RATIO REGULATIONS

###### Section 6.11 - Land Area Included in Calculation of Floor Area Ratio

Land area to be included in the calculation of the maximum floor area ratio shall include all contiguous lots under one ownership and in zoning districts with the same or greater minimum floor area ratio as specified in Section 6.00. Lots in a district with a lower maximum floor area ratio than in a zoning district shall not be included in the calculation of a maximum floor area ratio for any lot in the district with the higher maximum floor area ratio.

###### Section 6.12 - Exceptions to Maximum Floor Area Ratio Regulations (Special Provisions)

a. The ZBA may grant by special permit a maximum gross floor area higher than is permitted in Section 6.00, subject to the procedures, limitations, and conditions specified in this section, for a lot (or part of a lot) which meets the following basic requirements:

- The lot (or part of a lot) is located in a district with a floor area ratio of 1.2 or greater.
- The lot (or part of a lot) is not less than 20,000 square feet.
- To aid the ZBA in making the findings required in Section 6.11 and the AHS in preparing the advisory report provided for in Section 11.05, the applicant shall submit the materials required by Section 11.05 in addition to the usual drawings at the time of application.
- The additional gross floor area granted in accordance with this Section 6.12 shall not exceed the following percentages of the gross floor area permitted in Section 6.00:

	R7, B5 Districts (Percent)	R6, B4 Districts (Percent)
1. Maximum allowable	33	25

2. Each condition		
- Large lot	25	20
- Low or moderate income	25	20
- Extra open space on lot	15	10
- Public access	15	10
- Preservation of Landmarks	15	10
- Large dwelling units	10	5

d. The ZBA may grant additional gross floor area where any of the following conditions pertain, subject to the limitations in paragraph c. and in accordance with the development plans and policies of the Town of Arlington. The additional gross floor area shall be calculated separately for each condition based upon the gross floor area permitted in Section 6.00.

- For a lot that exceeds 20,000 square feet in area, additional gross floor area may be allowed calculated by increasing the floor area ratio specified in Section 6.00 at the rate of one percent for each 1,500 square feet of lot area in excess of 20,000 square feet.
- Where dwelling units are subject to control of age of occupancy or minimum rents in order to comply with the provisions of Federal or state legislation or regulations concerning housing to subsidy for low or moderate income housing, such gross floor area attributable to such controlled dwelling units may be allowed in excess of the gross floor area as calculated by the ordinary application of the requirements of Section 6.00.
- Where landscaped open space or usable open space is provided in excess of the minimum specified in Section 6.00, additional gross floor area may be allowed at the rate of two (2) square feet of gross floor area for each one (1)

square foot of either kind of open space in excess of the minimum requirements; said minimum requirements shall have been calculated based upon the aggregate of gross floor area allowable as a result of calculations from all applicable subgraphs.

4. For a dwelling with an average gross floor area per dwelling unit in excess of 1,100 square feet, such excess gross floor area may be allowed in excess of the gross floor area as calculated by the ordinary application of the requirements of Section 6.00. Any gross floor area to be used for offices, for any other nonresidential principle use, or for Use 8.09 shall not be included in calculating the average gross floor area per dwelling unit.

5. When usable land is deeded or easement granted for public access and use, additional gross floor area may be allowed at the ratio of ten (10) square feet of gross floor area to one (1) square foot of such land. Land so deeded or controlled by easement shall not be counted toward minimum lot size, lot area per dwelling unit, or open space requirements, nor shall it be included with land in calculating total permissible gross floor area from the resulting floor area ratio.

6. When architectural or historically significant buildings, as documented by the Arlington Historical Commission, are preserved, additional gross floor area may be allowed at the ratio of eight (8) square feet of gross floor area to each square foot of gross floor area of the preserved building. As applied in this section, preservation shall mean restoration of the building and maintaining it on the site, or relocation to an available site.

### HEIGHT REGULATIONS

#### Section 6.13 - Reduced Height Limits in Height Buffer Areas

When two different maximum height limits are specified for the same zoning district in Section 6.00, the lower limit shall apply to any lot or part of a lot located in a height buffer area unless it is determined as a specific finding of a special permit that the properties in the adjacent R1 or R2 district would not be adversely affected due to existing use or topographic condition. A height buffer area is defined as a lot or part of a lot which is located at a lesser distance from any land not within a public way, in an R1 or R2 district than the following:

a. Two hundred (200) feet if the direction of land in the R1 or R2 district is northerly, between northwest and northeast.

b. One hundred and fifty (150) feet if such direction is easterly, between northeast and southeast, or westerly between northwest and southwest.

c. One hundred (100) feet if such direction is southerly, between southeast and southwest.

#### Section 6.14 - Exceptions to Maximum Height Regulations

The height limitations as set forth in Section 6.00 shall not apply to chimneys, ventilators, skylights, water tanks, bulkheads, penthouses and other accessory additions which are required or are customarily carried above the roofs of buildings, nor to towers, spires, domes, cupolas, and similar additions to buildings if such additions are not used for living purposes, and if such structures occupy not more than twenty (20) percent of the ground floor of the building.

#### Section 6.15 - Height of Accessory Building and Other Structures in Residential (R) Districts

Accessory buildings or structures used for accessory purposes in all residential (R) districts shall not exceed a height of twenty (20) feet.

### YARD AND SETBACK REGULATIONS

#### Section 6.16 - Screening and Space Buffers

Industrial and Business Districts and Parking Lots  
a. Screening and space buffers shall be required in any industrial (I), or business (B) district which abuts certain residential districts. The minimum width of this strip shall be as follows:

Industrial or Business Dist.	Residential Abutting Districts	Minimum Width
I, B5	R1 thru R5	25 ft.
B3, B4	R1 thru R5	15 ft.
I	R6 and R7	10 ft.
B1, B2	R1 thru R5	10 ft.

The strip shall contain a screen of plantings of vertical habit not less than three (3) feet in width and six (6) feet in height at the time of occupancy of such lot. Individual shrubs or trees shall be planted no more than twenty (20) feet on center, and shall thereafter be maintained by the owner or occupants so as to maintain a dense screen year-round. At least fifty (50) percent of the plantings shall consist of evergreens and they shall be evenly spaced. A solid wall or fence, five (5) to six (6) feet in height, complemented by suitable plantings, may be substituted for such landscaped buffer strip. No screen shall be closer than ten (10) feet to a public or private way.

b. For any area used for the parking of more than five vehicles, screening provisions of Section 8.12 shall apply.

#### Section 6.17 - Corner Lots and Through Lots

a. A corner lot shall have minimum street yards with depths which shall be the same as the required front yard depth for the adjoining lots.

b. At each end of a through lot, there shall be a setback depth required which is equal to the front yard depth required for the district in which each street frontage is located.

#### Section 6.18 - Setback of Accessory Buildings and Other Structures

In "R" districts, a detached accessory building or structure shall conform to the provisions set forth in the following schedule:

District	Distance from lot line, ft.*	
	Front	Side and rear
R1	25	6
R2	20	6
R3	10	6
R4	25	6
R5	20	6
R6	20	10
R7	20	10

\*Private detached garages need not conform to side yard and/or rear yard setbacks, but shall be governed by the following table. No garage shall be constructed in the front yard.

Construction type*	Setback required from		
	Garage located entirely within rear yard	Side lot line within side yard	Rear lot line
Type 1 and Type 2 with a Type 3B roof	0 ft.	10 ft.	None
Type 3	6 ft.	10 ft.	6 ft.

\*Defined by Section 214.0 of the Commonwealth of Massachusetts State Building Code.

An accessory building attached to the principle building shall be considered as an integral part thereof and shall be subject to front, side, and rear yard requirements applicable to the principle building. In "R" districts, an accessory building such as a doghouse, or toolshed, shall be exempt from the preceding dimensional regulations if said building dimensions result in a floor area less than fifty-six (56) square feet and a building height of less than seven (7) feet. Accessory buildings in the "B," "H," "C," "I" districts shall be located on the lot so as not to violate the minimum yard, height and open space requirements set forth in the Table of Dimensional and Density Regulations. The above provisions for setbacks from a front lot line in R districts shall not apply to an accessory private swimming pool. Such a pool may be constructed in the front yard provided the deck on an above-ground pool, or the water in an in-ground pool, is set back at least ten (10) feet from the front lot line. In addition, such pools shall be completely enclosed by a fence at least four (4) feet in height having a self-closing gate with a latch. Other accessory structures except fences shall be governed by the regulations for accessory buildings unless specifically exempt by the ZBA as a special permit.

#### Section 6.19 - Projections into Minimum Yards

Projecting eaves, chimneys, bay windows, balconies, open fire escapes and like projections which do not project more than three and one half (3-1/2) feet beyond the line of the foundation wall, and unenclosed steps, unroofed porches and the like, which do not project more than ten (10) feet in the front yard, and five (5) feet in the side yard beyond the line of the foundation wall, may extend beyond the minimum yard regulations otherwise provided for the district in which the structure is built.

#### Section 6.20 - Exception to Minimum Front Yard - Average Setback

Where the required lot frontage of developed residential lots along a block amounts to more than fifty (50) percent of the block frontage, and where said development has an average setback less than that required by this bylaw, then any vacant lot setback for a residential use may be reduced to said average of the existing development.

#### Section 6.21 - Dimensional Requirements for Courts

a. Inner courts shall not be permitted in any building. Where an outer court is enclosed by apartment wings, a distance equal to twice the required side yard as specified in Section 6.00 shall be provided between the wings, but not less than twenty-five (25) feet.

b. When two townhouse structures are placed face to face or back to back and are parallel or within 45 degrees of parallel, they shall be separated by a distance not less than the sum of the minimum front and rear yards specified for the district in which they are located.

#### Section 6.22 - Traffic Visibility Across Corners

Between the property lines of intersecting streets and a line joining points on such lines twenty-five (25) feet distant from their point of intersection or in the case of a rounded corner, the point of intersection of their tangents, no building or structure in any residence district may be erected and no vegetation other than shade trees may be maintained between a height of three (3) feet and seven (7) feet above the plane through their curb grades.

#### Section 6.23 - Traffic Visibility for Driveways

A fence, hedge, wall, sign or other structure or vegetation may be maintained on any lot provided that in the front yard area, no such structure or vegetation shall be over two and one-half (2-1/2) feet in height above the adjacent ground within five (5) feet of the front lot line unless it can be shown that such vegetation or structure will not restrict visibility in such a way as to hinder the safe entry of a vehicle from any driveway to the street.

#### Section 6.24 - Accessory Underground Structures

Any accessory structure or any part of a main structure or building which is located entirely beneath the surface of the ground at the natural grade level may extend into a required front, side, or rear yard except that in any situation where Landscaped Open Space is required, no underground structure or building shall be located beneath more than fifty (50) percent of the required Landscaped Open Space, nor nearer any lot line for more than seventy-five (75) percent of the length of that lot line.

#### Section 6.25 - End Yards for Town House Structures

One town house structure shall be separated from the end of another town house structure by a distance not less than two times the minimum side yard specified in Section 6.00 for the district in which the site is located.

#### Section 6.26 - Buildings of Uneven Height or Alignment

(a) Where a building is not of the same height throughout its length parallel (or within 45 degrees of parallel) to any lot line, but where it is in one alignment along said length, required yards and setbacks shall be either (H1 + L1) + 6 or (H2 + L2) + 6, whichever is

greater, where:

H1 = the height of the taller portion of the building;  
H2 = the height of the lower portion of the building;  
L1 = the length of the taller portion of the building;  
L2 = the entire length of the building.

Where the formula 10 + (L + 10) applies, L shall be defined as L2 above.

(b) Where a building is of the same height throughout its length parallel (or within 45 degrees of parallel) to any lot line, but where it is not in one alignment along said length, required yards and setbacks shall be (H + L1) + 6 for the portion of the building nearer the lot line; and (H + L2) + 6 for the portion of the building further from the lot line, where:

H = the height of the building;  
L1 = the length of the portion of the building nearer the lot line; and  
L2 = the entire length of the building.

Where the formula 10 + (L + 10) applies, the required yards and setbacks shall be 10' + (L1 + 10) for the portion of the building nearer the lot line; and 10' + (L2 + 10) for the portion of the building further from the lot line, with L1 and L2 defined above.

(c) Where a building is not of the same height throughout its length parallel (or within 45 degrees of parallel) to any lot line, and where it is not in one alignment along said length, required yards and setbacks shall be calculated as follows:

(1) Where the taller part of the building is nearer to the lot line required yards and setbacks shall be (H1 + L1) + 6 for the portion of the building nearer to the lot line; and (H2 + L2) + 6 for the portion of the building further from the lot line, where:

H1 = the height of the taller part of the building;  
H2 = the height of the lower part of the building;  
L1 = the length of the taller part of the building;  
L2 = the entire length of the building.

(2) Where the formula 10 + (L + 10) applies, required yards and setbacks shall be 10' + (L1 + 10) for the portion of the building nearer the lot line; and 10' + (L2 + 10) for the portion of the building further from the lot line, with L1 and L2 defined as above.

(3) Where the taller part of the building is further from the lot line, required yards and setbacks shall be (H1 + L2) + 6 for the portion of the building further from the lot line; and (H2 + L1) + 6 for the portion of the building nearer the lot line, where:

H1 = the height of the taller part of the building;  
H2 = the height of the lower part of the building;  
L1 = the length of the lower part of the building;  
L2 = the length of the entire building.

Where the formula 10 + (L + 10) applies, the required yards and setbacks shall be 10' + (L1 + 10) for the portion of the building nearer the lot line; and 10' + (L2 + 10) for the portion of the building further from the lot line, with L1 and L2 defined as above.

#### Section 6.27 - Yards or Setbacks for Lots Adjoining a Street or Public Open Space

Where the formula (H + L) + 6 is used in calculating a yard or setback dimension from a lot line that is also a permanent public park or open space or street line, the required yard or setback may be assumed to include one-half the width of the park or open space or street, but not more than fifty (50) feet. This allowance shall not, however, be applied to the minimum dimension listed in feet or the formulas 15 + (H + 10) and 10 + (L + 10) in Section 6.00.

#### Section 6.28 - Planned Unit Development Yards and Setbacks

In Planned Unit Developments the buildings upon the land may be built to any street line provided the street exceeds sixty (60) feet in width or the zoning on the opposite side of the street is not R2. In all other areas, the buildings shall be set back one-quarter of the height of the average of principle buildings along the lot line but not less than twenty-five (25) feet from all front, side, and rear lot lines.

### OPEN SPACE REGULATIONS

#### Section 6.29 - Balconies and Roof as Portion of Usable Open Space

The ZBA may authorize by special permit that private balconies with a least dimension of six (6) feet and open space on a roof not more than ten (10) feet above the level of the lowest story used for dwelling purposes may be counted up to 50 percent of the usable open space requirement. The application shall include drawings which depict surface materials, planting areas, fences, railings, benches, access, and other similar items.

#### Section 6.30 - Open Space Regulations for Planned Unit Developments

The minimum open space regulations for planned unit developments are as follows:

Apartment - 10 percent landscaped, 10 percent usable.  
Hotels and motels - 10 percent landscaped.  
Retail stores - None required around the building if an enclosed wall or arcade is provided facing each retail store. Without an enclosed wall or arcade, a minimum landscaped area of 10 percent shall be required.  
Office and professional buildings - 10 percent landscaped.

### ARTICLE 7

#### SIGNS

#### Section 7.01 - Intent and Purpose

It is recognized that signs perform important functions in the community which are essential for the public safety and general welfare, such as communicating messages, providing information about goods and services available, and providing orientation. It is further recognized that because of their potential detrimental impact on the visual and perceptual environment, signs must be regulated in order to:

- Prevent hazards to vehicular and pedestrian traffic.
  - Prevent conditions which have a blighting influence and contribute to declining property values.
  - Provide for easy recognition and legibility of all permitted signs and other uses in the immediate vicinity.
  - Preserve the amenities and visual quality of the town and curb the deterioration of the community environment.
- It is the intent of this article to protect property values.



create a more attractive business climate, enhance and protect the physical appearance of the community, provide a more enjoyable and pleasing community and to encourage the most appropriate use of land.

#### Section 7.02 - Applicability

All signs shall comply with the regulations for the erection and construction of signs contained in the Building Code of the Commonwealth of Massachusetts and other applicable town bylaws. No signs shall be hereinafter constructed, maintained or permitted except in accordance with the following regulations:

#### Section 7.03 - General Regulations

The provisions of Section 7.03 shall be the general controlling section for all signs. Specific regulations by zoning district are set forth in Sections 7.071 to 7.075.

a. Any traffic, directional or identification sign owned and installed by a governmental agency shall be permitted.

b. A sign (including interior window displays or banners, either temporary or permanent) or its illuminator shall not by reason of its location, shape, size, or color interfere with traffic or be confused with or obstruct the view or effectiveness of any official traffic sign, traffic signal or traffic marking.

c. No red or green lights shall be used on any sign if, in the opinion of the Inspector of Buildings with the advice and consent of the Director of Police Services, such light would create a driving hazard.

d. No sign shall be illuminated between 12:00 midnight and 6:00 a.m., except signs identifying police or fire stations or hospitals, except signs on premises open for business and then only while open for business.

e. All illumination shall be either interior, nonexposed or exterior, shielded and directed solely at the sign and shall be steady and stationary, of reasonable intensity.

f. Signs in an H district, if illuminated, shall be illuminated by white or blue nonflashing lights only.

g. In buildings where the first floor is substantially above grade and the basement is only partially below street grade, one sign for each level is allowed if each sign has only one half the square footage of sign area as would be permitted for a single sign.

h. The limitations as to the number of signs permitted do not apply to traffic or directional signs which are necessary for the safety and direction of residents, employees, customers and visitors, whether in a vehicle or on foot, of any business, industry, or residence. Such signs shall not carry the name of any business or product. Such signs shall not exceed one (1) square foot in area.

i. At the boundary line of the town, and within a street right-of-way, a sign not exceeding five (5) square feet in sign area indicating the meetings of any Arlington civic organization may be erected only after the granting of a special permit.

j. Two signs identifying churches, synagogues, and other similar religious uses are permitted on each street frontage, one of which may not exceed 20 square feet in area and one which may not exceed 10 square feet in area. One sign may be free-standing and may be used for church notices and announcements of services and events at the church, synagogue or similar religious institution.

k. One sign, up to one (1) square foot in area, is allowed per residence indicating the name and address of the occupants therein.

l. One sign is allowed for each of the following in any zone:

- Membership club
- Funeral establishment
- Place of public assembly
- Community facility
- Public utility

Construction project indicating the name of the engineer, architect, and contractor or other firms associated with the project.

Provided such sign shall not exceed six (6) square feet in area and it shall be located on the face of the building or free-standing and set back at least 10 feet from the lot line.

m. One temporary sign, which complies with this bylaw is allowed per establishment for a period not to exceed 60 days. Before a temporary sign (other than a temporary sign placed in a window) shall be erected, there shall be deposited with the Inspector of Buildings the sum of \$20 in cash for each sign. The deposit shall be refunded only upon the removal of the sign. Temporary signs which do not comply with this bylaw may be authorized for public or charitable purposes.

n. A sign area larger than that specifically allowed in 7.05 through 7.075 is allowed by special permit only upon completion of the procedures listed in 7.09.

#### Section 7.04 - Prohibited Signs

The following signs shall not be permitted, constructed, erected or maintained.

a. Signs which incorporate in any manner flashing, moving or intermittent lighting, excluding public service signs showing time and temperature.

b. Wind signs, including banners, pennants, spinners, streamers, and other wind-actuated components.

c. String lights used in connection with commercial premises with the exception of temporary lighting for holiday decoration.

d. Any sign which no longer advertises a business or product previously sold.

e. Portable signs.

f. Window signs which cover more than 25 percent of the area of the window.

g. Signs for home occupations.

h. Signs, except awning signs, painted or posted directly on the exterior surface of any wall.

i. Signs erected so as to obstruct any door, window or fire escape on a building.

j. Signs constructed, erected or maintained upon the roof of any building.

k. Signs which project over a public right-of-way with the exception of wall signs which may project no more than 12 inches from a building face.

l. Signs in the R and B1 districts containing a registered

trademark or portraying a specific commodity for sale.

m. In all other districts, signs which contain a registered trademark or portray a specific commodity for sale occupying more than 10 percent of the sign area, unless said registered trademark or commodity is the principal activity conducted therein.

n. Specific regulations controlling nonaccessory signs are set forth in Section 7.11.

#### Section 7.05 - Signs Permitted in Any R District

One unlighted, permanent sign for any permitted use except a residence or home occupation sign or signs controlled by Section 7.071 not to exceed four (4) square feet in area and if a ground sign, set back not less than one half the depth of the front yard.

#### Section 7.06 - Signs Permitted in Any B, I or PUD District

a. One wall sign for each street or parking lot frontage of each establishment. Unless further limited by the provisions of Section 7.071, there shall not exceed a total of two permanent signs for any one business or industrial establishment, including freestanding signs but excluding window signs, directional signs, directories, marquees and awnings.

b. One directory of the occupants or tenants of the building affixed at each entrance not exceeding an area determined on the basis of one (1) square foot for each occupant or tenant.

c. One marquee sign for each public entrance to a theater provided that the marquee shall not be more than four (4) feet overall in height.

d. One awning sign for each display window of a store.

#### Section 7.07 - Special Controls by Zoning District

Section 7.071 - Signs Permitted in B1, R6, R7 Districts  
Not more than one accessory wall or ground sign per building or lot up to a maximum of eight (8) square feet in area, unless said registered trademark or commodity is the principal activity conducted therein.

Section 7.072 - Signs Permitted in Any B2 District  
One permanent wall or ground sign for any permitted use not to exceed twenty (20) square feet in area and if containing a registered trademark or portraying a specific commodity for sale, such trademark or portrayal shall not occupy more than 10 percent of the sign area, unless said registered trademark or commodity is the principal activity conducted therein.

#### Section 7.073 - Signs Permitted in Any B3, B5, I, or PUD District

One permanent wall sign for each street or parking lot frontage of each establishment, and if containing a registered trademark or portraying a specific commodity for sale, such trademark or commodity shall not occupy more than 10 percent of the sign area, unless said registered trademark or commodity is the principal activity conducted therein.

#### Section 7.074 - Signs Permitted in Any B4 District

a. One permanent wall sign for each street or parking lot frontage of each establishment not to exceed forty (40) square feet and to conform to the "wall sign" provisions of Section 7.

b. One standing sign which does not exceed twenty-four (24) square feet in lieu of the wall signs permitted in 7.074a. If a standing sign is provided, there may be one permanent wall sign which does not exceed twenty (20) percent of the area of the standing sign.

c. On property at any corner formed by intersecting streets, no free-standing sign shall be erected within that triangular area between the property lines and a diagonal line joining points on the lines 25 feet from the point of their intersection, or in the case of rounded corners, the triangular area between the tangents to the curve at such corner and a diagonal line joining points on such tangents 25 feet from the point of their intersection.

d. Where a single lot is occupied by more than one (1) establishment, whether in the same structure or not, there shall not be more than one (1) free standing sign for each lot street frontage.

e. At gasoline service stations, one (1) standard sign is allowed for each gasoline pump, bearing in usual size according to state regulations, and usual form, the name and/or type of gasoline and the price thereof.

f. If containing a registered trademark or portraying a commodity for sale, such trademark or commodity shall not occupy more than ten (10) percent of any sign area, unless said registered trademark or commodity is the principal activity conducted therein.

#### Section 7.075 - Signs Permitted in H Districts

a. One (1) free-standing sign identifying the hospital provided such sign is not more than four (4) feet by six (6) feet or twenty-four (24) square feet in area and the top of the sign is not over twelve (12) feet above the ground.

b. One (1) wall or standing sign for identification of each building provided the surface area of such sign of one (1) side shall not be more than ten (10) square feet nor, if a standing sign, more than six (6) feet above ground.

c. Directional signs that point out parking lots and specific services provided they are not larger than one (1) foot by three (3) feet and provided the top of the sign is not more than four (4) feet above the ground.

#### Section 7.076 - Signs Permitted in T Districts

Sign controls for use 5.10 shall be the controls for the adjacent district from which the use extends.

#### Section 7.08 - Sign Permits and Maintenance

a. All persons desiring to erect, install, place, construct, alter, move or maintain a sign shall apply to the Inspector of Buildings for a permit.

b. All applications for sign permits shall include at a minimum a drawing to scale indicating the following:

1. the proposed sign;
2. all existing signs maintained on the premises;
3. the lot plan and building facade indicating location of the proposed sign;
4. specifications for its construction, lighting and wiring. All drawings shall be of sufficient clarity to show the extent of the work.

c. Such permit shall be issued only if the sign complies or

will comply with all applicable provisions of this bylaw.

d. The Inspector of Buildings is authorized to order the repair or removal of any sign and its supporting structure which in the judgment of the Inspector of Buildings is dangerous, or in disrepair or which is erected or maintained contrary to this bylaw.

#### Section 7.09 - Special Permits

In particular instances, the ZBA may permit more than the number of signs hereinabove permitted or signs of a greater size or in a location other than hereinabove specified, if it is determined that the architecture of the building, the location of the building with reference to the street or the nature of the use being made of the store is such that an additional sign or signs of a larger size should be permitted in the public interest. In granting such permission, the Board of Appeals shall specify the size and location of the sign or signs and impose such other terms and restrictions as it may deem to be in the public interest. However, in no case shall any sign permitted exceed a maximum of four (4) feet times the linear face of the building front.

Any applicant under this provision shall provide information required in Section 7.08 above, in addition to specific information in the form of perspectives, renderings, photographs, models or other representations sufficient to show the nature of the proposed sign and its effect on the immediate surroundings. Prior to the granting of a special permit under this provision, the ZBA shall receive comments on the sign from the Arlington Redevelopment Board and/or the Department of Planning and Community Development.

#### Section 7.10 - Nonconformance of Accessory Signs

Accessory signs or other advertising devices legally erected before the adoption of this bylaw may continue to be maintained, provided, however, that no such sign or other advertising device shall be permitted if it is, after the adoption of this bylaw, enlarged, renewed (other than in the case of theatre or cinema signs or signs with automatically changing messages), redesigned or altered in any way including repainting in a different color, except to conform to the requirements of this bylaw, and provided further that any such sign or other advertising device which has deteriorated to such an extent that the cost of restoration would exceed thirty-five (35) percent of the replacement cost of the sign or other advertising device at the time of the restoration shall not be repaired or rebuilt or altered except to conform to the requirements of this bylaw. Any exemption provided in this section shall terminate with respect to any sign or other advertising device which:

a. shall have been abandoned;

b. advertises or calls attention to any products, businesses or activities which are no longer sold or carried on at the particular premises; or

c. shall not have been repaired or properly maintained within thirty (30) days after notice to that effect has been given by the Inspector of Buildings.

#### Section 7.11 - Nonaccessory Signs

No person, firm, association or corporation shall erect, display or maintain, within the limits of the town, a billboard, sign, or other outdoor advertising device, except those exempted by Section 30 and 32 of Chapter 93 of the General Laws, or by any additions to, or amendments of said sections.

No billboard, sign or other advertising device shall be erected, displayed or maintained in any block in which one-half of the buildings on both sides of the street are used exclusively for residential purposes; except that this provision shall not apply if the written consent of the owners of the majority of the frontage on both sides of the street in such block is first obtained and is filed with the Division of Highways of the Department of Public Works of the Commonwealth of Massachusetts, together with the application for a Permit for such billboard, sign or other advertising device.

Not more than one nonaccessory sign shall be permitted on each lot. No nonaccessory sign shall be erected, constructed or maintained within 50 feet of another nonaccessory sign, unless said nonaccessory signs are on one structure and placed back to back. No nonaccessory signs shall be erected in any R district and, except as specifically exempt by the applicable regulations of the Massachusetts Board of Outdoor Advertising, no nonaccessory sign shall be erected in any B or I district.

On the premises of or within 300 feet of a district site, building, structure or object which is listed in the National Register of Historic Places in accordance with P. L. 89-665, 805.915 (1996) as now in force or herein after amended:

On the premises of or within 300 feet of any church, chapel, synagogue, school, public playground, hospital, municipal building (including without limitation, town hall, fire and police stations and public library buildings, MBTA station), museum, public park or reservation, a permanently erected memorial to veterans or monument;

Within 200 feet of the 100 year floodline of the Alewife Brook, Mystic Lake, Mystic River, Mill Brook, Spy Pond or any wetland shown on the floodplain and wetland overlay of the zoning map of the Town of Arlington;

Within a radius of one hundred (100) feet from the point where the centerlines of two or more public ways intersect:

Exceeding a height of 30 feet measured from the ground surface;

Upon the roof of any building;

Exceeding an area of three hundred (300) square feet or one-half (1/2) square foot per foot of lot frontage or, in the case of wall signs, of one-sixth of the area of said wall, whichever is smaller;

Containing a sign face with a vertical dimension in excess of twelve (12) feet;

Nearer than one hundred (100) feet to any public way, if within view of any portion of the same, if such billboard, sign or other advertising device shall exceed a length of eight (8) feet or a height of four (4) feet;

Nearer than three hundred (300) feet to any public way.

if within view of any portion of the same, if such billboard, sign or other advertising device shall exceed a length of twenty-five (25) feet or a height of twelve (12) feet; or

In any event if such billboard, sign or other advertising device shall exceed a length of fifty (50) feet or a height of twelve (12) feet; except that the Selectmen may permit the erection of billboards, signs or other advertising devices which do not exceed forty (40) feet in length and fifteen (15) feet in height if not nearer than three hundred (300) feet to the boundary line of any public way.

No billboard, sign or other advertising device shall be erected, displayed or maintained until a Permit therefor has been issued by the Division of Highways of the Department of Public Works pursuant to the following provisions:

Upon receipt from said Division of a notice that application for a permit to erect, display or maintain a billboard, sign or other advertising device within the limits of the town has been received by it, the Selectmen shall hold a public hearing on said application in the town, notice of which shall be given by posting the same in three or more public places in said town at least one week before the date of such hearing. A written statement as to the results thereof shall be forwarded to the Division containing, in the event of a disapproval of such application, the reasons therefor, within thirty (30) days from the date of notice of the town that an application for such a permit had been made. This Bylaw shall not apply to signs or other devices erected and maintained in conformity with law, which advertise or indicate either the person occupying the premises in question or the business transacted thereon, or advertising the property itself or any part thereof as for sale or to let and which contain no other advertising matter and provided further that this Bylaw shall not apply to billboards, signs or other advertising devices legally maintained, at the time of its approval by the Attorney-General, until one year from the first day of July following such approval.

## ARTICLE 3 OFF-STREET PARKING AND LOADING REGULATIONS

### Section 3.01 - Off-Street Parking Requirements

It is the intent of this section to encourage and promote off-street motor vehicle parking in the Residence Districts and to allow the use of a front yard for such off-street motor vehicle parking only under exceptional circumstances. It is further the intent to preserve, insofar as possible, the landscaped front yard on each lot. After the effective date of this Bylaw, off-street parking space shall be provided for every new structure, the enlargement of an existing structure, the development of a new land use or any change in an existing use in its entirety in accordance with the Table of Use Regulations (see Article 5), the Table of Off-Street Parking Regulations, and the other requirements contained herein.

TABLE OF OFF-STREET PARKING REGULATIONS

Use	Number of off-street parking spaces per unit.
Dwelling, one-, two-, and three-family units.	Two (2) per dwelling unit.
Apartment house.	One per efficiency, one and fifteen hundredth (1.15) per one bedroom unit, one and fifty hundredth per two bedroom unit, two per three or more bedroom units, one per five units of publicly assisted elderly housing.
Lodging house, dormitory, fraternity, sorority, YMCA, YWCA, and similar types of group quarters.	One per rental or sleeping unit. Any bedroom or group of two (2) beds in a single room constitutes a sleeping unit.
Theater, restaurant, gymnasium, auditorium or similar place of public assembly with seating facilities	One for each four (4) seats of total seating capacity.
Automotive retail and service establishment and other retail and service establishments utilizing extensive display areas, either indoor or outdoor, which are unusually extensive in relation to customer traffic	One per one thousand (1,000) sq. ft. of gross floor space. In the case of outdoor display areas, one for each one thousand (1,000) sq. ft. of lot area in such use.
Hotel, motel, tourist court.	One for each sleeping room, plus one for each four hundred (400) sq. ft. of public meeting area and restaurant space.
Other retail, service, finance, insurance, or real estate establishment.	One per each three hundred (300) sq. ft. of floor space.
Wholesale establishment, warehouse or storage establishment.	One per each one thousand (1,000) sq. ft. of gross floor space.

Manufacturing or industrial establishment.

One per each six hundred (600) sq. ft. of gross floor space OR seventy-five hundredths (0.75) per each employee of the combined employment of the two (2) largest successive shifts, whichever is larger.

Medical-Dental office building.

Four (4) spaces per doctor or dentist.

Medical-Dental clinic.

Four (4) spaces per doctor or dentist on duty during busiest shift.

Hospital.

Two and twenty-five hundredths (2.25) per bed at design capacity.

Nursing Home.

One per four beds at design capacity.

Business, trade or industrial school or college, country clubs.

One for each two hundred (200) sq. ft. of gross floor area in classrooms and other teaching stations, plus space for gymnasium or auditorium, whichever has the larger capacity.

Other school.

Two (2) per classroom in elementary and junior high school; four (4) per classroom in a senior high school, plus space for auditorium or gymnasium, whichever has the larger capacity.

Community facility (town building, recreation, etc.).

One per each four hundred (400) sq. ft. of gross floor space.

Public Utility.

One for each four hundred (400) sq. ft. of gross floor area devoted to office use. One for each eight hundred (800) sq. ft. of gross floor area per other use.

Transportation Terminal establishment.

One for each six hundred (600) sq. ft. of gross floor area.

Mixed use.

Sum of various uses computed separately.

Any use permitted by this Bylaw not interpreted to be covered by this schedule.

Closest similar use as shall be determined by the Inspector of Buildings.

### Section 3.02 - Off-Street Loading and Unloading Requirements

For every building hereafter erected for institutional, public, utility, commercial, and light industrial use as specified in the Table of Use Regulations and for every such use hereinafter established in an existing building or area, the off-street loading and unloading requirements presented in the Table of Off-Street Loading Regulations shall apply.

TABLE OF OFF-STREET LOADING REGULATIONS

Use	Number of loading spaces per unit
Retail trade, manufacturing and hospital establishment with over five thousand (5,000) sq. ft. of gross floor area.	One per twenty thousand (20,000) sq. ft. or fraction thereof of gross floor area up to two (2) spaces; one additional space for each sixty thousand (60,000) sq. ft. or fraction thereof of gross floor area over forty thousand (40,000) sq. ft.; space used for ambulance receiving at a hospital is not to be used to meet these loading requirements.
Business services, other services, community facility (school, church, town building, recreation, etc.), institutional or public utility establishment with over five thousand (5,000) sq. ft. of gross floor area.	One per seventy-five thousand (75,000) sq. ft. or fraction thereof of gross floor area up to two (2) spaces; one additional space for each two hundred thousand (200,000) sq. ft. or fraction thereof of gross floor area over one hundred fifty thousand (150,000) sq. ft.

### Section 3.03 - Existing Spaces

Parking or loading spaces being maintained in any district in connection with any existing use on the effective date of this Bylaw, or any spaces subsequently provided in accordance with this Bylaw, shall not be decreased or in any way removed from service to the use originally intended to be served so long as said use remains, unless a number of parking or loading spaces is constructed elsewhere such that the total number of spaces conforms to the requirements of the tables of this subchapter, provided: this regulation shall not require the maintenance of more parking or loading spaces than is required according to the tables.

### Section 3.04 - Computation of Spaces

When the computation of required parking or loading spaces results in the requirement of a fractional space, any fraction of one-half or more shall require one (1) space.

### Section 3.05 - Combined Facilities

Parking required for two or more buildings or uses may be provided in combined facilities on the same or adjacent lots, by special permit from the ZBA where it is evident that such facilities will continue to be available for the several buildings or uses.

### Section 3.06 - Location of Parking Spaces

Required off street parking spaces shall be provided on the same lot as the principal use they are required to serve or when practical difficulties as determined by the ZBA prevent their establishment upon the same lot, they shall be established no further than three hundred (300) feet from the premises to which they are appurtenant. Such spaces may be located out of doors or within a structure designed as a public or private garage.

### Section 3.07 - Parking in Residential Districts

a. For single, two-family or duplex, and three-family dwellings, off-street parking shall not be permitted in the front yard except on a driveway not exceeding twenty (20) feet in width leading to the required parking space(s). Off-street parking is permitted in

1) the side yard and rear yard on a paved driveway, or in the case of a corner lot of less than six thousand (6,000) square feet in the longer of the two front yards up to a maximum of 24 feet in width, or

2) in an attached or detached garage, or

3) within the foundation of a dwelling provided the garaging is specifically designed for that purpose. A space designed for parking within an existing garage is determined to meet the requirements of an off-street parking space.

b. For single, two-family or duplex, and three-family dwellings in R1, R2, R3, and R4 districts, not more than one driveway shall be permitted without the approval of the ZBA by special permit. A second driveway shall be permitted when the ZBA finds as conditions for a special permit that both of the following apply.

1. A minimum number of parking spaces required by Section 3.01 cannot be provided with one driveway due to soil or ledge conditions, topography of the lot, or the location of trees in excess of eight (8) inches in diameter.

2. No portion of a second driveway shall be placed closer than thirty (30) feet to the first driveway.

### Section 3.08 - Parking of Commercial Vehicles

The parking of commercial vehicles shall be in accordance with the Table of Use Regulations in Article 5.

### Section 3.09 - Location of Loading Spaces

The loading spaces required for the uses listed in the Table of Off-Street Loading Regulations shall in all cases be on the same lot as the use they are intended to serve. In no case shall the required loading spaces be part of the area used to satisfy the parking requirements of this Bylaw.

### Section 3.10 - Pavement of Parking Spaces

Parking areas with five (5) spaces or less shall be surfaced with a permanent material or binder such as bituminous, cement concrete brick, paving stones, bluestone, or other material which shall be nonerosive material.

### Section 3.11 - Municipal Parking Lots

The ZBA by special exception may allow the substitution of space within Municipal Parking Lots in lieu of parking requirements of this article, provided they are located within one thousand (1,000) feet of the building which is intended to be served.

### Section 3.12 - Parking and Loading Space Standards

All parking and loading areas containing over five (5) spaces, including automotive and drive-in establishments of all types, shall be either contained within structures, or subject to the following:

a. The surfaced area shall be set back at least ten (10) feet from the side or rear lot lines.

b. The area shall be effectively screened with suitable planting or fencing on each side which faces the side or rear lot line of a lot situated in any "R" district. Such screening shall be at least five (5) feet and not more than six (6) feet in height. Parking areas and access driveways accessory to any multi-family dwelling shall be separated from said building by a buffer strip of green open space not less than five (5) feet in width and suitably planted.

c. The area and access driveways thereto shall be surfaced with bituminous or cement concrete material and shall be graded and drained so as to dispose of all surface water accumulation in accordance with acceptable engineering practices and shall be subject to approval by the Town Engineer. The location of spaces shall be suitably marked by painted lines or other appropriate markings.

d. A substantial bumper of masonry, steel or heavy timber, or a concrete curb or berm curb which is backed, shall be placed at the edge of surfaced areas except driveways in order to protect abutting structures, properties and sidewalks and screening materials.

e. Each required off-street parking space shall have direct access to an aisle or driveway having a minimum width of twenty-four (24) feet in the case of two-way traffic or the following widths in the case of one-way traffic only:

Angle of parking	Minimum aisle width
Parallel	12 ft
30 deg	11 ft
45 deg	13 ft
60 deg	18 ft
90 deg	24 ft

f. Any fixture used to illuminate any area shall be so arranged as to direct the light away from the street and away from adjoining premises used for residential purposes.

g. There shall not be any business operation for vehicle repair or gasoline or oil service facilities or any repair made to any motor vehicles, except on a lot occupied by a permitted automotive use. Any gasoline or oil facilities shall be at least twenty-five (25) feet from any lot line.





name of the petitioner; (2) the location of the area or premises which are the subject of the petition; and (3) the date and place of the public hearings. At the hearing, any party, whether entitled to notice thereof or not, may appear in person or by attorney.

4. The Chairman of the ZBA, or in his absence the Acting Chairman, may administer oaths, summon witnesses and call for the production of papers. All hearings shall be open to the public. Decisions of the ZBA shall be made within sixty (60) days after the date of the filing of an appeal, application or petition. Failure of the ZBA to act within the specified time shall be deemed to constitute the ZBA's approval of the appeal, application or petition. The ZBA shall cause to be made a detailed record of its proceedings, showing the vote of each member upon each question, or, if absent or failing to vote, indicating such fact, and setting forth clearly the reasons for its decisions, and of its other official actions, copies of all of which shall be filed within fourteen (14) days in the office of the Town Clerk and the office of the ARB and shall be a public record, and notice or decisions shall be mailed immediately to parties in interest as designated in paragraph e.3. above, and to every person present at the hearing who requests that notice be sent to him and states the address to which such notice is to be sent. Upon the granting of a limited or such notice is to be sent. Upon the granting of a limited or conditional zoning variance or special permit, the ZBA shall issue to the land owner a notice, certified by the chairman or clerk, containing the name and address of the land owner, identifying the land affected, and stating that a limited or conditional variance or special permit has been granted which is set forth in the decision of the ZBA on file in the office of the Town Clerk. No such variance or permit shall take effect until such notice is recorded in the Middlesex County Registry of Deeds. The fee for recording such notice shall be paid by the owner and the notice shall be indexed in the grantor index under the name of the owner of record.

The concurring vote of all members of the ZBA shall be necessary to reverse any order or decision of any administrative official, or to decide in favor of the applicant on any matter upon which it is required to pass under this Bylaw, or to effect any variance in the application of this Bylaw.

5. No appeal or petition under paragraph e.3. above for a variance from the terms of this Bylaw with respect to a particular parcel of land or the building thereon, and no application under paragraph e.2. above for a special exception to the terms of this Bylaw, which has been unfavorably acted upon by the ZBA shall be considered on its merits by said ZBA within two (2) years after the date of such unfavorable action except with the consent of all but one of the members of the ARB; provided, however, that an amendment of a favorable decision of said ZBA by the Court pursuant to the authorization contained shall not constitute unfavorable action within the meaning of this paragraph.

f. Other Requirements. The granting of any appeal by the ZBA shall not exempt the applicant from any provision of this Bylaw not specifically ruled upon by the ZBA or specifically set forth as an exception in this particular case from a provision of this Bylaw. It shall be unlawful for any owner or person to reconstruct, convert or alter a structure or change the use, increase the intensity of use, or extend or displace the use of any building, other structure or lot, or change any required limitations or special conditions imposed by the ZBA in authorizing a special permit or variance without appealing to the ZBA as a new case over which the ZBA shall have complete administrative power to deny, approve or modify.

#### Section 10.11 - Special Permits

Certain uses, structures or conditions are designated as special permit uses in Article 5, Table of Use Regulations, and elsewhere in this Bylaw. Upon written application duly made to the ZBA, except for uses in the Planned Unit Development District, the ZBA may, in appropriate cases subject to the applicable conditions set forth in Article 11 of this Bylaw and elsewhere in this Bylaw, grant a special permit for such exceptions and, subject to no others. Applicants for any use in the Planned Unit Development District shall file with the Board of Selectmen in accordance with the provisions of Section 11.05.

a. Before granting an application for a special permit, the ZBA with due regard to the nature and condition of all adjacent structures and uses, and the district within which the same is located, shall find all of the following general conditions to be fulfilled:

1. The use requested is listed in the Table of Use Regulations as a special permit in the district for which application is made or is so designated elsewhere in this Bylaw.
2. The requested use is essential or desirable to the public convenience or welfare.
3. The requested use will not create undue traffic congestion, or unduly impair pedestrian safety.
4. The requested use will not interfere with any public water, drainage or sewer system or any other municipal system to such an extent that the requested use or any developed use in the immediate area or in any other area of the Town will be unduly subjected to hazards affecting health, safety or the general welfare.

5. Any special regulations for the use, set forth in Article 11, are fulfilled.

6. The requested use will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the health, morals, or welfare.

7. The requested use will not, by its addition to a neighborhood, cause an excess of that particular use that could be detrimental to the character of said neighborhood.

b. The ZBA shall also impose in addition to any applicable conditions specified in this Bylaw such additional conditions as it finds reasonably appropriate to safeguard the neighborhood, or otherwise serve the purposes of this Bylaw, in writing, but not limited to, the following: front, side, or rear yards greater than the minimum required by this Bylaw; screening buffers or planting strips, fences, or walls, as specified by the Board; modification of the exterior appearance of the structures; limitation upon the size, number of occupants, method and time of operation, time duration of permit, or extent of facilities; regulation of

number and location of driveways, or other traffic features; and off-street parking or loading or other special features beyond the minimum required by this Bylaw. Such conditions shall be imposed in writing, and the applicant may be required to post bond or other security for compliance with said conditions in an amount satisfactory to the ZBA.

c. In order that the ZBA may determine that the above-mentioned restrictions are to be met, a site plan shall be submitted, in duplicate, to the ZBA by the applicant. Said site plan shall show, among other things, all existing and proposed buildings, structures, parking spaces, driveway openings, driveways, service areas, and other open uses, all facilities for sewage, refuse and other waste disposal, and for surface water drainage, and all landscape features, such as fences, walls, planting areas and walks. The ZBA shall within ten (10) days after receipt thereof transmit one copy of such plan to the ARB. The ARB may, in its discretion, investigate the case and report in writing its recommendations to the ZBA. The ZBA shall not take final action on such plan until it has received a report thereon from the ARB or until said ARB has allowed thirty (30) days to elapse after receipt of such plan without submission of a report thereon.

#### Section 10.12 - Variances

The ZBA may authorize a variance for a particular use or parcel of land or to an existing building thereon from the terms of this Bylaw where, owing to conditions especially affecting such parcel or such building but not affecting generally the district in which it is located, a literal enforcement of the provisions of this Bylaw would involve substantial hardship, financial or otherwise, to the applicant, and where desirable, relief may be granted without substantial detriment to the public good and without nullifying nor substantially derogating from the intent or purpose of this Bylaw. Before any variance is granted, the ZBA must find all conditions to be present as specified in Section 15 of Chapter 40A of the General Laws of the Commonwealth of Massachusetts.

### ARTICLE 11 SPECIAL PERMIT

#### Section 11.01 - General

In addition to the general conditions set forth in Section 10.10 of this Bylaw for all special exceptions, the following special conditions shall apply to the following uses in this article listed as special permits in various districts in the Table of Use Regulations.

#### Section 11.02 - Environmental Performance

No new building or part thereof shall be constructed or used, and no premises shall be used, and no building or part thereof shall be altered, enlarged, reconstructed or used as follows:

a. For any purpose which by the emission or discharge of fumes, vapor, gas, dust, offensive odors, chemicals, poisonous fluids, or substances, refuse, organic matter or excrement, the causing of noise or vibrations, or by unduly increasing the risk from fire or explosion, or otherwise, would be dangerous or injurious to the public health or safety.

b. For any purpose which would be for any reason injurious to the health, safety, morals or welfare of the community or harmful to property therein.

#### Section 11.03 - Removal of Sand, Gravel, Quarry or Other Earth Materials

No sod, loam, sand, gravel or quarry stone shall be removed for sale (except when incidental to and in conformity with the construction of a building for which a permit has been issued in accordance with the Building Laws), except by permission of the Zoning Board of Appeals.

#### Section 11.04 - Floodplain District

a. Objectives. The objectives of this District are to promote:

1. The health and safety of the occupants of lands subject to seasonal or periodic flooding in the Mill Brook, Alewife Brook, Mystic River, and Mystic Lakes floodplain, as shown on the zoning overlay map of the Town of Arlington.

2. To prevent the reduction of the watercarrying capacity of streams, brooks, rivers, and drainage courses by prohibiting the destruction or alteration of their natural character, and by preventing encroachment by future development, both public and private, in the floodway. A floodway includes the normal channel of a river or stream and those portions of the floodplains adjoining the normal channel which are reasonably required to carry off the flood flow.

3. The preservation of the natural flood control characteristics and the water storage capacity of the floodplain.

4. To protect the public from hazard and loss through the regulation of future development of lands adjoining such watercourses.

5. The safety and purity of water; control and containment of sewage; safety of gas, electric, fuel, and other utilities from breaking, leaking, shortcircuiting, grounding, igniting, electrocuting or any other dangers due to flooding.

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 between the Mill Brook, Alewife Brook, Mystic River, and Mystic Lakes and the floodplain boundary on the Floodplain Overlay Map whose elevations are equal to or less than those indicated on said map.

#### c. Interpretation and Application

1. Any proposed use to be located within the limits of the Floodplain District as determined by the Inspector of Buildings under Section 3.05 of this Bylaw shall be governed by all regulations of this Section as well as all other applicable provisions of this Bylaw.

#### d. Permitted Uses

1. a. RIGHT  
(a) The following outdoor uses shall be permitted as a right subject to the further provisions of this Section

11.04(d) and provided no buildings or structures are erected: From Section 5.04: Uses 3.01, 3.02, 4.01, 4.08; also, foot, bicycle, and horse paths.

(b) For single family detached dwellings, two-family dwellings, or duplex houses existing at the time this Section is advertised (August 1975), the expansion of these (or their accessory) uses to a maximum of fifteen (15) percent of the lot coverage existing when this section is enacted, provided that such expansions conform to Section 6.00, and do not constitute substantial improvement of a structure. Substantial improvement means any repair, reconstruction, or improvement of a structure, the cost of which exceeds 50 percent of the actual cash value of the structure either (a) before the improvement is started, or (b) if the structure has been damaged and is being restored, before the damage occurred. Structures erected or expanded under this subsection 11.04(d)(1) shall use construction materials and utility equipment that are resistant to flood damage, and construction methods and practices that will minimize flood damage.

#### 2. By Special Permit

No structure or building shall be erected, constructed, substantially improved, enlarged (except as provided in 12.04(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:

i. The proposed use will comply in all respects to the provisions of the underlying District in which the land is located;

ii. 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 six (6) inches at any point;

iii. New construction or substantial improvements (as defined in 12.04(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.

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.

e. Permit and Procedure. Any person(s) desiring such a permit shall submit an application to the ZBA which shall comply with the conditions and submittal requirements as listed in the following subsections. (Such conditions shall include, where applicable, approval by the Conservation Commission, the Massachusetts Department of Natural Resources, and the Massachusetts Department of Public Works under Chapter 131 of the General Laws, Acts Relating to the Protection of the Inland Wetlands of the Commonwealth.) The application procedure shall be the same as for special permits. Copies of the application for Special Permit to the ZBA with accompanying plans shall also be sent to the Inspector of Buildings, Board of Health, the Conservation Commission, Town Engineer, and the ARB for their recommendations to the ZBA as to their approval, disapproval or appropriate recommendations.

#### f. Required Submittals

1. Submission of a location plan at a scale of 1" equals 600' showing the lot(s) to be developed, lot lines within which the development is proposed, and tie-line to the nearest road intersection.

2. A site plan at a scale of 1" equals 50' shall be prepared by a registered land surveyor or registered professional engineer. The site plan shall be submitted to the ZBA and shall show at least the following:

(a) The location, boundaries, and dimension of each lot in question.

(b) Two-foot contours of the existing and proposed land surface.

(c) The location of existing and proposed structures, watercourses, and drainage easements, means of access, and drainage.

#### g. Board of Appeals Procedure

1. The ZBA shall not take final action on an application for a special permit hereunder until it has received a report thereon from the Inspector of Buildings, the Board of Health, the Conservation Commission, Town Engineer, and the ARB or until 30 days have elapsed after receipt of such plan without submission of a report.

2. The ZBA may, as a condition of approval, require that effective notice be given to prospective purchasers, by sign or otherwise, of past flooding of said premises, and the steps undertaken by the petitioner or his successor in title to alleviate the effects of the same.

#### h. Occupancy Permit

No occupancy permit shall be issued for special permit uses under subsection 11.04(d)(2) until the Inspector of Buildings, and the Board of Health, the Conservation Commission and the ARB have received a certified plan showing the foundation and flood elevations, elevations of the completed construction, and until all requirements of all permits are satisfied.

#### i. Areas, Open Space, and Yard Regulations

The portion of any lot within the Floodplain District may be used to meet the lot area, open space and yard requirements for the District in which the remainder of the lot is situated.

#### j. Exemptions in the Floodplain District

Where a proposed use is determined to fall within the limits of the Floodplain District, but the applicant for the proposed use determines that the location for his proposed use is not included in the definition of the Floodplain District, said use may be exempt by the ZBA from the



provisions of this section if the applicant provides sufficient evidence for the ZBA to clearly determine that the land in question should not be subject to the provisions of this Section. If it is determined that an area of significant size should no longer be included within the Floodplain District due to a natural or man-made event which has altered the boundary, the floodline determining the boundaries of the Floodplain District may be changed subject to the provisions of Section 12.01 of this Bylaw provided the new floodline to be adopted has been established in accordance with accepted engineering practice and certified by a registered professional engineer.

#### Section 11.05 - Inland Wetland District

##### a. Purpose

The purpose of this district is:

1. To preserve and protect the streams, water bodies, and other watercourses, including wetlands and marshlands, in the Town of Arlington.
2. To protect the health and safety of persons and property against the hazards of flooding and contamination.
3. To preserve and maintain the groundwater table for potential water supply purposes.
4. To protect the community against the detrimental use and development of lands adjoining such watercourses.
5. To conserve the watershed areas of the Town of Arlington for the health, safety, and welfare of the public.

##### b. Definition

The Inland Wetland District is superimposed over any other district established by this Bylaw and includes the following areas:

1. All lands within the elevations shown on the zoning map and designated as wetlands. These include lakes, ponds, swamps, and marshes.
2. All land area along all rivers, brooks, and streams for a horizontal distance of 25 feet from the center line thereof are included in the Inland Wetland District.
3. All lands designated on the zoning map as having a shallow depth to water table. These lands are the poorly and very poorly drained mineral soils, and very poorly drained soils formed in organic deposits. Poorly drained mineral soils have a water table at or near the surface for 7 to 9 months during the year. The water table remains at or close to the surface of very poorly drained mineral and organic soils throughout most of the year.

c. Interpretation and Application. Any proposed use to be located within the limits of the Inland Wetland District as determined by the Inspector of Buildings under Section 3.05 of this Bylaw shall be governed by all regulations of this Section as well as all other applicable provisions of this Bylaw.

d. Permitted Use. Municipal use, such as waterworks, pumping stations, and parks, is permitted under this section. Land in the Inland Wetland District may be used for any purpose otherwise permitted in the underlying district except that:

1. No structure intended for human occupancy or use on a permanent basis having water and sewerage facilities and no other building, wall, dam, or structure (except flagpoles, signs, and the like) intended for permanent use shall be erected, constructed, altered, enlarged, or otherwise created or moved for any purpose unless a Special Permit from the ZBA is issued. However, a structure existing at the time this Bylaw becomes effective may be reconstructed or repaired after a fire or other casualty, as provided in Section 9.06 of this Bylaw.
2. Dumping, filling, excavating, or transferring of any earth material within the district is prohibited unless a Special Permit from the ZBA is issued. However, this paragraph does not prohibit ordinary gardening activities in lawn or garden areas which are used for such purposes at the time this Bylaw becomes effective.
3. No ponds or pools shall be created or other changes in watercourses, for swimming, fishing, or other recreational uses, agricultural uses, scenic features, or drainage improvements or any other uses unless a Special Permit from the ZBA is issued.

e. Permit and Procedure. Any person(s) desiring such a permit shall submit an application to the ZBA which shall comply with the conditions and submittal requirement as listed in the following subsections. (Such conditions shall include where applicable, approval by the Conservation Commission, the Massachusetts Department of Natural Resources, and the Massachusetts Department of Public Works under Chapter 131 of the General Laws, acts relating to the protection of the inland wetlands of the Commonwealth.) The application procedure shall be the same as for special permits. Copies of the application for special permit to the ZBA with accompanying plans shall also be sent to the Inspector of Buildings, Board of Health, the Conservation Commission, Town Engineer, and the ARB for their recommendations to the ZBA, as to their approval, disapproval or appropriate recommendations.

##### f. Required Submittals

1. Submission of a location plan at a scale of 1" equals 600' showing the lot(s) to be developed, lot(s) lines within which the development is proposed, and tie-in to the nearest road intersection.

2. A site plan at a scale of 1" equals 50' shall be prepared by a registered land surveyor or registered professional engineer. The site plan shall be submitted to the ZBA and shall show at least the following:

- (a) The location, boundaries, and dimension of each lot in question.
- (b) Two-foot contours of the existing and proposed land surface.
- (c) The locations of existing and proposed structures, watercourses, and drainage easements, means of access, drainage, and sewage disposal facilities.
- (d) The elevation of the basement and first floor.
- (e) The area and location of leaching fields.

g. Development Conditions. For the development of land within the Inland Wetland District, the following conditions shall apply:

1. If the lot(s) is to be served by a public sewerage system, the following conditions shall apply:

- (a) A minimum of six test borings to a minimum depth of eight (8) feet shall be taken; three of which shall be within the area of the proposed structure and three within 25 feet of the outside walls of the structure, but not closer than 10 feet. A report by a soil scientist or qualified engineer shall accompany the test data.

- (b) The floor level of areas to be occupied by human beings as living or work space shall be four (4) feet above the seasonal high water table and not subject to periodic flooding.

- (c) If the basement floor level is below the seasonal high water table and affords the possibility of human occupancy at some future date, although not originally intended, adequate perimeter drainage and foundation shall be installed to withstand the effect of pressure and seepage. Furnace and utilities are to be protected from the effects of leaching.

- (d) Safe and adequate means of vehicular and pedestrian passage shall be provided in the event of flooding of the lot(s) or adjacent lot(s) caused by either the overspill from water bodies or high runoff.

2. If the lot(s) is to be served by an on lot septic system, the following conditions including those listed previously shall apply:

- (a) The leaching area designed for use, as well as a reserved area for future expansion or total future use, shall be plotted with dimensions on the site plan.

- (b) A minimum of two percolation tests per leaching area shall be performed. The maximum groundwater table shall be determined during the last two weeks of March or the first three weeks of April. At least two observation pits at least six (6) feet in depth shall be dug to determine soil profiles. The observation pits may be dug during other times of the year, and shall be accompanied by a detailed report compiled by a soil scientist or qualified engineer.

- (c) The leaching areas shall not be constructed in areas where the maximum groundwater elevation is less than 4 feet below the bottom of the leaching areas.

3. The developer shall show that the proposed development will not endanger health and safety, including safety of gas, electricity, fuel, and other utilities from breaking, leaking, shortcircuiting, grounding, igniting or electrocuting; obstruct or divert flood flow; substantially reduce natural floodwater storage capacity; destroy valuable habitat for wildlife; adversely affect groundwater resources or increase stormwater run-off velocity so that water levels on other land are substantially raised or the danger from flooding increased.

##### h. Board of Appeals Procedure

1. The ZBA shall not take final action on an application for a special permit hereunder until it has received a report thereon from the Inspector of Buildings, the Board of Health, the Conservation Commission, Town Engineer, and the ARB, or until 30 days have elapsed after receipt of such plan without the submission of a report.

2. The ZBA may, as a condition of approval, require that effective notice be given to prospective purchasers, by signs or otherwise, of past flooding of said premises, and the steps undertaken by the petitioner or his successor in title to alleviate the effects of the same.

- i. Occupancy Permit No occupancy permit shall be issued until the Inspector of Buildings and the Board of Health, Conservation Commission, Town Engineer, and the ARB have received a certified plan showing the foundation and flood elevations, grading of the premises, elevations of the completed construction, and all elevations of the various elements that make up the sewage disposal system, and until all requirements of all permits are satisfied.

- j. Areas and Yard Regulations. The portion of any lot within the Inland Wetland District may be used to meet the lot area, open-space and yard requirements for the District in which the remainder of the lot is situated.

- k. Exemptions in the Inland Wetland District. Where a proposed use is determined to fall within the limits of the Inland Wetland District, but the applicant for the proposed use determines that the location for his proposed use is not wet or subject to periodic flooding and should not, therefore, be included in the definition of the Inland Wetland District, said use may be exempt by the ZBA from the provisions of this section if the applicant provides sufficient evidence for the ZBA to clearly determine that the land-in question should not be subject to the provisions of this Section.

#### Section 11.06 - Environmental Design Review

a. Purpose. The purpose of this section is to provide individual detailed review of certain uses and structures which have a substantial impact upon the character of the Town and upon traffic, utilities and property values therein, thereby affecting the public health, safety and general welfare thereof. The environmental design review process is intended to promote the specific purposes listed in Section 1.03 of this Bylaw.

##### b. Application

1. In the following categories, all new structures and new outdoor uses, exterior additions, and changes in use which require a special permit according to Section 5.04, and which require a building permit under the building code, shall require a special permit subject to the environmental design review procedures and standards hereinafter specified:

- (a) New building on a lot, any part of which fronts on Massachusetts Avenue or Pleasant Street.

- (b) Eight (8) or more dwelling units on the premises, whether contained in one or more structures.

- (c) Gasoline service stations.

- (d) Lodging house or a rehabilitation residence with more than 5,000 square feet of gross floor area or with 10 or more parking spaces.

- (e) Nonresidential uses and hotels or motels in a nonresidential district with more than 10,000 square feet of gross floor area or with 20 or more parking spaces.

- (f) Nonresidential uses in a residential district with more than 5,000 square feet of gross floor area or with 10 or more parking spaces.

- (g) Outdoor uses, except 2.08, 3.02, 4.01, 4.08 and accessory open space and recreation uses, which occupy more than 10,000 square feet of land.

2. Any use permitted as a right or by special permit in the Planned Unit Development District shall be subject to the environmental design review procedures and standards hereinafter specified:

##### c. Permit and Procedure

1. Uses subject to the provisions of this section may be allowed by special permit. Any person desiring such a permit shall submit an application to the ZBA in accordance with the application procedure for special permits, except for uses in the Planned Unit Development District. A copy of the application with the accompanying plans, photographs, and sign permit application shall be submitted at the same time to the Department of Planning and Community Development.

##### 2. Planned Unit Development District

Every developer in a Planned Unit Development district shall file with the Board of Selectmen an application for an environmental design review. The application shall include the material listed in 11.06(d), any material required by the rules of the Board of Selectmen, as well as the following:

- (a) The plans shall be certified by the land surveyor doing the boundary survey and the professional engineer or architect on the location of the building(s), setbacks, and all other required dimensions, elevations, and measurements and further that the plan be signed under the penalties of perjury.

- (b) The corner points of the lot (or lots under common ownership) and the change of direction of lines to be marked by stone monuments, cut in stone, stake and nail, iron pin, or other marker, shall be so marked.

The Board of Selectmen shall review the plans and model and may grant a special permit subject to the conditions and safeguards listed in Section 10.11(b). The Board of Selectmen for stated reasons may deny approval of a special permit or may approve a special permit without a finding of hardship. The site plan shall be subject to the standards listed in Section 11.06(f) and the Board of Selectmen shall make a determination that the project meets these standards.

Before granting a special permit, the Board of Selectmen shall hold a public hearing, notice of which shall be given in a local newspaper once in each of two successive weeks with the first publication to be not less than fourteen (14) days before the date of hearing, and to owners of all property abutting the proposed development or land in the same ownership or contiguous ownership, and to all property owners deemed by the Board of Selectmen to be affected thereby. The Board of Selectmen shall make its finding within sixty (60) days from the date of application. If the Board of Selectmen fails to issue its finding within sixty (60) days, the special permit shall be deemed approved and a special permit granted. The Board of Selectmen shall make a copy of the site plan, the model, the application and any other supporting material submitted, immediately available to the Department of Planning and Community Development and to the ARB and they shall have an opportunity to prepare written reports with recommendations to be submitted to the Board of Selectmen before or at the public hearing. The failure of either the ARB or the Department of Planning and Community Development to submit written reports or to give an oral report at the public hearing shall not invalidate action by the Board of Selectmen. A favorable decision by the Board of Selectmen shall require the votes of at least four members of said Board.

d. Required Submittals. In addition to the site plan required for special permits in Section 10.11(c) of this Bylaw, the application shall be accompanied by the following:

- i. Model. An inexpensive study model or final presentation model at a minimum scale of 1" equals 40' showing the tract, abutting streets, proposed contours, proposed buildings, and the massing of abutting buildings. (Not required for additions, alterations, or changes in use which increase gross floor area by less than 100 percent.)

2. Drawing of Existing Conditions. A drawing (at a minimum of 1" equals 20' unless another scale is found suitable by the Department of Planning and Community Development) showing the location, type, size, or dimension of existing trees, rock masses, existing topography at two (2) foot contours, and other natural features with designations as to which features will be retained. In order to meet the conditions for approval of a special permit, all existing trees, rock masses, and other natural features shall be retained until a special permit is approved.

##### 3. Drawing of Proposal

- (a) Structure: a drawing including color and type of surface materials showing front and rear elevations, and side elevations where there are no adjoining buildings, and floor plans.

- (b) Landscape: a drawing showing the location, dimensions, and arrangements of all open spaces and yards, including type and size of planting materials, color and type of surface materials, methods to be employed for screening, and proposed topography at two (2) foot contours.

4. Photographs. Photographs showing the proposed building site and surrounding properties, and of the model (if required). Applications for alterations and additions shall include photographs showing existing structure or sign to be altered and its relationship to adjacent properties.

5. Impact Statement. Statement by applicant with explanation of how each of the environmental design review standards is incorporated into the design of the proposed development. Where a particular standard is not applicable, a statement to that effect will suffice. An environmental impact statement prepared in accordance with state or Federal regulations may be accepted as a substitute in lieu of this statement.

6. Application for permit and accompanying plans as specified under Section 10.06 for each sign that is to be erected on the proposed structure(s).

e. Board of Appeals Procedure. The ZBA shall within 10 days refer the proposal and model thereof to the Department of Planning and Community Development which for the purpose of this section shall serve in an advisory capacity to the ZBA. The Department of Planning and Community Development shall evaluate the proposed use

on the basis of the standards set forth in paragraph f. of this section and Section 10.11(a), using outside consulting services when appropriate, and shall submit its findings and recommendations in a design review report to the ZBA which specifically addresses each standard individually.

The ZBA shall not take final action on an application for a special permit under this section until it has received the design review report or until 30 days have elapsed after submittal of said proposal to the Department of Planning and Community Development. The ZBA shall not deny a special permit required by this section unless it finds that the proposed use does not comply with the standards listed in paragraph f. to such a degree that such use would result in a substantial adverse impact upon the character of the neighborhood in which the use is proposed, or of the town and upon traffic, utilities and public or private investments therein, thereby conflicting with the purposes of this Bylaw.

f. **Environmental Design Review Standards.** The following standards shall be utilized by the Board of Appeals, the Department of Planning and Community Development, and the Board of Selectmen in reviewing all site and building plans. These standards are intended to provide a frame of reference for the applicant in the development of site and building plans as well as a method of review for the reviewing authority. These standards shall not be regarded as inflexible requirements. They are not intended to discourage creativity, invention and innovation. The specification of one or more particular architectural styles is not included in these standards. The standards of review outlined in subsections (1) through (11) below shall also apply to all accessory buildings, structures, freestanding signs and other site features, however related to the major buildings or structures.

1. **Preservation of Landscape.** The landscape shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal, and any grade changes shall be in keeping with the general appearance of neighboring developed areas.

2. **Relation of Buildings to Environment.** Proposed development shall be related harmoniously to the terrain and to the use, scale, and architecture of existing buildings in the vicinity that have functional or visual relationship to the proposed buildings. The Board of Appeals may require a modification in the massing so as to reduce the effect of shadows on abutting property in an R1 or R2 district or on public open space.

3. **Open Space.** All open space (landscaped and usable) shall be so designed as to add to the visual amenities of the vicinity by maximizing its visibility for persons passing the site or overlooking it from nearby properties. The location and configuration of usable open space shall be so designed as to encourage social interaction, maximize its utility, and facilitate maintenance.

4. **Circulation.** With respect to vehicular and pedestrian 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 that are safe and convenient and, insofar as practicable, do not detract from the use and enjoyment of proposed buildings and structures and the surrounding properties.

5. **Surface Water Drainage.** Special attention shall be given to proper site surface drainage so that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Stormwater shall be removed from all roofs, canopies and paved areas and carried away in an underground drainage system. Surface water in all paved areas shall be collected at intervals so that it will not obstruct the flow of vehicular or pedestrian traffic, and will not create puddles in the paved areas.

6. **Utility Service.** Electric, telephone, cable TV and other such lines and equipment shall be underground. The proposed method of sanitary sewage disposal and solid waste disposal from all buildings shall be indicated.

7. **Advertising Features.** The size, location, design, color, texture, lighting and materials of all permanent signs and outdoor advertising structures or features shall not detract from the use and enjoyment of proposed buildings and structures and the surrounding properties.

8. **Special Features.** Exposed storage areas, exposed machinery installations, service areas, truck loading areas, utility buildings and structures, and similar accessory areas and structures shall be subject to such setbacks, screen plantings or other screening methods as shall reasonably be required to prevent their being incongruous with the existing or contemplated environment and the surrounding properties.

9. **Safety.** With respect to personal safety, all open and enclosed spaces shall be designed to facilitate building evacuation and maximize accessibility by fire, police, and other emergency personnel and equipment. Insofar as practicable, all exterior spaces and interior public and semi-public spaces shall be so designed as to minimize the fear and probability of personal harm or injury by increasing the potential surveillance by neighboring residents and passersby of any accident or attempted criminal act.

10. **Heritage.** With respect to Arlington's heritage, removal or disruption of historic, traditional or significant structures, or architectural elements shall be minimized insofar as practicable, whether these exist on the site or on adjacent properties.

11. **Microclimate.** With respect to the localized climatic characteristics of a given area, any development which proposes new structures, new hardsurface ground coverage, or the installation of machinery which emits heat, vapor, or fumes, shall endeavor to minimize, insofar as practicable, any adverse impact on light, air, and water resources, or on noise and temperature levels of the immediate environment.

**Section 11.57 - Filling of Any Water or Wet Area**  
For the filling in of any pond, lake, swamp, or other existing

body of water or wet area, and the filling in of any swale, valley, or other area or depression, where such filling requires an amount of fill equivalent to five hundred (500) cubic yards or more, or where the area to be filled in exceeds ten thousand (10,000) square feet and where such filling has received prior approval of the appropriate state officials under the applicable provisions of Chapter 131 of the General Laws, the following conditions apply:

a. A location plan at a scale of one (1) inch equals six hundred (600) feet showing the area to be filled in, property lines within which the filling is proposed and tie-in to the nearest road intersection shall be submitted.

b. A site plan shall be submitted to a scale of one (1) inch equals forty (40) feet of the premises and surrounding area within one hundred (100) feet showing, in addition to a. above, existing and proposed contour lines at intervals of not more than two (2) feet resulting from the proposed filling in, in relation to the topography of the premises, said plan to be prepared by a registered professional engineer or registered land surveyor.

c. Provision shall be made for temporary and permanent drainage of the site.

d. Fills shall be limited to terrace fills which are not to exceed ten (10) feet at any one (1) time nor be within ten (10) feet of an adjacent property line or any cut.

e. Regrading of all parts of the slopes resulting from such fill shall be carried out.

f. At least four (4) inches of topsoil shall be replaced over all filled or otherwise disturbed surfaces with seeding with a perennial cover crop, reseeded as necessary, to assure uniform growth and soil surface stabilization.

g. A plan for lighting if night operation is contemplated shall be submitted.

h. Where any fill will have a depth of ten (10) feet or more and create a slope of more than one in two, there

shall be a substantial fence enclosing the fill at least six (6) feet in height with suitable gates. Such fence shall be located ten (10) feet or more from the edge of the fill.

i. The planned filling in shall be consistent with any recreation, conservation and open space plan as prepared by the ARB or the Department of Planning and Community Development.

j. Documentation shall be submitted as to the effect of such filling in on drainage both within the immediate area and sufficiently far downstream as required by the Building Inspector and in accordance with Section 11.04.

## ARTICLE 12

### AMENDMENT, VALIDITY, AND EFFECTIVE DATE

#### Section 12.01 - Amendment

This Bylaw may be amended from time to time in accordance with Section 6 of the Zoning Enabling Act.

#### Section 12.02 - Validity

The invalidity of any section, paragraph or provision of this Bylaw, or of any district, or part thereof as shown upon the Zoning Map, or of any boundary line shown upon said map, shall not affect the validity of any other section, paragraph or provisions of this Bylaw, or of any other district or part thereof as shown upon the Zoning Map, or of any other such boundary line.

#### Section 12.03 - Effective Date

This Bylaw shall take effect upon acceptance by the Town and its approval by the Attorney General and publication according to Section 32 of Chapter 40 of the General Laws of the Commonwealth of Massachusetts.

or take any action thereto.

(Inserted at the request of the Redevelopment Board)

**(See the following pages for: Section 5.04 Table of Use Regulations, Section 6.00 Table of Dimensional and Density Regulations, Proposed Zoning Map, and Wetland and Flood Plain Overlay.)**



permitted as a right.  
social permit  
not permitted

[illegible]





ROW	USE	LOT REQUIREMENTS		PLANNING		INTENSITY OF DEVELOPMENT		MINIMUM YARD		HEIGHT		OPEN SPACE		
		MINIMUM (S.F.)	MAXIMUM (S.F.)	MINIMUM	MAXIMUM	LOT COVERAGE PERCENT	MAXIMUM PERCENT	Front (ft)	Rear (ft)	Stories	Feet (ft)	Percent of Area Covered by Trees (Minimum)	Percent of Area Covered by Trees (Maximum)	
R1	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R2	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R3	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R4	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R5	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R6	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R7	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R8	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R9	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R10	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R11	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R12	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R13	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R14	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R15	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R16	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R17	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R18	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R19	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R20	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R21	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R22	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R23	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R24	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R25	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R26	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R27	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R28	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R29	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R30	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R31	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R32	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R33	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R34	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R35	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R36	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R37	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R38	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R39	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R40	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R41	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R42	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R43	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R44	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R45	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R46	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R47	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R48	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R49	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R50	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R51	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R52	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R53	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R54	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R55	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R56	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R57	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R58	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R59	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R60	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R61	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R62	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R63	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R64	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R65	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R66	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R67	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R68	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R69	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R70	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R71	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R72	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R73	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R74	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R75	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R76	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R77	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R78	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R79	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R80	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R81	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R82	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R83	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R84	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R85	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R86	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R87	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R88	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R89	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R90	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R91	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R92	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R93	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R94	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R95	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R96	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25	10(A)	20(H)	2-1/2	35	10%(A)	30%(A)
R97	Single-family detached dwelling, principal structure	6,000	60	0.80	NA	NA	35%	25						

Use	Any other permitted use.	Setback	Lot area	Front	Side	Rear	Height	Floor area	Density	Other	Notes
B3	Any other permitted use.	1.00	NA	1,450	0	0	10' - 10'	3	35	10%	(H)
	Building with a detached use of a town house or row house and any building with a detached use of a town house or row house within 6 ft. of the ground elevation at the building perimeter.	1.40	NA	600	15' - 10'	0	(H+L) - 6'	5	60	10%	20%
	Any other permitted use.	1.00	NA	600			(H+L) - 6'	5	60	10%	(H)
	Any other permitted use.	1.40	NA	600			(H+L) - 6'	5	60	10%	(H)
B4	Any other permitted use.	0.80	NA	1,480	18	10' - 10'	20	3	35	10%	25%
	Apartment House with a detached use of a town house or row house within 6 ft. of the ground elevation at the building perimeter.	1.40	NA	700	15' - 10'	0	(H+L) - 6'	NA	70	10%	20%
	Any other permitted use.	1.00	NA	NA	0	0	(H+L) - 6'	3	35	10%	(H)
	Any other permitted use.	1.40	NA	600			(H+L) - 6'	5	60	10%	(H)
B5	Any other permitted use.	1.00	NA	1,450	0	0	10' - 10'	3	35	10%	(H)
	Building with a detached use of a town house or row house and any building with a detached use of a town house or row house within 6 ft. of the ground elevation at the building perimeter.	1.40	NA	600	15' - 10'	0	(H+L) - 6'	5	60	10%	20%
	Any other permitted use.	1.00	NA	600			(H+L) - 6'	5	60	10%	(H)
	Any other permitted use.	1.40	NA	600			(H+L) - 6'	5	60	10%	(H)
H	Any other permitted use.	1.00	NA	1,450	0	0	10' - 10'	3	35	10%	(H)
	Building with a detached use of a town house or row house and any building with a detached use of a town house or row house within 6 ft. of the ground elevation at the building perimeter.	1.40	NA	600	15' - 10'	0	(H+L) - 6'	5	60	10%	20%
	Any other permitted use.	1.00	NA	600			(H+L) - 6'	5	60	10%	(H)
	Any other permitted use.	1.40	NA	600			(H+L) - 6'	5	60	10%	(H)
I	Any other permitted use.	1.00	NA	1,450	0	0	10' - 10'	3	35	10%	(H)
	Building with a detached use of a town house or row house and any building with a detached use of a town house or row house within 6 ft. of the ground elevation at the building perimeter.	1.40	NA	600	15' - 10'	0	(H+L) - 6'	5	60	10%	20%
	Any other permitted use.	1.00	NA	600			(H+L) - 6'	5	60	10%	(H)
	Any other permitted use.	1.40	NA	600			(H+L) - 6'	5	60	10%	(H)
PUD	Any other permitted use.	1.00	NA	1,450	0	0	10' - 10'	3	35	10%	(H)
	Building with a detached use of a town house or row house and any building with a detached use of a town house or row house within 6 ft. of the ground elevation at the building perimeter.	1.40	NA	600	15' - 10'	0	(H+L) - 6'	5	60	10%	20%
	Any other permitted use.	1.00	NA	600			(H+L) - 6'	5	60	10%	(H)
	Any other permitted use.	1.40	NA	600			(H+L) - 6'	5	60	10%	(H)

Footnotes to Table of Dimensional Regulations

- (A) See Section 6.08 for exceptions.
- (B) In R1 and R2 Districts, the rear yard need not be more than 20% of the full lot depth.
- (C) One side yard must not be less than 10 ft., and the total of both side yards must not be less than 16 ft.
- (D) A town house structure shall not exceed 150 ft. or 6 town houses in length for a detached structure nor 120 ft. for that part of the structure which is attached to another structure. The minimum lot area shall be 6,250 sq. ft. and the minimum lot width shall be 100 ft. for minimum lot dimensions.
- (E) L is the length of a wall parallel to the lot line, as measured parallel to the lot line.
- (F) H is the height of the building for which the setback or yard is to be calculated. Where the formula  $(H+L) - 6$  is used in calculating setback or yard, and where any lot line abuts a street, or public open space, see the provisions of Section 6.2.
- (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 shall be 10% landscaped and 20% usable in the B1, B2, B3 and B4 districts, and 15% 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 1.30.
- (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.

Additional regulations are contained in the text of Article 6.

Use 5.10

Use 2.08, 2.07, 3.02, 4.01, 5.09, 5.02, 5.17

200,000 (K)

NA

25

10

20

2-1/2

35

NA

200

(See Section 6.20)



## ARLINGTON, MASSACHUSETTS

PREPARED BY THE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

SCALE IN FEET, <sup>100</sup>



- LEGEND
- R1-SINGLE FAMILY  
R2-TWO FAMILY  
R3-THREE FAMILY  
R4-TOWN HOUSE  
R5-APARTMENTS--LOW DENSITY  
R6-APARTMENTS--MEDIUM DENSITY  
R7-APARTMENTS--HIGH DENSITY  
R8-NEIGHBORHOOD OFFICE  
R9-NEIGHBORHOOD BUSINESS  
R9A-VILLAGE BUSINESS  
R9B-VEHICULAR ORIENTED BUSINESS  
M1-CENTRAL BUSINESS  
I1-INDUSTRIAL  
H1-HOSPITAL  
T1-TRANSPORTATION  
P1D-PLANNED UNIT DEVELOPMENT

DATE: AUGUST 1974



WILMINGTON REDEVELOPMENT BOARD

11

# Wolfgang Iser

# Wetland And Flood Plain Overlay

**ELEVATION OF 100 YEAR FLOOD PLANS**

THE 100 YEAR FLOOD PLANS SHOWN ON THIS MAP WERE PREPARED BY THE ARKINGTON REDEVELOPMENT BOARD AND THE ARKINGTON BOARD OF SELECTMEN. THE 100 YEAR FLOOD PLANS WERE PREPARED BY THE ARKINGTON REDEVELOPMENT BOARD AND THE ARKINGTON BOARD OF SELECTMEN. THE 100 YEAR FLOOD PLANS WERE PREPARED BY THE ARKINGTON REDEVELOPMENT BOARD AND THE ARKINGTON BOARD OF SELECTMEN.

ARKINGTON REDEVELOPMENT BOARD

## PROPOSED ZONING MAP

ARLINGTON, MASSACHUSETTS

PREPARED BY THE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

SCALE IN FEET: 0 50 100 150 200

WETLAND AND FLOODPLAIN OVERLAY

LEGEND

WETLAND BOUNDARY

FLOODPLAIN BOUNDARY

DATE: AUGUST 1975



BELMONT



Article 3. To see if the town will vote to amend the zoning Bylaw of the Town of Arlington by deleting the following in Article 11, Section 11.06, paragraph: ZBA

and insert in place thereof

ARB

and adding the following at the end of the first paragraph:

The ARB by virtue of its designation as a special permit granting authority shall follow all procedures and exercise all the rights of the ZBA in granting special permits, or take any action relating thereto.

*[Inserted at the request of the Redevelopment Board]*

Article 4. To see if the town will vote to amend the Zoning Bylaw of the town of Arlington by deleting in Article 6, Section 6.18, the following:

The above provisions for setbacks from a front lot line in R1 districts shall not apply to an accessory private swimming pool. Such a pool may be constructed in the front yard provided the deck on an above-ground pool, or the water in an in-ground pool, is set back at least ten (10) feet from the front lot line. In addition, such pools shall be completely enclosed by a fence at least four (4) feet in height having a self-closing gate with a latch.

An accessory private swimming pool shall be completely enclosed by a fence at least five (5) feet in height, having a self-closing gate with a latch.

or take any action thereto.

*[Inserted at the request of the Redevelopment Board]*

Article 5. To see if the town will vote to amend the Zoning Bylaw of the Town of Arlington by adding to Article 5, Section 5.04 "Table of Use Regulations" under accessory use number 8.04 the following:

and provided it shall either be stored within a principal or accessory building or at least 10 feet from the side and/or rear lot lines. If the maximum dimensions of said vehicle or boat do not exceed 5 feet in height, 7 feet in width, and 18 feet in length, it may be stored within the building setback line for the side or rear yard."

or take any action thereto.

*[Inserted at the request of the Redevelopment Board]*

Article 6. To see if the town will vote to amend the Zoning Bylaw of the Town of Arlington by deleting in Article 2 the definition under "family" which reads as follows:

Family: A number of individuals living together as a single housekeeping unit and doing their cooking upon the premises.

and inserting in place thereof the following new definition:

An individual or two or more persons related within the second degree of kinship, or by marriage or adoption living together as a single housekeeping unit and including necessary domestic help such as nurses or servants and further including not more than three (3) lodgers or roomers taken for hire. A group of individuals not related by blood or marriage, but living together as a single housekeeping unit, may constitute a family. For purposes of controlling residential density, each such group of four (4) individuals shall constitute a single family.

or take any action thereto.

*[Inserted at the request of the Redevelopment Board]*

Article 7. To see if the town will vote to amend the Zoning Bylaw of the Town of Arlington by deleting the following:

Section 6.06 - Exceptions to Minimum Lot Size, Frontage, Open Space, and Side Yard Requirements in R1 and R2 Districts.

Minimum lot size, frontage, open space and side yard requirements in R1 and R2 districts shall not apply to lots which prior to the passage of the original bylaw of the town of Arlington in 1924 were shown as separate parcels on subdivision plans approved by the Board of Survey or on plans or deeds duly recorded with the Registry of Deeds. In the case of such lots, frontage of any dimension on a public or private way approved by the Town shall be required, and

for such lots the required side yards need not be more than 7 feet 6 inches or 15 percent of the lot width whichever is the greater.

Section 6.06 - Residential Lot of Record.

Any lot lawfully laid out by plan or deed duly recorded which complies at the time of recording with the minimum area, frontage, width, and depth requirements, if any, of the zoning bylaw then in effect, may be built upon for residential use in accordance with the provisions of Section 6.06.

and inserting in place thereof new Sections 6.06 and 6.06A as follows:

Section 6.06 - Exceptions to Minimum Lot Size, Frontage, Open Space, and Side Yard Requirements in R1 and R2 Districts.

The minimum lot size, frontage, open space and side yard requirements set forth in the Table of Dimensional and Density Regulations for residential uses in the R1 and R2 zoning districts may not apply to lots which prior to the passage of the zoning bylaw on May 15, 1924, were shown as separate parcels on subdivision plans approved by the Board of Survey or on plans or deeds duly recorded with the Registry of Deeds. Such lots on which a principal building previously existed or for which a building permit has been issued prior to the date of the first advertisement of this Section in August 1925 shall be exempt from the minimum lot size, frontage, open space and side yard requirements provided, however, that each side yard is not less than 7 feet 6 inches or 15 percent of the lot frontage, whichever is the greater, and each side yard which did not contain a principal building or for which a building permit was not issued prior to the first advertisement of this Section in August, 1925, may be built upon with a residential use provided the lot contains not less than 5,000 square feet of area and 50 feet of frontage, and each side yard is not less than 7 feet 6 inches or 15 percent of the lot frontage whichever is the greater, and the open space requirements are waived.

Section 6.06A - Residential Lot of Record.

Any lot lawfully laid out by plan or deed duly recorded which complies at the time of recording with the minimum area, frontage, width, and depth requirements, if any, of the zoning bylaw then in effect, may be built upon for residential use provided it has a minimum area of five thousand (5,000) square feet, with a minimum frontage of fifty (50) feet and is otherwise in accordance with the provisions of Section 5A of the Zoning Enabling Act.

or take any action thereto.

*[Inserted at the request of the Redevelopment Board]*

Article 8. To see if the Town will vote to appropriate an additional sum of money other than the sum voted under Article 19 of the Special Town Meeting of 1972 whereby the Town voted to amend Section 53C of Chapter 44 of the General Laws for a working fund for Police Work Details, or take any action relating thereto.

*[Inserted at the request of the Town Treasurer]*

Article 9. To see if the Town will vote to appoint a Committee of five members of the Town Manager or his designees, the Chairmen of the Finance Committee or his designees and three registered voters of the Town to be appointed by the Board of Selectmen for the purpose of reporting to the 1976 Annual Town Meeting with a plan for installing air conditioning in the Nathan Hale Town Hall, said Committee to place such plan for affirmative action before the 1976 Annual Town Meeting, or take any action relating thereto.

*[Inserted at the request of the Town Treasurer]*

Article 10. To see if the Town will vote to appropriate a sum of money for the purpose of supplementing monies previously appropriated for the payment of the town's share of the town employees' group health insurance premiums and determine in what manner the money shall be raised and expended.

*[Inserted at the request of the Town Manager]*

Article 11. To see if the Town will vote to appropriate a sum of money in order to pay to Portsmouth Philip Hogan back wages for the period from May 5, 1973, to August 8, 1975, in accordance with a Civil Service order and determine in what manner the money shall be raised and expended.

*[Inserted at the request of the Town Manager]*

Article 12. To see if the Town will vote to amend Section 6 of Article 9A of the bylaws of the Town by deleting said section and inserting in place thereof the following new section:

"All areas under the care and control of the Board of Park and Recreation Commissioners are considered to be opened at 6:00 A.M. and closed at 9:00 P.M., unless extended by the written consent of said Board. Anyone found on said areas between the hours of 9:00 P.M. and 6:00 A.M. without permission shall be considered to be trespassers."

or take any action relating thereto.

*[Inserted at the request of the Town Manager]*

Article 13. To see if the Town will vote to appropriate a sum or sums of money to defray the obligations and expenses incurred in procuring plans and bids for the proposed new Senior High School; determine in what manner the money shall be raised and expended; or take any action relating thereto.

*[Inserted at the request of the Permanent Town Building Committee]*

Article 14. To see if the Town will vote to appropriate a sum or sums of money to be expended under the direction of the Permanent Town Building Committee for the purchase of equipment and materials for the Junior High School East; determine in what manner the money shall be raised; or take any action relating thereto.

*[Inserted at the request of the Permanent Town Building Committee]*

Article 15. To see if the Town will vote to appropriate a sum or sums of money to be expended under the direction of the Permanent Town Building Committee for the purchase of equipment and materials for the Otiscon Junior High School; determine in what manner the money shall be raised; or take any action relating thereto.

*[Inserted at the request of the Permanent Town Building Committee]*

Article 16. To see if the Town will place a plaque in memory of the late Fredrick Santini at the Scannell Field; make an appropriation for said purpose; determine how the money shall be raised and expended; or take any action relating thereto.

*[Inserted at the request of one hundred (100) registered voters]*

Article 17. To see if the Town will make an appropriation to be expended under the direction of the Town Clerk, for the purpose of defraying the expense of advertising and other incidental costs relating to the Bylaws voted at this Town Meeting; determine in what manner the money shall be raised; or take any action relating thereto.

And you will notify and warn the voters of the Town of Arlington to meet at the time and place herein specified by leaving at every dwelling house in the Town a printed copy of this Warrant, and also by posting a copy of the same at the doors of the Town Hall, and in a conspicuous place in each of the twenty-one precincts of the Town, seven days at least prior to the time of said meeting.

Hereof, fail not, and make due return of this Warrant, with your doings thereon, to the Town Clerk, on or before said day and hour of meeting.

Given under our hands, at said Arlington, this eighteenth day of August, in the year of our Lord one thousand nine hundred and seventy-five.

(S) MARGARET H. SPENGLER  
GEORGE K. RUGG  
ARTHUR D. SAUL, JR.  
ROBERT B. WALSH  
ANN MAHON POWERS

SELECTMEN  
OF THE  
TOWN  
OF  
ARLINGTON



true copy.

Attest:

(S) FREDERICK E. PITCHER  
Constable, Town of Arlington